



THE MARYLAND-NATIONAL CAPITAL
Park and Planning Commission

COMMISSION MEETING

October 18, 2023

10:00 a.m. – 11:00 a.m.

**Prince George's
Parks and Recreation Administration**

Auditorium

6600 Kenilworth Avenue
Riverdale, Maryland 20737

and via teleconference

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MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MEETING AGENDA

Wednesday, October 18, 2023

10:00 am to 12:00 noon

Hybrid – Online & Prince George’s Parks and Recreation
Administration Building Auditorium, Riverdale
Or Newton White Mansion, Mitchellville, Maryland

		<u>ACTION</u>	
		Motion	Second
1.	Approval of Commission Agenda (10:00 a.m.)	(*) Page 1	
2.	Approval of Commission Minutes (10:05 a.m.)		
	a) Open Session – September 20, 2023	(*) Page 3	
3.	General Announcements (10:05 a.m.)		
	a) Breast Cancer Awareness Month		
	b) National Pregnancy and Infancy Loss Awareness Month		
	c) National AIDS Awareness Month		
	d) Hiring People with Disabilities Month		
	e) National Domestic Violence Awareness Month		
	f) National Stop Bullying Month		
	g) Italian American, German American, and Polish American Heritage Month		
4.	Committee Minutes/Board Reports (For Information Only) (10:10 a.m.)		
	a) Employees Retirement Association Board of Trustees Regular Meeting - September 5, 2023		Page 7
5.	Action and Presentation Items (10:15 a.m.)		
	a) Resolution 23-18 Adoption of the 115 Trust Investment Plan (Cohen)	(*) Page 11	
	b) Resolution 23-21 Edward U. Taylor Elementary School: An Amendment to the Master Plan for Historic Preservation (Ballo)	(*) Page 23	
	c) Resolution 23-23 Land Exchange in Westphalia Central Park (Sun)	(*) Page 31	
	d) Recommendation for Appointment of Audax Management Company, LLC as a new Investment Manager for the Employees’ Retirement System (Rose)	(*) Page 51	
	e) Proposed Amendments to Practices Defining the Organization and Functions of the County Planning Board Offices and Planning Departments (Practices 1-50A, 1-50B, 1-60A and 1-60B) (Harvin/Beckham)	(*) Page 53	
	f) Updates to Benefits Rates for 2024 (Spencer/McDonald)	(*)Page 103	
	g) i. Inspector General’s Annual Report (Kenney)	Page 115	
	ii. Audit Committee Annual Report (Bailey)	Page 139	
6.	Closed Session (11:15 a.m.)		

Pursuant to the Maryland General Provisions Article of the Annotated Code of Maryland, Section 3-305(b)(1), (8), (12) and (15), a closed session is proposed to (i) to discuss confidential personnel matters; (ii) to discuss an investigative proceeding on actual or possible criminal conduct; (iii) to discuss actual or possible litigation; and (iv) to discuss cybersecurity matters that pose a risk to: 1. security assessments or deployments relating to information resources technology; 2. network security information; and 3. deployments or implementation of security personnel, critical infrastructure, or security devices, in order to protect public safety.

(agenda continued next page)

7. **Officers' Reports (11:40 a.m.)**

Executive Director's Report

- a) Late Evaluation Report, Sep 2023 (For Information Only)
- b) CIO Quarterly Report

Page 143
LD

Secretary Treasurer

No report scheduled

General Counsel

- c) Litigation Report (For Information Only)

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(*) Vote (LD) Late Delivery (H) Handout (D) Discussion Only



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

Commission Meeting
Open Session Minutes
September 20, 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 10:01 a.m.

ITEM 1 APPROVAL OF COMMISSION AGENDA

ACTION: See item 2

ITEM 2 APPROVAL OF COMMISSION MINUTES

Open Session – 07/29/23

Motion by Commissioner Geraldo to adopt the 9/20/23 Agenda
and 7/29/23 Open Session Minutes

Seconded by Bailey

8 approved the 9/20/23 agenda

8 approved the 7/29/23 minutes

Bartley did not vote

ITEM 3 GENERAL ANNOUNCEMENTS

- a) Hispanic Heritage Festival September 15, Hispanic Heritage Month – September 15th to October 15th.
- b) HIV/AIDS Awareness Day (Sept 18th)
- c) Aging Awareness Day (Sept 18th)
- d) National Prostate Cancer Awareness Month

Vice-Chair Harris introduced the new chief of staff for the Montgomery County Planning Board, Ilana Branda. Ms. Branda introduced herself and was welcomed by the Commission.

ITEM 4

COMMITTEE AND BOARD REPORTS (For Information Only)

- a) Employees’ Retirement System Board of Trustees Regular Meeting Minutes, July 11, 2023

ITEM 5

ACTION/PRESENTATION ITEMS

- a) Resolution 23-17 Updated and Amended M-NCPPC Investment Policy (Cohen)

Secretary-Treasurer Cohen briefed the Commission on the proposed resolution which would update the Commission’s investment policy. This is principally to account for the dissolution of the Executive Committee. However, it is also changing how reporting on investing would be conducted. Reporting will be posted publicly online instead of as meeting information items. The August report is ready now and will be posted imminently. This will increase transparency and efficiency.

Chair Shapiro supported the change. Vice-Chair Harris inquired if the investment committee would still review this information for monitoring. Secretary-Treasurer Cohen responded that there is no separate committee for Commission investments funds. Those actions are done by the Commission’s investment manager and the Secretary-Treasurer. But at any time, any Commissioner or member of the public can direct questions to the Secretary-Treasurer or the Commission’s investment manager.

ACTION:

Motion by Commissioner Geraldo to adopt Resolution 23-17

Seconded by Commissioner Bailey

9 voted in favor

- b) Resolution 23-20 Perpetual Easement of Back Branch Stream Valley Park

No Questions, item as attached.

ACTION:

Motion by Commissioner Geraldo to adopt Resolution 23-20

Seconded by Commissioner Hedrick

9 voted in favor

- c) CAS Cost Allocation (Knaupe)

Acting Corporate Budget Director Knaupe presented the CAS Cost Allocation Analysis. This is an annual process that determines the funding of the CAS budget from the county budgets. The Budget Office is looking for approval for specific allocations.

Chair Shapiro inquired what the historical process is for this item. Budget Director Knaupe responded that this budget is funded by each county’s administrative fund and metrics are taken to determine work product on a county basis. Estimate data is taken over a three-year period, this helps determine the percentage of funds from each county. Commissioner Pedeem inquired if this item has not yet been approved in the county budget and asked that if it is based on estimates. Acting Corporate Budget Director Knaupe responded that this item is used to build the proposed county budgets to be submitted in January, and that it uses historical data to make a future estimate.

ACTION:

Motion by Commissioner Geraldo to approve the cost allocation

Seconded by Commissioner Hedrick

9 voted in favor

d) Resolution 23-19 Leave Carryover Recommendation (Harvin/Beckham)

CPMO Director Harvin briefed the Commission on the requested Leave Carryover Resolution. This resolution would allow carry over of some leave for staff. Current leave limits are based on the hiring date. These limits were suspended during the pandemic to encourage staff to take care of personal and health matters. Thereafter, the agency experienced personnel retention issues which still persist. Staff are not requesting a total carryover but are instead recommending a 25 percent carryover across the board. With approval, these changes can be implemented for non-represented staff and the Executive Director will be able to work with the unions on behalf of represented staff.

Chair Shapiro and Vice-Chair Harris indicated this item has had extensive discussion with staff and that Department Heads support the item. Vice-Chair Harris inquired if this is a transition or permanent item, and if would it need to be revisited next year. Director Harvin responded that this would only apply to the current calendar year, and after which standard merit rules would apply. Commissioner Pedoeem inquired about the impact on the operating budget. Director Harvin responded that this item has been reviewed with the Departments and would come from their respective budgets. When measured against the negative budget impact the Departments have indicated that it is still worthwhile. Commissioner Pedoeem asked if the staff have not utilized leave if something occurs at home requiring leave because staff are already at home because of telework. Director Harvin reported that this does not appear to be a driving factor for the Commission. Executive Director Chiang-Smith added that the staff that have been impacted have been supervisors and managers who often must cover multiple vacant positions and not been able to take leave. Commissioner Bartley voiced concern over the budget impact and extra accrual of time being paid out at once. Without specific budget information it would be hard to gauge impact. Executive Director Chiang-Smith responded that while we cannot ask staff when they will retire, the Departments are aware of the impact. Unless there are mass retirements there should not be any impact on budgets. Vice-Chair Harris confirmed that we are seeking to return to the normal process next year.

Acting Director King added that her Department initially requested this proposal and it will help with staff retention. The Planning Department's upcoming move is also putting pressure on staff to take less leave in the short term. Commissioner Pedoeem inquired if the Directors can approve individual leave carryover requests and why not extend that provision. Director Harvin confirmed that they can do so through April but that it may not be enough. Executive Director Chiang-Smith added that this proposal has been well vetted and has the support of the Departments and avoids unintended consequences. Policy Manager Beckham added that delaying the transferring of leave would result in pausing the limit entirely, and staff would then be able to carry over for the duration of the carryover, as opposed to 25 percent. Commissioner Pedoeem asked if this would not work better for staff. Executive Director Chiang-Smith indicated it would, but that it would also result in larger leave balances being carried over, while the Departments have advised that 25 percent would be acceptable. Management is encouraging staff to use their leave to avoid these situations, while being financially responsible. This recommendation represents a middle ground solution. Commission Geraldo voiced support of the resolution and said that it looked properly vetted.

Commission Doerner agreed and sympathized with staff voicing that we should compassionate in this situation and back our ideals.

ACTION:

Motion by Commissioner Doerner to adopted Resolution 23-19

Seconded by Commissioner Bailey

8 voted in favor,

Bartley abstained

ITEM 6

OFFICERS' REPORTS

Executive Director's Report

a) Late Evaluation Report, July-Aug 2023 (For Information Only)

b) 4th Quarter MFD Purchasing Statistics

Director Harvin noted that in this item, Attachment G, a correction was made after document submission. Participation is 28.5 percent in procurement over 250,000 dollars.

c) Quarterly Budget Transfers Report

Secretary-Treasurer's Report

d) 4th Quarter Investment Report (For Information Only)

General Counsel's Report

e) Litigation Report (For information only)

Commissioner Geraldo recognized Sonja Ewing for her recent efforts at the Maryland Association of Counties (MACo) event.

With no other business to discuss, Chair Shapiro adjourned the meeting at 10:46 a.m.


James Adams, Senior Technical Writer, for
Kevin J. Davey, Acting Technical Writer


Asuntha Chiang-Smith, Executive Director



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

BOARD OF TRUSTEES MEETING MINUTES
Tuesday, September 5, 2023; 10:00 a.m.
Kenilworth Office Building, Riverdale, MD
(Virtual Meeting via Microsoft Teams)

The Maryland-National Capital Park and Planning Commission (“Commission”) Employees’ Retirement System (“ERS”) Board of Trustees (“Board”) met virtually via Microsoft Teams with CHAIR SHAPIRO leading the call on Tuesday, September 5, 2023. The meeting was called to order at 10:04 a.m. by CHAIR SHAPIRO.

Board Members Present

Peter A. Shapiro, Board of Trustees Chair, Prince George’s County Commissioner
James Hedrick, Board of Trustees Vice Chair, Montgomery County Commissioner
Gavin Cohen, CPA, M-NCPPC Secretary-Treasurer, Ex-Officio
Pamela F. Gogol, Montgomery County Public Member
Sheila Morgan-Johnson, Prince George’s County Public Member
Elaine A. Stookey, Bi-County Open Trustee
Howard Brown, F.O.P Represented Trustee
Lisa Blackwell-Brown, MCGEO Represented Trustee
Asuntha Chiang-Smith, M-NCPPC Executive Director, Ex-Officio

Arrived at 11:05 a.m.

Board Members Absent

Theodore J. Russell III, Prince George’s County Open Trustee
Caroline McCarthy, Montgomery County Open Trustee

ERS Staff Present

Andrea L. Rose, Executive Director
Jaclyn F. Harris, Deputy Executive Director
Sheila Joynes, Accounting Manager
Alicia C. Stanford, Administrative Specialist

Presentations

Wilshire Advisors, LLC – Bradley A. Baker, Managing Director and LouAnn Eisenhut, Assistant Vice President

Other Attendees

Ben Rupert – M-NCPPC Office of General Counsel, Principal Counsel

ITEM 1. APPROVAL OF THE SEPTEMBER 5, 2023, CONSENT AGENDA

ACTION: MR. COHEN made a motion, seconded by MS. CHIANG-SMITH to approve the Consent Agenda of September 5, 2023. The motion PASSED (8-0). VICE CHAIR Hedrick was absent for this vote. (Motion # 23-30).

ITEM 2. CHAIR’S ITEMS – No discussion or questions from the Trustees.

ITEM 3. RESOLUTION TO APPOINT CHAIR AND VICE CHAIR

ACTION: MS. CHIANG-SMITH made a motion, seconded by MR. COHEN to appoint Peter A. Shapiro as Chair and James Hedrick as Vice Chair of the ERS Board of Trustees for the term ending June 30, 2025. The motion PASSED (9-0). (Motion # 23-31).

ITEM 4. CONSULTANT PRESENTATIONS

ITEM 4.A. Wilshire Advisors, LLC

Mr. Baker and Ms. Eisenhut provided an overview of Wilshire’s Diversity, Equity, and Inclusion (DEI) and Diverse-Owned Manager Initiative. Wilshire publishes an annual review of their DEI initiatives detailing how they strive to promote equal access and opportunity for asset management firms owed by people from underrepresented groups. Wilshire is also committed to DEI internally and provided statistics on the Firm’s diversity demographics. Ms. Eisenhut reported that in 2022, 56% non-white or female were representative of the new hires for Wilshire’s U.S. staff. The demographics of Wilshire’s entire staff in 2022, included 56% non-white or female, 38% non-white, and 34% female. For 2022, the diversity breakdown of Wilshire’s staff is characterized as 3% African American, 25% Asian/Hawaiian/Pacific Islander, 8% Latino/Hispanic, 62% White.

Mr. Baker highlighted that Wilshire continues to execute the identification, research, and evaluation of minority owned businesses for consideration in the ERS’ investment manager searches as outlined in the Statement of Investment Policy. The onboarding of diverse-owned firms has had some success but there are ongoing challenges. Win-rates for manager searches have slightly grown as diverse-owned managers represent 10% of Wilshire’s manager database. However, industry-wide, firms with substantial (defined as 25-49%) or majority (50% or higher) women or diverse ownership represent just 8.6% of the industry’s total number of firms. Mr. Baker added that investment manager searches for the ERS must meet minimum qualifications and be competitively top tier to be considered for allocation in the portfolio, regardless of their minority ownership status.

Mr. Baker provided a Quarterly Executive Summary on the Fund’s performance for the quarter ending June 30, 2023. The ERS total return was 1.51% (net of fees) for the quarter, underperforming by 116 basis points the target policy benchmark return of 2.67%. For the FYTD, three, five, and ten-years ended June 30, 2023, the ERS total return (net of fees) was 7.30%, 8.59%, 6.78%, and 7.09%, respectively compared to the target policy benchmark return of 8.88%, 6.01%, 5.55% and 6.16%, respectively. The total market value as of June 30, 2023 was \$1.1 billion. The U.S. stock market was up 8.43% for the 2nd Quarter and is up 19.03% for the past 12 months. The best performing sectors were information technology (+17.2%), consumer discretionary (+14.6%), and communication (+13.1%). The worst performing sector was utilities (-2.5%).

ITEM 5. COMMITTEE REPORTS/RECOMMENDATIONS

ITEM 4.A. Investment Monitoring Group

Ms. Harris provided a summary of the Investment Monitoring Group’s (IMG) June 20, 2023 regular report. During this meeting, Northern Trust, provided a presentation on their company profile and reported on services provided for the ERS. As of March 31, 2023, the ERS has over \$1 billion in assets and 28 accounts with Northern Trust, 3,817 active benefit participants, a total of \$61.7 million in annuity and \$1.9 million in lump sum payments in 2022 and

received \$3,188 in class action proceeds in 2022. Ms. Harris noted that Northern Trust reported gross revenue earnings for the ERS' securities lending program of \$4,043,752 million over the last 20 years, with a current fee split of 70/30 (ERS receives 70% and Northern Trust 30% of revenue).

During the June 20, 2023 IMG meeting, Mr. Baker provided recommendations for the Principal U.S. Property Account and Neuberger Berman High Income Fund as a follow-up to the IMG's April 18, 2023 meeting. The IMG recommended the Board place Principal on the Watchlist; authorize a private core real estate search; pursue a fee reduction with Principal; keep Neuberger Berman on the Watchlist through December 2023; and evaluate alternatives if performance does not improve.

ACTION: VICE CHAIR HEDRICK made a motion, seconded by MS. GOGOL to place Principal on the Watchlist and authorize a private core real estate search. The motion PASSED (9-0). (Motion # 23-32).

ACTION: MS. GOGOL made a motion, seconded by MR. COHEN to keep Neuberger Berman on the Watchlist through December 2023 and evaluate alternatives if performance does not improve. The motion PASSED (9-0). (Motion # 23-33).

ITEM 4.B. Administrative and Personnel Oversight Committee

Mr. Cohen briefed the Board on the June 20, 2023 Administration and Personnel Oversight Committee ("Personnel Committee") meeting. The Personnel Committee held a working session to review and discuss the proposed revisions to the new Education Policy, which will be incorporated into the July 2023 version of the Governance Manual. Staff conducted a complete overhaul of the Education Policy that affords the Executive Director and Trustees more flexibility in the education program and customizes education and training specific to the needs of the individual Trustee. A new comprehensive Trustee orientation and orientation packet was also developed. Key revisions to the July 2023 Governance Manual include clarifying responsibility and accountability for terminating investment managers, service providers and staff; formalizing the existing practice of paying a stipend to Public Member Trustees; clarifying mileage reimbursement for Trustees; and revising the prescriptive language in the Pension Funding Policy for annually considering the reasonableness of the investment return assumption. The Personnel Committee recommended the new Education Policy and other key revisions to the Governance Manual dated July 2023 be approved by the Board.

ACTION: MS. CHIANG-SMITH made a motion, seconded by VICE CHAIR HEDRICK for the approval of a new Education Policy and incorporation into the Governance Manual dated July 2023. The motion PASSED (9-0). (Motion # 23-34).

Ms. Rose informed the Board that the Personnel Committee reviewed and discussed revisions to the ERS Employee Handbook, which was last updated in 2021 and provides general guidance about policies and procedures, rules of conduct and employee benefits for employees of the ERS. Key revisions to the Employee Handbook include adding a training and development section to recognize management's commitment to training and development for employees; providing for professional membership fee reimbursement; formalizing the telework program which includes policies and procedures; and revising the Employee Recognition Program. The Personnel Committee recommended the Employee Handbook revisions be approved by the Board.

ACTION: VICE CHAIR HEDRICK made a motion, seconded by MS. GOGOL for the approval of a revised Employee Handbook. The motion PASSED (9-0). (Motion # 23-35).

ITEM 6. EXECUTIVE DIRECTOR'S REPORT

Ms. Rose presented the Executive Director's Report dated August 23, 2023. Ms. Rose reminded the Board that in accordance with the Pension Funding Policy, a Request for Proposal will be issued in the next couple weeks to conduct a full scope audit of the June 30, 2023 actuarial valuation; to audit the work of the consulting actuary; and to confirm the accuracy of work and adequacy of methods, assumptions, and conclusions. Ms. Rose informed the Board that staff submitted the actuarial data, supplemental reports, and information to Cheiron in early August. Data verification for the actuarial valuation is expected to conclude in September and actuarial valuation results from Cheiron are expected to be ready for the November 2023 Board meeting. The external auditor is completing their review of the Financial Statements and Annual Comprehensive Financial Report for fiscal year June 30, 2023 and will report the audit results and opinion at the Audit Committee meeting on September 26, 2023. After the completion of the audit, staff will prepare the Popular Annual Financial Report for members. Staff continue to make headway on the MemberDirect self-service portal and ERS website redesign and anticipate launching November and December of 2023, respectively.

The Board meeting of September 5, 2023, adjourned at 11:33 a.m.

Respectfully,

Alicia C. Stanford

Alicia C. Stanford
Administrative Specialist

Andrea L. Rose

Andrea L. Rose
Executive Director



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MEMORANDUM

TO: Commissioners Date: October 18, 2023

FROM: **Gavin Cohen**, Secretary-Treasurer

SUBJECT: **Trust Procurement Policy and Procedures Manual (Manual)**

RECOMMENDATION/ACTION:

Staff recommends that the Commission:

1. Approve the attached MNCPPC Post Retirement Benefits (115) Trust and Maryland-National Capital Park and Planning Procurement Policy and Procedures Manual.
2. Approve Resolution #23-18 to Maryland-National Capital Park and Planning Commission for the Procurement Policy and Procedures Manual approved and adopted by the MNCPPC Post Retirement Benefits (115) Trust Board, effective September 27, 2023.

BACKGROUND:

The Post-Retirement Benefits Program Trust (Trust) is a separate legal entity as described in Article 95 §22(b) of the Code of Maryland, that accumulates funds to provide benefits for qualified retirees of the Maryland-National Capital Park and Planning Commission (Commission). The Commission formed the Trust. All the work to manage the operational aspects of the Trust is performed by staff of the Department of Finance, including hiring vendors and paying the Trust's bills. At this time, The Trust does not have any direct employees.

The Commission has a relationship with the Trust that is defined in a Trust Agreement (Agreement) which was amended and restated on July 1, 2007. The Agreement sets forth how the Trust is to be administered.

The Trust's main responsibility is to administer the Trust for the sole benefit of the retirees that qualify for the benefit and to pay the benefits as promised. The Trust's investments have grown significantly since inception and the Trust accordingly requires more resources for its administration. Many policies governing the Trust operations, such as the procurement of professional services have been informal. The Manual will formalize procedures that are currently in practice.

DISCUSSION:

The purpose of this Manual is to explain the procedures and policies to be followed in the procurement of goods and services for the Trust, except to the extent that purchases of



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goods and services are expressly exempted under these procedures. Examples of professional services that are procured by the Trust are actuarial, investment advisory, legal and custodial.

Where feasible, the Trust will utilize the Commission's procurement division to assist with its formal solicitations.

Attachment(s):

Trust Procurement Policy and Procedures Manual
Resolution #23-18

*M-NCPPC Post Retirement
Benefits (115) Trust*

*THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION*

**PROCUREMENT
POLICY AND
PROCEDURES
MANUAL**

Approved by the Board of Trustees on
September 27, 2023

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INTRODUCTION

The Maryland-National Capital Park and Planning Commission (Commission) currently maintains the Post-Retirement Insurance Benefits Program (Trust) to provide health insurance benefits for qualified Commission retirees. The Commission pre-funds these benefits through an IRS Section 115 Trust which is managed by a separate Board of Trustees (Board) consisting of: one Trustee from the Montgomery County Planning Board, one Trustee from the Prince George's County Planning Board, the Executive Director, Director of Human Resources, and the Secretary-Treasurer.

The Commission's Investment Manager is appointed by the Board as the Trust Administrator. The Trust Administrator manages the operational aspects of the Trust including the hiring of vendors and payment of Trust bills. Resolution 99-06 approved by the Commission on March 10, 1999, established the Trust, July 1, 1999 and a Trust agreement (Agreement) was amended and restated on July 1, 2007. The Agreement sets forth how the Trust is to be administered. The benefits paid are funded by employer contributions from the Commission and interest earnings on Trust assets. Trust's main responsibility is to administer the Trust for the sole benefit of the retirees that qualify and to pay the benefits as promised.

The purpose of this manual is to explain the procedures and policies to be followed in the procurement of goods and services for the Trust, except to the extent that purchases of goods and services are expressly exempted under these procedures. Examples of professional services that are procured by the Trust are actuarial, investment advisory, legal and custodial.

Where feasible, and subject to the Commission's concurrent approval of these Procedures, the Trust will utilize the Commission's procurement division to assist with its formal solicitations. Where the Commission's procurement division is utilized, the Trust will be bound by the same terms and conditions and utilize the same solicitation documents and methods as the Commission.

ETHICS IN PURCHASING

Trustees and staff responsible for the purchase of goods and services or for administering contracts on behalf of the Trust shall be guided in their actions by the Post-Employment Health Benefits Trusts Ethics Policy approved by the Board on 20th February 2008. Trustees who make commitments that do not comply with this procurement policy through gross negligence or willful misconduct may, in accordance with the Trust Agreement, be held personally liable for resolving any unauthorized commitments they make.

PROHIBITED ACTS

The following specific acts as part of the procurement process will be considered a breach of the Trusts ethical standards as part of the purchasing process:

1. participation in a procurement action where a conflict of interest or appearance of a conflict of interest exists;
2. improper use of confidential information;
3. collusion;
4. use of prestige of office;
5. bribes, gratuities, or kickbacks; or
6. use of contingent fees for the purpose of securing a Trust contract.

CONFLICT OF INTEREST

The following rules apply in the procurement of all goods and professional services:

1. Trustees and Commission Staff may not participate directly or indirectly in a procurement action in which a conflict of interest may exist.
2. Former Trustees and Commission Staff may not participate directly or indirectly in a purchasing action for a period of twenty-four (24) months after separation from the Commission, unless a waiver is granted by the Board.
3. The Trust will not knowingly enter into any Contracts for the purchase of goods or services with its trustees or employees or their relatives/family members, or with any entity in which the employee or trustee knows he or she has greater (or knows that a related party as defined in the Ethics Policy) than a 5% interest or association, direct or indirect, unless a waiver is received from the Board.

GRATUITIES & KICKBACKS

Trustees and Commission Staff who are directly or indirectly involved in the procurement process on behalf of the Trust, are prohibited from soliciting, demanding, accepting, or agreeing to an offer of employment or gifts, or anything of value, including but not limited to, samples other than those received in connection with an official procurement, entertainment, special personal price considerations, fees, commissions, meals, or other gratuities from vendors and consultants doing business with the Trust in connection with any solicitation or proposal.

Trustees and Commission Staff are to avoid any decision-making practices, particularly with respect to procurement of goods or services, that appear to be "kickbacks" or "pay-to-play" practices.

1. "Kickbacks" are transactions where vendors seeking to do business with the Trust provide some personal benefit to Trustees or Commission Staff to try and influence a decision.
2. A "Pay-to-Play" transaction is one where a vendor, in order to participate in a business process such as a bidding competition, or to maintain an existing contract for services, provides a benefit unrelated to the Trust's business requirements for that decision.

REQUIREMENT OF GOOD FAITH

It is the policy of the Trust that all parties involved in the negotiations, performance or administration of all Trust procurement actions act in good faith.

EXCEPTIONS

The following transactions are not subject to the competitive bidding provisions of this Procurement Policy, unless specifically directed by the Trustees; however, competitive processes should be used, if feasible, and written agreements or purchase orders are required in most cases.

- a. bank fees;
- b. commission employee reimbursements;
- c. insurance;
- d. memberships, dues, fees for conferences and seminars, and associated or similar expenses for Trustees;
- e. published books, maps, periodicals, newspapers, and technical pamphlets; riding Contracts by another governmental entity that have already been competitively bid;
- f. travel;

- g. tuition assistance, training courses, and materials provided for Trustees;
- h. visiting speakers for workshops;
- i. investment managers
- j. legal services

FAIR CONSIDERATION/PUBLIC INTEREST POLICY

It is the policy of the Trust that it does not discriminate in its procurement process. The Trustees require that all Trust solicitations consider qualified minority owned firms consistent with their fiduciary duties to the Trust.

As used in this Procurement Policy, a minority firm shall be defined as a firm that is majority owned by one, or any combination of the following groups: African American, Asians (including Pacific Islanders), Native American, Hispanic American, women, and disabled individuals.

CATEGORIES OF PURCHASES

Goods mean all supplies, personal property, and commodities including but not limited to equipment, materials, and printing.

Professional Services are defined as a service performed by an independent contractor that requires specialized knowledge and training (accounting, legal, actuarial, investment, custodial) or in-depth experience in a particular field or discipline.

DEFINITIONS

Best Value means the overall combination of quality, price, warranty maintenance requirements, and various elements of required services that in total best meet the Trust needs.

Request for Proposals is a solicitation method for providers of a product or service to bid on work for which solutions are required and various factors, in addition to price, will be considered in the selection of the Contractor.

PROCUREMENT THRESHOLDS/ SOURCE SELECTION METHODS

Set forth below are the accepted source selection methods of procurement which may be adjusted from time to time by the Trustees in the best interest of the Trust to reflect current business practices.

Procurements under \$10,000, goods and professional services, considered small dollar purchases,

The process for procurements under \$10,000 is at the discretion of the Administrator. Competition is not required for small dollar purchases; however, the Administrator is encouraged to solicit vendor quotes to the extent practicable and to solicit quotes from minority owned vendors. Splitting purchases into multiple transactions to avoid competition is prohibited. Quotes may be obtained orally by telephone, facsimile or in writing. If quotes are obtained orally, document in writing. The Administrator verifies funds are available and makes final selection of the vendor based upon the best value for the money and best interests of the Trust.

Procurements Between \$10,000- \$50,000 (including procurement of all computer hardware)

All procurements for goods and professional services between \$10,000-\$50,000 and procurements for all computer hardware require that a minimum of three (3) firms be contacted, two of which are minority owned firms.

The Administrator will obtain written quotes by either soliciting via fax, email, mail or by issuing a written request for quotes. Requests for quotes will contain a detailed scope of services. The Administrator has the authority to approve all procurements between \$10,000-\$50,000 and procurements for all computer hardware. Final selection is based upon the best value for the money and the best interests of the Trust.

The Trustees may require a formal Request for Proposal process for professional services between \$10,000-\$50,000.

Procurements over \$50,000

All procurements for goods and professional services over \$50,000, excluding computer hardware, are conducted through a competitive proposal process except those noted under the Exceptions Section of this Policy. A minimum of five (5) firms shall be contacted, two of which shall be minority owned firms. If five (5) competitive proposals are not available then the reasons should be fully documented. Three (3) responses are required. A response of "no" or "not interested" is considered a response.

Commission Staff will obtain written quotes by either soliciting via fax, email, mail or by issuing a written request for quotes. The Administrator and the Chair have the authority to approve all procurements over \$50,000. Final selection is based upon the best value for the money, consideration of each vendor's professional qualifications, and the best interests of the Trust.

Contract Terms for Professional Services shall be for a minimum of five years, with an option for 1–2 year extensions

MEASURES TO PREVENT DISCRIMINATION IN THE SELECTION PROCESS

The Request for Proposal process must be fair, open and advertised widely as used by the Commission. The process utilized in the selection of all professional services over \$50,000 is intended to be a competitive, objective process designed to ensure that the Trust has access to a broad array of quality service providers.

To procure professional services over \$50,000, the Administrator will draft and issue a Request for Proposal ("RFP"). The RFP identifies the services sought, outlines the proposal specifications, selection process, and requests detailed information.

The RFP is advertised to ensure that all qualified providers have an opportunity to bid. In addition to the advertisement, Commission Staff will attempt to identify qualified minority owned firms that meet the specifications of the mandate and, when appropriate and notify these firms of the outstanding RFP.

There may be circumstances, consistent with this Policy, in which an RFP is not issued or advertised. If a search is conducted without the use of an advertised RFP, the Administrator will attempt to identify and include minority owned firms that meet the specifications of the mandate for consideration in the evaluation process. Such attempt shall be fully documented in writing.

Following the collection of RFP responses or initial screening, the Administrator will review, consolidate and synthesize the appropriate information into a review document. A Board Committee may interview finalists, undertake site visits, contact references, confirm performance or other data, and conduct such additional due diligence as may be prudent under the circumstances. Upon completion of the initial due diligence, the Administrator will present the Committee's recommendations to the Board for approval and final consideration.

EMERGENCY PURCHASES and WAIVERS OF COMPETITION

The Administrator, with approval from the Chair, may waive competition requirements for emergency purchases when an urgent need for the item or service does not permit soliciting competitive bids, as in cases of emergencies, disasters, etc.

The purpose of emergency purchases is to expedite the purchasing process when goods or services are needed immediately to maintain a safe operational environment, the loss of which would create a situation that would adversely and unduly affect the safety, health or comfort of building, occupants or otherwise cause loss to the Trust.

In addition to waivers of competition for emergency purchases, the Chair may also waive competition for purchases if it serves the best interest of the Trust. The purpose of waivers of competition is to expedite the purchasing process where the situation warrants it. Waivers should be used sparingly.

PREFERRED IMPLEMENTATION METHOD

Contract

The preferred method for all procurements of goods is the Contract. A contract is required for all professional services. A contract is a legal agreement between the Trust and vendor for an exchange of goods or services.

The Administrator has the authority to enter into a contract on behalf of the Trust up to fifty- thousand dollars (\$50,000). Only the Administrator has the authority to enter into a contract or otherwise obligate the Trust. The Administrator may make modifications and/or amendments to contracts awarded if the cost of the modification(s) are within \$50,000.

All contracts greater than \$50,000 must be approved by the Board, prior to being executed by the Administrator.

The Administrator is responsible for the management of all contracts.

PROCUREMENT WITH THE COMMISSION

The Trust may participate in a joint procurement with the Commission, subject to Commission approval, and if the Trust is satisfied that the process employed and goods and services to be procured are (a) of satisfactory quality and meet the technical requirements of the project; (b) delivered or completed in timely fashion; and (c) procured at market prices.

PROCUREMENT WITH OTHER GOVERNMENT AGENCIES

The Trust may enter into a procurement agreement with one or more other government agencies for the purpose of performing a specific function. The circumstances warranting procurement with other government agencies includes:

1. A procurement agreement where the Trust lacks the necessary capacity to perform the contract on its own, and the agreement is fair and equitable; or
2. A procurement agreement that will be of substantial benefit to the Trust.

INSURANCE

All vendors doing business with the Trust are required to provide evidence of adequate insurance prior to executing a contract with the Trust. This is in order to protect the Trust from liability against claims resulting from bodily injury, property damage, workers' compensation issues and other liabilities that may arise during the course of business.

The awarded vendor will instruct its insurance provider to include the Trust as a named insured and furnish to the Administrator a Certificate of Insurance (COI) attesting to the issuance of insurance policies affording coverage as required.

The Administrator may waive the insurance requirement when a determination is made that the risk of loss is negligible on certain specific contracts.

BID AWARD PROTESTS

Any actual or prospective bidder who is aggrieved in connection with the award of a contract may protest to the Trust Administrator.

The bid protest provides bidders with a standard protocol to address grievances and ensures equitable treatment of complaints.

The potential Bidder may contest the bid award. All protests must be in writing and should include the name and address of the protester, the solicitation number, the reasons for the protest, any supporting documentation to substantiate the claim, and the remedy sought. Protests must be received by the Administrator within 15 days of notice of an award being made.

The Administrator will issue a decision in writing as promptly as possible after all information is received. The decision shall describe the solicitation, state the reasons for the decision, and inform the protestor of the right to appeal the decision.

The protestor having been informed of the decision will have the right to request a final determination be made by the Chair of the Board. This request must be made in writing within 15 days of date of decision being issued by the Administrator. All decisions issued by the Chair shall be final.

A notice to proceed will be deferred until a final decision is made by the Administrator and or Chair.



M-NCPPC RESOLUTION NO. 23-18

**APPROVAL OF THE POST RETIREMENT BENEFITS (115) TRUST AND
MARYLAND-NATIONAL CAPITAL PARK AND PLANNING PROCUREMENT
POLICY AND PROCEDURES MANUAL**

WHEREAS, the Maryland-National Capital Park and Planning Commission (Commission) was created by the State of Maryland and is a body politic and corporate, and an agency of the State; and

WHEREAS, the Commission was created to acquire, develop, maintain, and administer a regional system of parks within Montgomery and Prince George's Counties and to prepare and administer a general plan for the development of both counties; and

WHEREAS, the Post-Retirement Benefits Program 115 Trust (Trust) was created, by the Commission, as a separate legal entity that accumulates funds to provide benefits for qualified retirees of the Commission; and

WHEREAS, the Trust's primary responsibility is to administer the Trust for the sole benefit of the retirees that qualify for the benefit and to pay the benefits as required; and

WHEREAS, management of the Trust's operations, including hiring vendors and paying the Trust's bills, is performed by Commission staff because the Trust does not have any employees; and

WHEREAS, the Commission and the Trust entered into an Amended and Restated Post-Retirement Insurance Benefits Program Trust Agreement as of July 1, 2007, that establishes how the Trust is to be administered; and

WHEREAS, many of the Trust's internal policies governing its operations, such as the procurement of professional services, have been informal; and

WHEREAS, the Post-Retirement Benefits (115) Trust and Maryland-National Capital Park and Planning Procurement Policy and Procedures Manual was drafted with the purpose of formalizing the procedures and policies to be followed in the procurement of goods and services;

NOW, THEREFORE, BE IT RESOLVED THAT, the Post-Retirement Benefits (115) Trust and Maryland-National Capital Park and Planning Procurement Policy and Procedures Manual is approved and adopted, effective September 27, 2023.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

BE IT FURTHER RESOLVED, that the Maryland-National Capital Park and Planning Commission does hereby authorize the Executive Director, and other officers, to take action as may be necessary to implement this resolution.

APPROVED FOR LEGAL SUFFICIENCY:

/s/ Michael W. Aniton

Deputy General Counsel
Office of the General Counsel
M-NCPPC
October 5, 2023



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

MCPB NO. 23-101
M-NCPPC NO. 23-21

RESOLUTION

WHEREAS, The Maryland-National Capital Park and Planning Commission, by virtue of the Land Use Article of the Annotated Code of Maryland, is authorized and empowered, from time to time, to make and adopt, amend, extend and add to *Thrive Montgomery 2050* (2022); and

WHEREAS, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, pursuant to procedures set forth in the Montgomery County Code, Chapter 33A, held a duly advertised public hearing on February 23, 2023, on the Public Hearing Draft for the *Edward U. Taylor Elementary School and Weller's Dry Cleaning: An Amendment to the Master Plan for Historic Preservation*, being also an amendment to *Master Plan for Historic Preservation in Montgomery County, Maryland* (1979), as amended; *MARC Rail Communities Sector Plan* (2019), as amended; and *Thrive Montgomery 2050* (2022), as amended.

WHEREAS, the Montgomery County Planning Board, after said public hearing and due deliberation and consideration, on February 23, 2023, approved the Planning Board Draft Plan for the *Edward U. Taylor Elementary School and Weller's Dry Cleaning: An Amendment to the Master Plan for Historic Preservation*, recommended that the Montgomery County Council sitting as the District Council for that portion of the Maryland-Washington Regional District lying within Montgomery County designate the Edward U. Taylor Elementary School as a Master Plan Historic Site and deny listing the Weller's Dry Cleaning site, and on February 24, 2023, forwarded said recommendation to the Montgomery County Executive for recommendations and analysis; and

WHEREAS, the Montgomery County Executive offered no comments thereon; and

WHEREAS, the Montgomery County District Council, held a public hearing on April 25, 2023, wherein testimony was received concerning the Planning Board Draft of the *Edward U. Taylor Elementary School and Weller's Dry Cleaning: An Amendment to the Master Plan for Historic Preservation*; and

WHEREAS, the District Council, on July 11, 2023, approved the Planning Board Draft Plan with revisions for the *Edward U. Taylor Elementary School: An Amendment to the Master Plan for Historic Preservation* by District Council Resolution No. 20-229.

Approved as to
Legal Sufficiency: /s/ Matthew T. Mills
M-NCPPC Legal Department

**EDWARD U. TAYLOR ELEMENTARY SCHOOL: AN AMENDMENT TO THE
MASTER PLAN FOR HISTORIC PRESERVATION**



Description

Approve the Resolution of Adoption for transmission to the Full Commission.

MASTER PLAN INFORMATION

Resolution

Edward U. Taylor Elementary School: An Amendment to the Master Plan for Historic Preservation

Date

September 28, 2023

Lead Planner

John Liebertz

Planning Division

Historic Preservation, Countywide
Planning & Policy Division

Staff Contact

john.liebertz@montgomeryplanning.org
301-563-3405

Planning Board Information

MCPB
Item No. 1

Planning Staff



John Liebertz, Cultural Resource Planner III, Countywide Planning & Policy
john.liebertz@montgomeryplanning.org, 301-563-3405



Rebecca Ballo, Historic Preservation Supervisor, Countywide Planning & Policy
rebecca.ballo@montgomeryplanning.org, 305-563-3404



Jason Sartori, Chief, Countywide Planning & Policy
jason.sartori@montgomeryplanning.org, 301-495-2172

SUMMARY

- Attached for your review and approval is the Montgomery County Planning Board Resolution Number 23-101 to adopt the Edward U. Taylor Elementary School: An Amendment to the Master Plan for Historic Preservation.
- The Montgomery County Council, sitting as the District Council, approved the Planning Board Draft Plan for the Edward U. Taylor Elementary School: An Amendment to the Master Plan for Historic Preservation by Resolution No. 20-229 on July 11, 2023.

CONCLUSION

- Approve the Resolution of Adoption for transmission to the Full Commission.

ATTACHMENTS

1. Montgomery County Planning Board Resolution No. 23-101
2. Montgomery County Council Resolution No. 20-229

Resolution No.: 20-229
Introduced: _____
Adopted: July 11, 2023

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2
3 **COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND**
4 **SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION**
5 **OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT**
6 **WITHIN MONTGOMERY COUNTY, MARYLAND**
7

8
9 By: County Council
10

11
12 **SUBJECT:** Approval of the Planning Board Draft for the Edward U. Taylor Elementary
13 School: An Amendment to the Master Plan for Historic Preservation
14

- 15 1. On February 23, 2023, the Montgomery County Planning Board approved an amendment to
16 the Master Plan for Historic Preservation for the Edward U. Taylor Elementary School. The
17 Planning Board also considered an amendment to the Master Plan for Historic Preservation for
18 Weller’s Dry Cleaning; however, the Board did not support this amendment.
19
- 20 2. On February 24, 2023, the Montgomery County Planning Board transmitted to the Council the
21 Planning Board Draft for the Edward U. Taylor Elementary School and Weller’s Dry Cleaning:
22 An Amendment to the Master Plan for Historic Preservation (hereafter referred to as the
23 Amendments).
24
- 25 3. The Planning Board recommended amendment to the Master Plan for Historic Preservation
26 would designate the Edward U. Taylor Elementary School (#18-11-6) located at 19501 White
27 Ground Road, Boyds, Maryland 20841 as an historic resource. While the Planning Board Draft
28 includes an evaluation of Weller’s Dry Cleaning (#36-86-1), it is not recommended for
29 designation.
30
- 31 4. On April 25, 2023, the County Council held a public hearing on the Planning Board Draft
32 Amendments and referred the Amendments to the Planning, Housing, and Parks (PHP)
33 Committee for review and recommendations.
34
- 35 5. On June 12, 2023, the PHP Committee held a worksession to evaluate the Amendments and
36 Planning Board recommendations.
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- 38 6. On July 11, 2023, the Council held a worksession to review the Amendments and the PHP
39 Committee’s recommendations.
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Action

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

The Planning Board Draft for the Edward U. Taylor Elementary School, An Amendment to the Master Plan for Historic Preservation is approved with revisions. Council revisions are identified below. Deletions to the text of the Plan are indicated by [brackets], additions by underscoring, and general instruction by *italics*.

Cover, as follows:
Edward U. Taylor Elementary School; [and Weller’s Dry Cleaning and]An Amendment to the Master Plan for Historic Preservation

List of Sections, as follows:
[SECTION THREE: WELLER’S DRY CLEANING PAGE 29]

CONTENTS, as follows:
Delete Section Three references for page 29-41

Page 1, SECTION ONE INTRODUCTION, first paragraph, as follows:
The Edward U. Taylor Elementary School[and Weller’s Dry Cleaning]: An Amendment to the Master Plan for Historic Preservation, contains the text and supporting documentation for an amendment to the Master Plan for Historic Preservation in Montgomery County, Maryland (1979), as amended; MARC Rail Communities Sector Plan (2019), as amended; and Thrive Montgomery 2050 (2022), as amended. [This Amendment addresses two separate resources: the former Edward U. Taylor Elementary School (now the Taylor Science Center) and Weller’s Dry Cleaning.]

Page 1, SECTION ONE INTRODUCTION, as follows:
Delete the third paragraph

Page 4, SECTION ONE INTRODUCTION, as follows:
[This amendment presents the Planning Board’s evaluation of the Edward U. Taylor Elementary School (M: 18-11-6) and Weller’s Dry Cleaning (M:36-86-1)]. In February 2023, the Planning Board listed the Edward U. Taylor Elementary School (M: 18-11-6) in the Locational Atlas and Index of Historic Sites and recommended its designation in the Master Plan for Historic Preservation. [The Planning Board did not recommend listing Weller’s Dry Cleaning in the Master Plan for Historic Preservation.] The County Council approves the amendment to the Master Plan for Historic Preservation[to list ____]. Therefore, the resources are protected by the Historic Preservation Ordinance, Chapter 24A of the Montgomery County Code.

Page 4, SECTION ONE INTRODUCTION, as follows:
Delete the table summary of Historic Preservation Commission’s and Planning Board’s Evaluation

88

89 Page 25, ENVIRONMENTAL SETTING, as follows:

90 *Revise the description of the environmental setting consistent with the Council's approval*
91 *of an environmental setting based on the 1951 parcel acquired by Montgomery County*
92 *Public Schools modified to exclude the two athletic fields and retain the unobstructed*
93 *frontage on White Ground Road as well as the view from the Boyds Negro School site.*

94

95 *Replace the illustration of the environmental setting with an updated illustration that*
96 *removes the two athletic fields from the setting.*

97

98 Pages 29, SECTION THREE Weller's Dry Cleaning, as follows:

99 *Delete this section contained on pages 29-42*

100

101 Page 45, Endnotes, as follows:

102 *Delete End Notes #95-120*

103

104 Back Cover and Headers throughout, as follows:

105 *Delete reference to Weller's Dry Cleaning and revise back cover photo*

106


107

108 This is a correct copy of Council action.

109

110

111

112 
Sara R. Tenenbaum

113 Clerk of the Council



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Department of Parks and Recreation

6600 Kenilworth Avenue Riverdale, Maryland 20737

MEMORANDUM

DATE: September 26, 2023

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

FROM: Paul J. Sun, Land Acquisition Specialist *PJS*
Land Management and Environmental Stewardship Division
Department of Parks and Recreation

SUBJECT: **PGCPB Resolution No. 2023-99 (M-NCPPC No. 23-23), for Full Commission**

Attached, please find the above referenced Prince George' County Planning Board Resolution regarding a Land Exchange Agreement with Woodside Land Investments LLC. With this land exchange agreement, there is a Disposal requirement for a portion of Commission owned property at Westphalia Central Park.

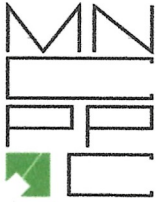
The Department of Parks and Recreation has agreed to the land exchange agreement as we will be receiving additional properties at Patuxent River Park and Collington Branch Stream Valley Park. Additionally, as per the exchange agreement, there will be no monetary considerations for the conveyance of the properties.

We request that the Prince George's County Planning Board Resolution be scheduled for adoption by the Full Commission in October of 2023.

Thank you for your attention to this matter.

Attachments:

- M-NCPPC Resolution No. 2023-23
- Planning Board- September 14th -PowerPoint



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Department of Parks and Recreation
6600 Kenilworth Avenue Riverdale, Maryland 20737

PGCPB No. 2023-99

RESOLUTION

WHEREAS, The Maryland-National Capital Park and Planning Commission (“Commission”) is authorized under the Annotated Code of Maryland, Land Use Article § 17-101, et seq. to acquire land or other property located within the metropolitan district for parks, parkways, forests, streets, roads, boulevards, or other public ways, grounds, or spaces by means of donation, purchase, or condemnation; and

WHEREAS, Woodside Land Investments, LLC (“Woodside”) is the contract purchaser of certain property known as: (a) Marlboro Horse Farm, 2401, 2402, 2407, 2411 Manor Gate Terrace, Upper Marlboro, shown on Tax Map 84, Grid F-2 and F-3, Lots 1, 2, 3 & 4 Block D, Election District 03, Tax Parcel Nos. 3188224, 2840072, 2840080, 2840098 (45.72 acres) which Woodside intends to acquire from John R. Kidd and Charles K. Kilby; and (b) Chew Road, Upper Marlboro, shown on Tax Map 111, Grid A-2, Parcel 11, Election District 3, Tax Parcel 0244137 (124.6 acres), which Woodside intends to acquire from Chew Road Investments, LLC;

WHEREAS, the Kidd / Kilby property and the Chew Road Investments, LLC property total 170.32 ± acres (collectively, the “Woodside Property”); and

WHEREAS, once Woodside has purchased the Woodside Property, the Commission desires to acquire the Woodside Property from Woodside as an addition to its Collington Branch Park and Patuxent River Park, and Woodside desires to convey the Woodside Property to the Commission; and

WHEREAS, the Commission is the owner of certain property known as: (a) the former Suit I Farm shown on Tax Map 91, Grid A-2, Part of Parcel 42, Election District 15 (52.32± acres) (Tax Account No. 5565308) which the Commission acquired using Program Open Space (“POS”) funds from the Maryland Department of Natural Resources (“DNR”); (b) the former Suit II Farm shown on Tax Map 91, Grid A-2, Parcel 42, Election District 15 (36.79± acres) (Tax Account Nos. 1783950); and (c) the former Wholey property shown on Tax Map 91, Grid A-1, Parcel 13, Election District 15 (11.56± acres) (Tax Account No. 1711597); and

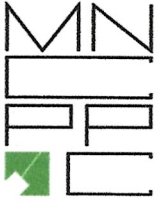
WHEREAS, Suit I, Suit II, and Wholey are collectively 100.67± acres (the “Commission Property”); and

WHEREAS, the Commission is authorized under the Annotated Code of Maryland, Land Use Article § 17-205, to dispose of land that it determines not to be needed for park purposes; and

WHEREAS, the Commission Property is no longer needed for park purposes because the Commission owns sufficient other park property in the Westphalia area.

NOW, THEREFORE BE IT RESOLVED that the Commission may acquire the Woodside Property from Woodside in even exchange (no cash changing hands) for the Commission’s conveyance of the Commission Property to Woodside (subject to a finding by full Commission that the Commission Property is not needed for park purposes and is eligible for disposal and to a finding by DNR and the Maryland Board of Public Works that the Woodside Property is an appropriate property to address the POS conversion of the Suit I portion of the Commission Property); and

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 agreements



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Department of Parks and Recreation
6600 Kenilworth Avenue Riverdale, Maryland 20737

(including Land Exchange Agreement), certificates, 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 resolutions, 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 Washington, seconded by Commissioner Geraldo, with Commissioners Shapiro, Doerner, Washington, Bailey, and Geraldo voting in favor of the motion, during open session, at its regularly held meeting on Thursday, September 14, 2023, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 21st day of September 2023.

Peter A. Shapiro
Chairman

APPROVED AS TO LEGAL SUFFICIENCY

Kent D. Maxwell
M-NCPPC Legal Department

Date 9/22/23

Jessica Jones

By: Jessica Jones
Planning Board Administrator

September 14, 2023

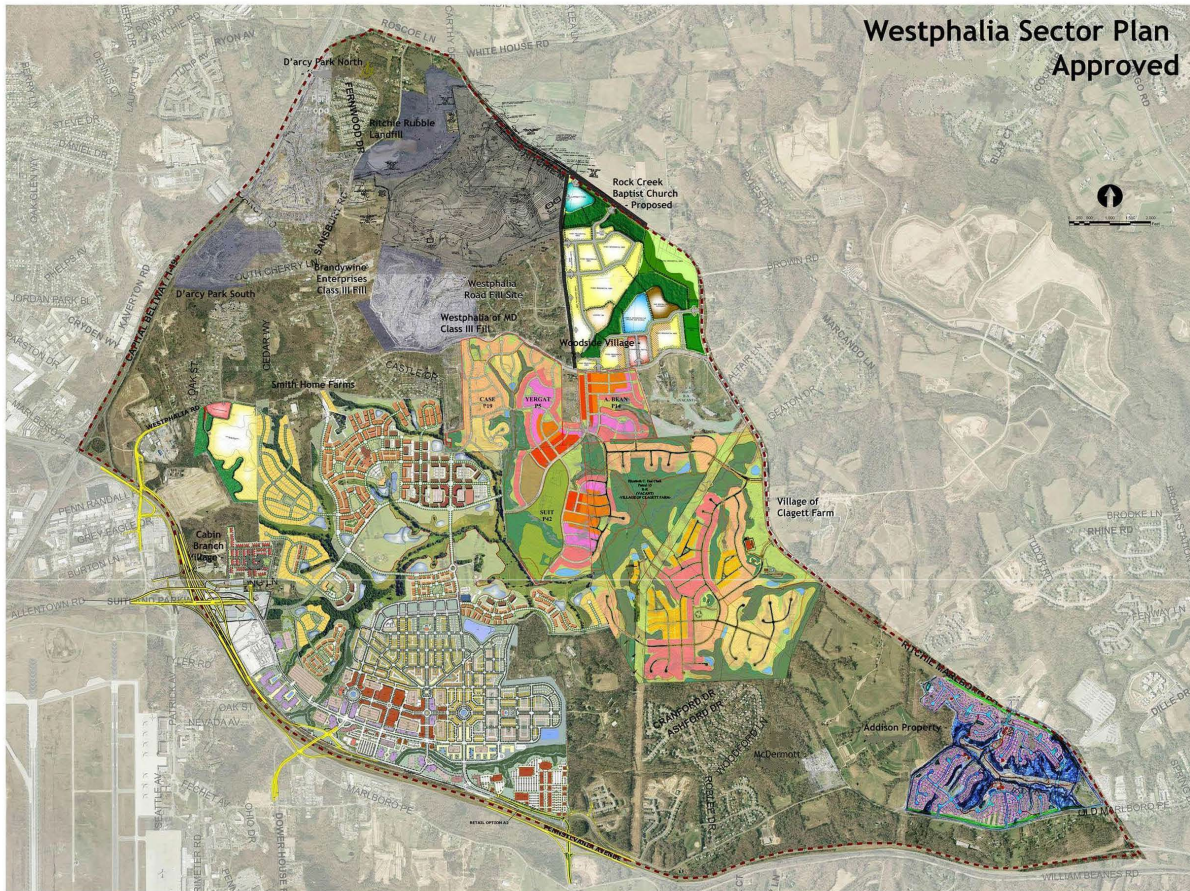
Open Session:
Land Exchange
Agreement

(Includes Parkland Disposal)

Westphalia
Central
Park

Westphalia Sector Plan

Approved



*** Note :- This plan is illustrative and conceptual in nature representing the land use patterns and character of site amenities. It should not be used for engineering purposes, as the patterns, layout, and character of the site may change through the design process.

Land Exchange Agreement Proposal

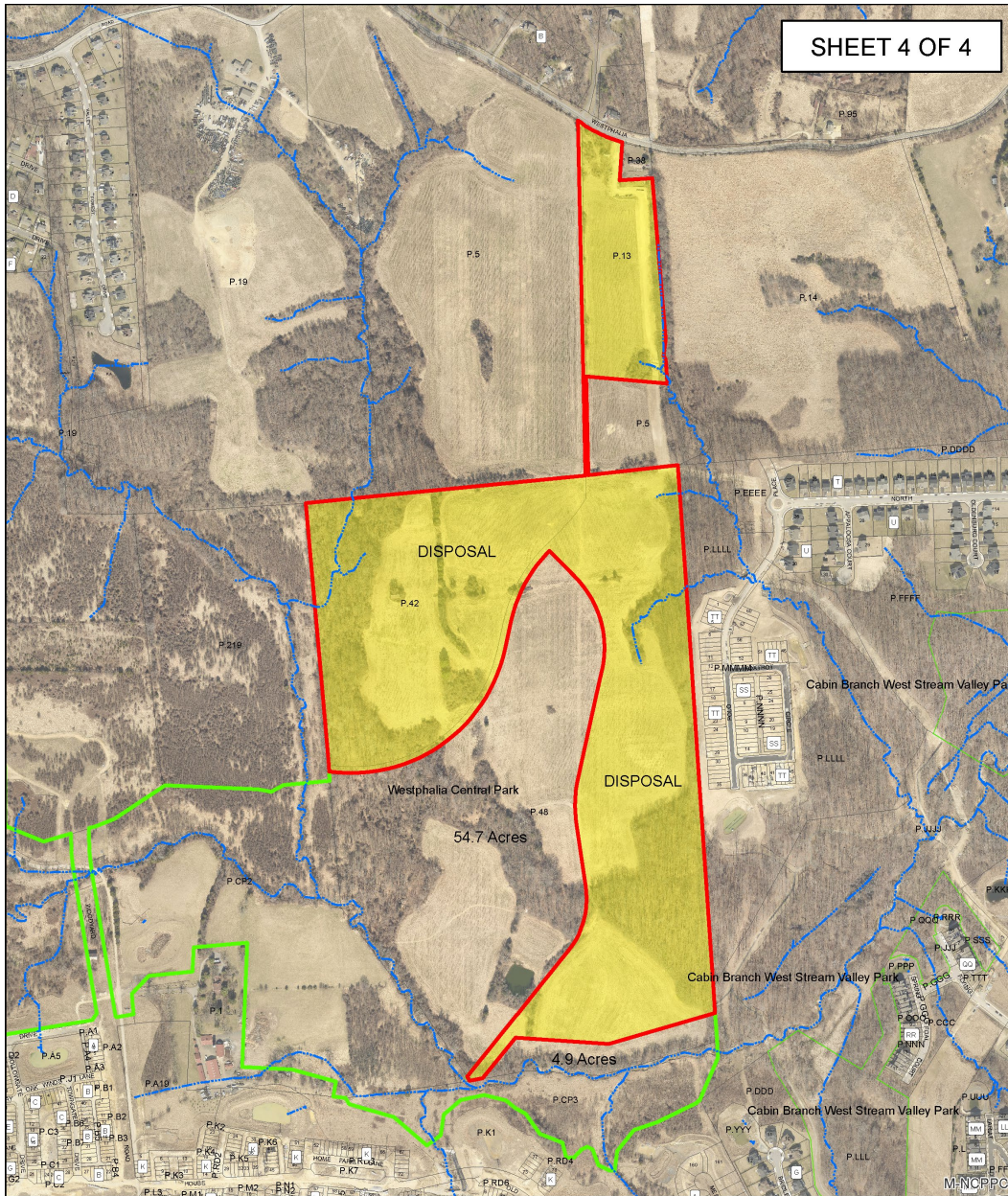
Westphalia
Central
Park

Agreed upon terms for
the exchange properties

M-NCPPC Properties Proposed for Disposal

DPR staff has determined that Westphalia Central Park has a surplus of Parkland at Westphalia Central Park along with the Westphalia Sector Plan Area

Westphalia Central Park Land Exchange



Parcels 42, 48 & 13
Tax Map 91, Grid A2
**WESTPHALIA
CENTRAL PARK**

This information may not be reproduced, stored in a retrieval system or transmitted in any form, including electronic or by photographic reproduction, without the express written permission of the Maryland National Capital Park and Planning Commission.

DATE: 01/30/2023

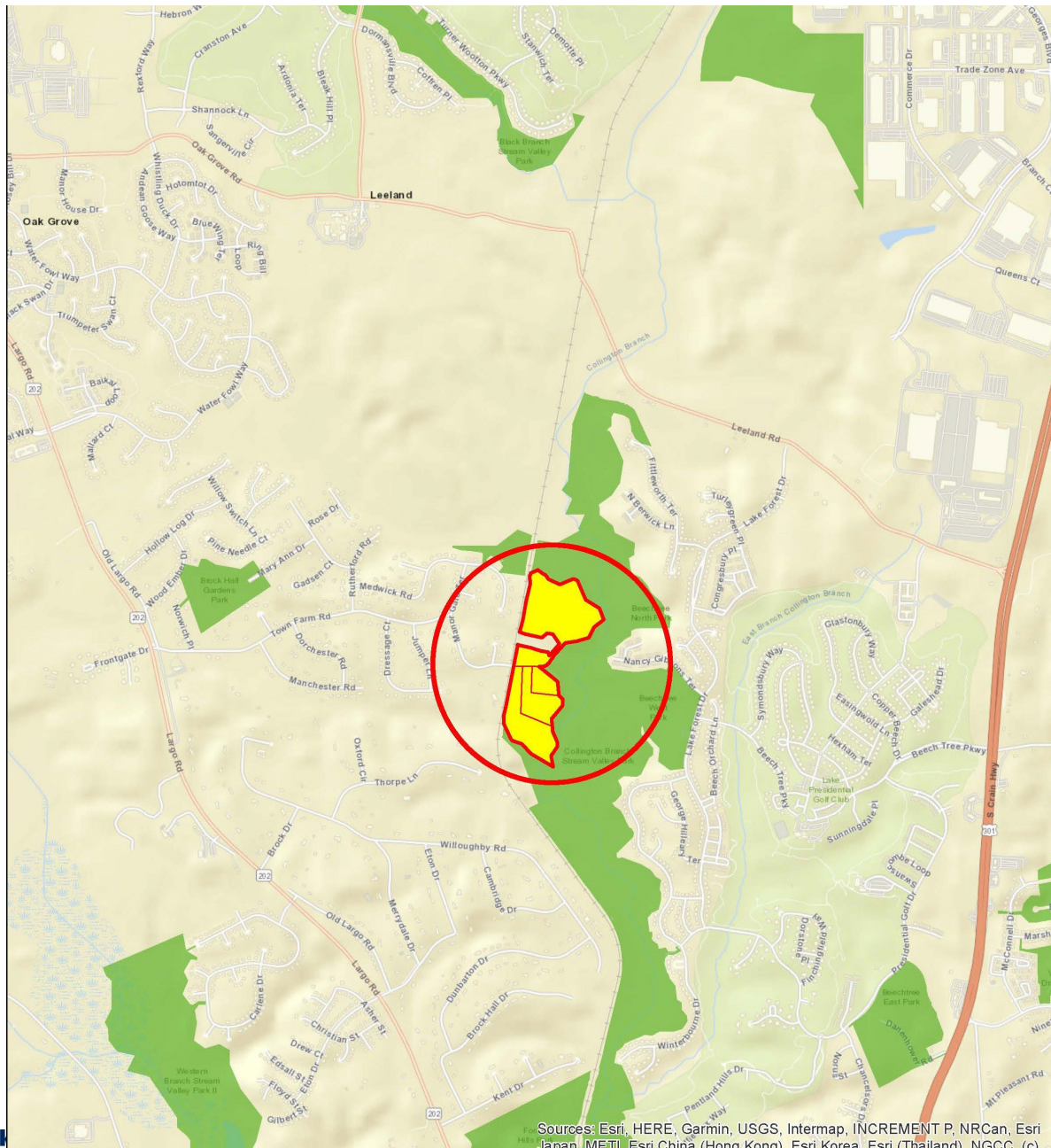
SCALE: $\frac{1}{38,700}$ Feet



Disposal of 99.69±
acres of Westphalia
Central Park

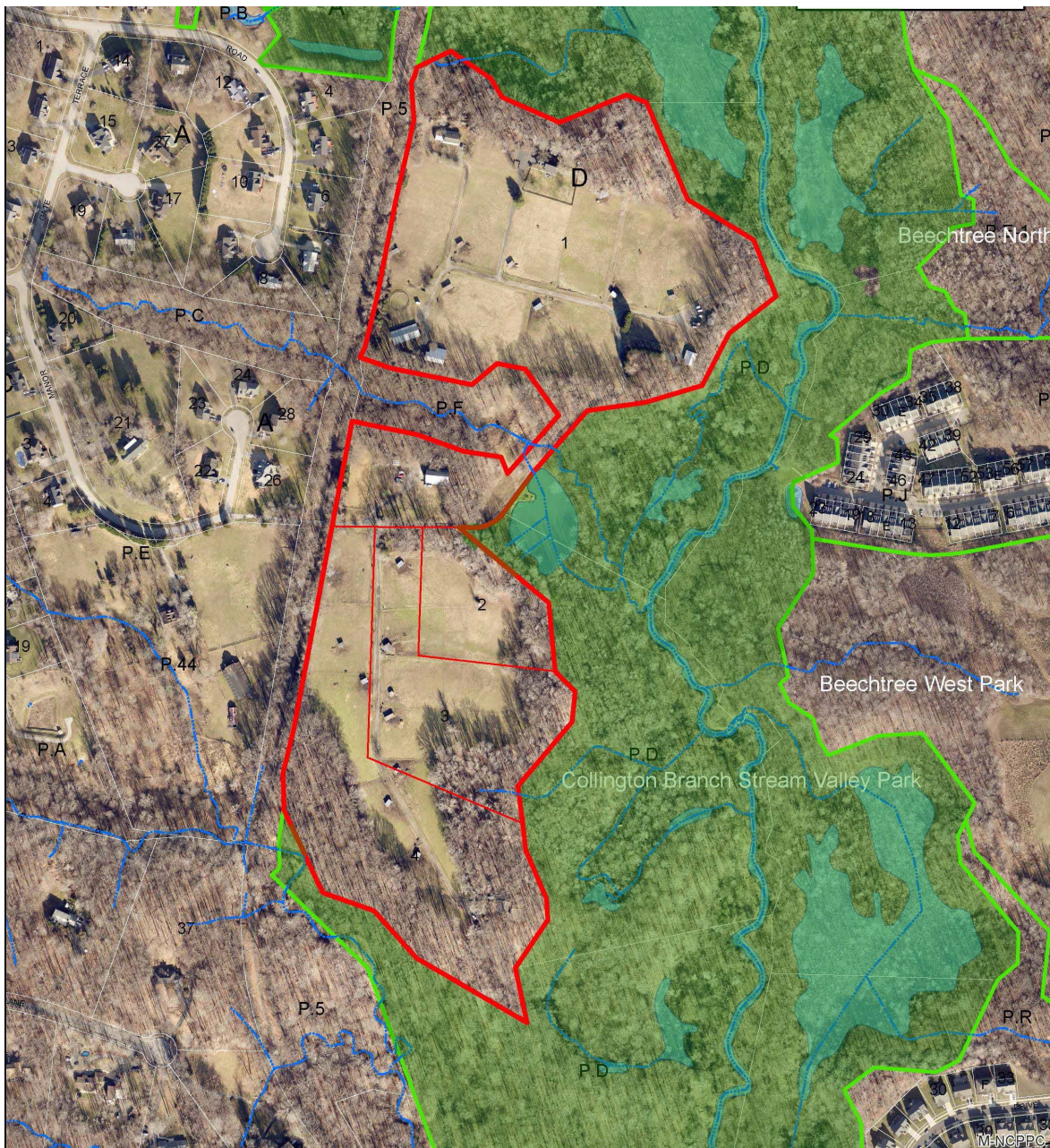
Properties Proposed for conveyance to M-NCPPC

Addition to Collington Branch Stream Valley Park



Developable Parkland:
Ranking Score of 65
Low needs for Parkland

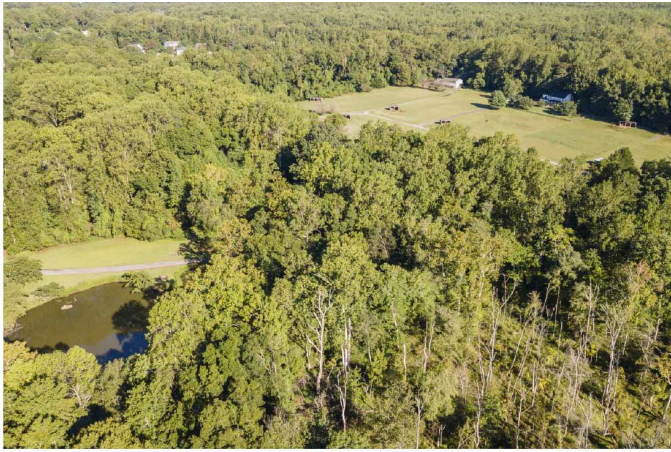
Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c)



Addition to Collington Branch Stream Valley Park

Addition to Collington Branch Stream Valley Park



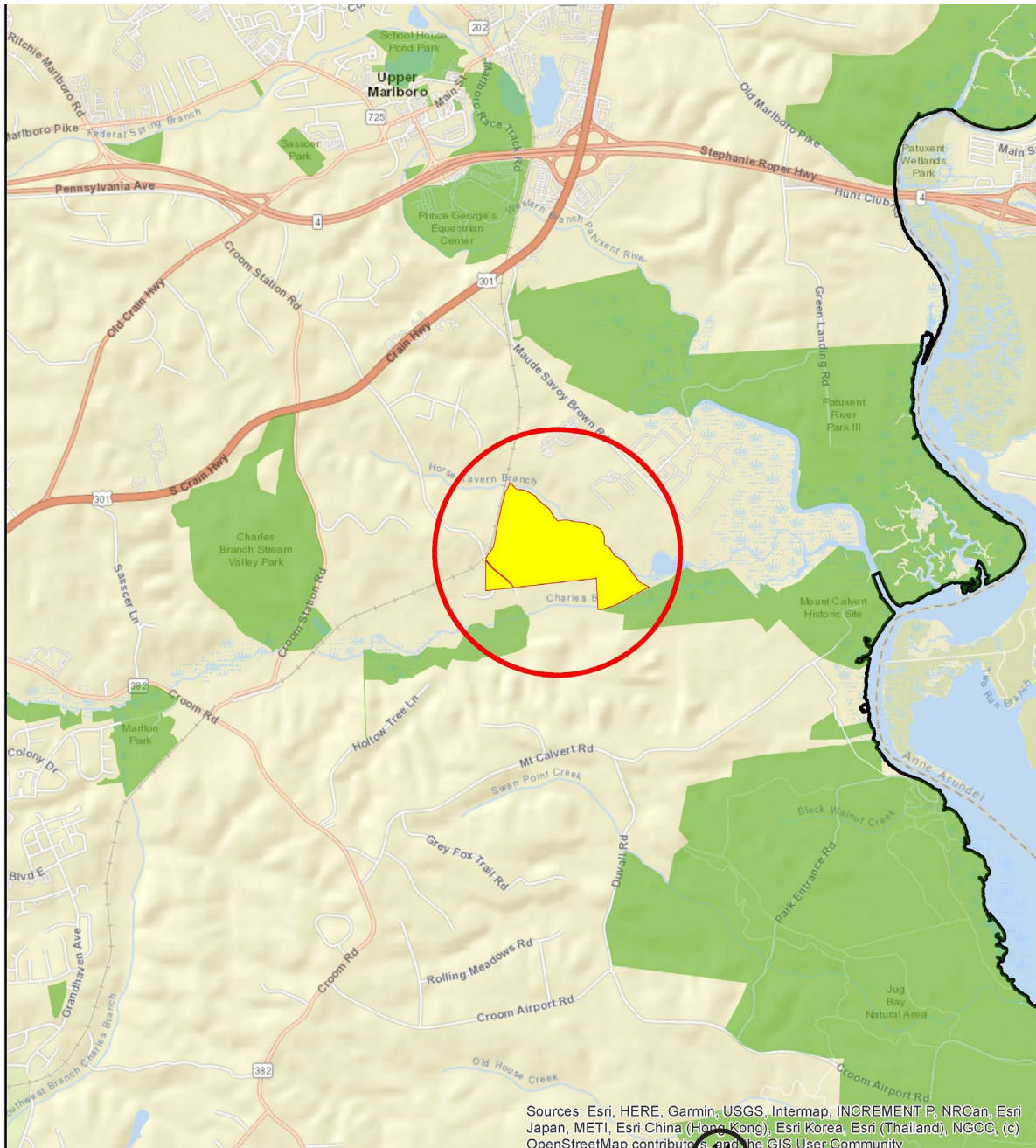


Addition to Collington Branch Stream Valley Park



Addition to Patuxent River Park

Natural Conservation
Areas:
Ranking Score of 61
Low needs for Parkland



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





Addition to Patuxent River Park

Westphalia Central Park Land Exchange

PARK NAME	ACREAGE
Addition to Collington SVP	45.72
Addition to Patuxent River Park	124.6
Total	170.32 ±

Summary of
Properties to be
received by M-NCPPC

Disposal

PARK NAME	OWNER/ ID	ACREAGE	FUNDING RESTRICTIONS
Westphalia Central Park	Suit Farm	88.02	Partial Program Open Space
Westphalia Central Park	Wholley	11.67	None
M-NCPPC Disposal Total		99.69 ±	

Acquisition

PARK NAME	ACREAGE
Addition to Collington SVP	45.72
Addition to Patuxent River Park	124.6
Total (to be acquired)	170.32 ±

Westphalia Central Park Land Exchange

Summary of
Westphalia Central
Park Properties

Westphalia Central Park Land Exchange

Disposal of 99.69 ± acres of Westphalia Central Park in exchange for 170.32 ± acres of additional parkland for Collington Branch SVP and Patuxent River Park

1. A net gain of approximately 71 additional acres of Parkland will be added to our park system.
2. Appraisals completed in April 2023 indicated that the properties are of equal value.
3. 52.32± acres of the 99.7 acres of the Suit Farm at Westphalia Central Park was purchased with POS funds with a POS conversion in process with MD DNR.
4. Disposal of Parkland is subject to the final approval of the Full Commission

Summary of the
Justification for
Disposal

Westphalia Central Park Land Exchange

Questions/Discussion

Staff Recommendation:

APPROVAL

Tyler/McNeal/Sun

Westphalia
Central Park
Land Exchange
Agreement


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

To: The Maryland-National Capital Park & Planning Commission Date: October 3, 2023

Via: Peter A. Shapiro  Peter Shapiro (Oct 3, 2023 11:10 EDT)
 Chairman, Board of Trustees

From: Andrea L. Rose 
 Executive Director

Subject: Recommendation for Appointment of Audax Group as a New Investment Manager for the Employees' Retirement System

RECOMMENDATION

On behalf of the Board of Trustees ("Board") of the Maryland-National Capital Park and Planning Commission ("Commission") Employees' Retirement System (ERS), I recommend the Commission approve the appointment of Audax Group as a new investment manager for the ERS.

BACKGROUND AND EVALUATION

In accordance with the Trust Agreement between the Board and the Commission dated July 26, 1972 and last amended September 16, 2009, the Commission approves the appointment of new investment managers to the ERS, upon recommendation from the Board.

At its meeting on July 11, 2023, the Board selected Audax Group's Senior Loan Fund V, L.P. to manage a \$25 million allocation in support of the Opportunistic Fixed Income mandate in the portfolio. The allocation is approximately 2.25% of the total fund's assets of \$1.1 billion as of September 25, 2023.

Audax Group was founded in 1999 and has raised \$43 billion in capital since inception, including \$27 billion for the firm's private debt strategy. The Audax Group Senior Loan Fund V investment strategy focuses on safety and preservation of capital. The portfolio includes a broad diversification of first lien senior secured loans providing consistent income, lower risk of default, and an attractive fee structure. Audax Group executes disciplined credit underwriting and avoids highly cyclical industries like airlines, energy, gaming, hospitality, restaurants, and retail. The Senior Loan Fund V is expected to replicate Senior Loan Fund IV with an estimated expected net return of 12.0%.

Wilshire Advisors analyzed its database of private credit managers to identify investment managers who generate top tier performance within this asset class. Qualitative and quantitative screens were applied to narrow down the list of candidates to investment managers who could add value and were complementary to the existing ERS investment portfolio. The Investment Monitoring Group, along with Wilshire Advisors, narrowed the seven (7) identified preliminary candidates to two (2) semi-finalists. Audax Group demonstrated 1) best in class firm/team resources and architecture for their respective strategies over multiple decades; 2) consistent and time-tested philosophy, process, and execution of investment strategy; 3) a strong investment performance track record across multiple market cycles and credit environments with low default rates; and 4) appropriate investment strategy for the ERS' Opportunistic Fixed Income mandate with the benefit of providing broad diversification.

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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

October 18, 2023

To: The Commission

Via: Tracey Harvin, Corporate Policy and Management Operations (CPMO) Director

From: Michael Beckham, Corporate Policy and Archives Chief, CPMO
Michael Doaks, Senior Policy Analyst, CPMO

Subject: Proposed Amendments to Practices Defining the Organization and Functions of the Planning, Parks, and Parks and Recreation Departments

Requested Action

The Commission is asked to review and support proposed amendments to the agency's "Organization and Functions" Practices for the Montgomery and Prince George's County Planning Departments, Montgomery County Department of Parks, and Prince George's County Department of Parks and Recreation (Administrative Practices 1-50A, 1-50B, 1-60A, and 1-60B) (Attachments A-D).

Proposed revisions have been developed in coordination with the departments and have the support of the Executive Discussion. With the Commission's approval, the proposed changes will be finalized and promulgated.

Background

These policy documents establish the structure of the agency's operating departments and describe the functions of their various units. They were approved, as follows:

- **Montgomery County Planning Department (Administrative Practice 1-50A):**
On June 30, 1978, and amended on April 25, 1980, by the Executive Committee.
- **Prince George's County Planning Department (Administrative Practice 1-50B):**
On January 11, 1984, by the Commission.
- **Montgomery County Department of Parks (Administrative Practice 1-60A):**
On October 4, 1977, by the Executive Committee.
- **Prince George's County Department of Parks and Recreation (Administrative Practice 1-60B):**
On January 30, 1978, and amended on August 7, 1980, by the Executive Committee.

Proposed Amendments

Amendments have been drafted to reflect the current organizational structures and functions carried out by the various units of the planning, parks, and parks and recreation departments. These reflect the latest information contained in the agency's proposed and adopted budget publications and new organizational charts. In particular:

- **Administrative Practice 1-50A, Organization and Functions of the Montgomery County Planning Department:**
 - Reflects the elimination of the Assistant Planning Director position and realignment of all units under two Deputy Directors with new divisional oversight and functional responsibilities.
 - One Deputy Director is responsible for administration, countywide planning, research, information technology, and communications.
 - The other Deputy Director is responsible for area-wide planning (Downcounty, Midcounty, Upcounty), and Intake and Regulatory Coordination.
 - Reflects the creation of the Communications Division which replaced performing the functions of the former Montgomery County Community Relations Office.
- **Administrative Practice 1-50B, Organization and Functions of the Prince George's County Planning Department** reflects the realignment of all units under two Deputy Directors with new divisional oversight and functional responsibilities.
 - The Deputy Director for Administration is responsible for management services and information management.
 - The Deputy Director of Planning Operations is responsible for community planning, countywide planning, and development review.
- **Administrative Practice 1-60A, Organization and Functions of the Montgomery County Department of Parks:**
 - Reflects the elimination of the Deputy Director for Management and the realignment of units under two Deputy Directors with new divisional oversight and functional responsibilities.
 - The Deputy Director of Administration replaced the Associate Director of Conservation and Regional Recreation and is responsible for management services, public affairs, park development, park planning, and information technology.

- The Deputy Director of Operations replaced the Associate Director of Services and is responsible for enterprise services, horticulture & forestry, facilities management, and northern & southern parks management.
 - Reflects the creation of the Public Affairs & Community Partnerships Division which replaced performing the functions of the former Montgomery County Community Relations Office.
- **Administrative Practice 1-60B, Organization and Functions of the Prince George’s County Department of Parks and Recreation:**
 - Reflects the elimination of the:
 - Associate Director Parks and Recreation – County-wide Operations and replacement with the Deputy Director of Administration and Development who is responsible for management services, information technology, public affairs, capital planning and development, and land management.
 - Associate Director of Parks and Recreation – Facility Operations and replacement with the Deputy Director for Recreation and Leisure Services who is responsible for northern and southern recreation and leisure services, special programs, aquatics and athletics, and youth and countywide sports.
 - Associate Director for Parks and Recreation – Area Operations and replacement with the Deputy Director for Parks & Facilities Management who is responsible for natural and historic resources, arts and cultural heritage, northern and southern region parks, and facility services.
 - Reflects the creation of the Public Affairs & Community Engagement Division which replaced performing the functions of the Prince George’s County Public Affairs Office for the Prince George’s County Department of Parks and Recreation. Note: The Prince George’s County Public Affairs Office continues to serve the Prince George’s County Planning Board and Planning Department.

Attachments:

- A. Proposed Amendments to Administrative Practice 1-50A, Organization and Functions of the Montgomery County Planning Department
- B. Proposed Amendments to Administrative Practice 1-50B, Organization and Functions of the Prince George’s County Planning Department
- C. Proposed Amendments to Administrative Practice 1-60A, Organization and Functions of the Montgomery County Department of Parks
- D. Proposed Amendments to Administrative Practice 1-60B, Organization and Functions of the Prince George’s County Department of Parks and Recreation

**PROPOSED AMENDMENTS TO
ADMINISTRATIVE PRACTICE 1-50A, ORGANIZATION AND FUNCTIONS OF THE
MONTGOMERY COUNTY PLANNING DEPARTMENT**

Key to Revisions

Grey Highlighted Text: Proposed additions.

Stricken-out text: Proposed deletions.

Bold Italics Notes: Comments to the draft reviewer.

AUTHORITY

Pursuant to Division II of the Land Use Article of the Code of Maryland, this Practice was last amended by [TBD] on [TBD]. ~~Annotated Code of Maryland, Art. 66D, §2-106, 1970. Replacement Volume, and 1977 Cumulative Supplement.~~

**PURPOSE AND
BACKGROUND**

This Administrative Practice was originally approved by the Executive Committee on June 30, 1978, to establish the organizational, administrative, and functional aspects of the Montgomery County Planning Department. The Montgomery County Planning Department operates within the Maryland-National Capital Park and Planning Commission (M-NCPPC) which is the agency responsible for overall operations and functions of the bi-county agency of which the Montgomery County Planning Department is part. The Commission is the governing body of the bi-county agency comprised of ten (10) members from the Montgomery County and Prince George's County Planning Boards.

The Montgomery County Planning Department, managed by the Director of Planning, is subject to the oversight of the Montgomery County Planning Board, the Commission, and the annual capital and operating budgets that define its work program. These budgets are approved by the Planning Board, the Commission, and the Montgomery County Council.

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

- [date TBA]: Amended to update the organizational structure and functions of the Montgomery County Planning Department including the creation of a Communications Division, which replaces the functions of the former Community Relations Office (Practice 1-70 A, which has been rescinded) and to update the legal citations for its authority.

REFERENCES

- Annotated Code of Maryland, Land Use Article Division II

Note to Draft Reviewer: The following information has been revised with input from the department and coincides with the descriptions found in the FY 2023 Proposed Budget.

MISSION The mission of the Montgomery County Planning Department is to improve quality of life in Montgomery County by planning the natural and built environments for current and future generations.

ORGANIZATION The Montgomery County Planning Department of Planning is headed by the ~~under the direction of the Montgomery County~~ Planning Director, also known as the “Department Head,” with assistance from two (2) Deputy Planning Directors ~~an Assistant Planning Director~~ and nine (9) Division Chiefs.

The Planning Director reports to the Montgomery County Planning Board.

The following divisions report to the Deputy Director responsible for administration, countywide planning, and research:

1. Management Services Division
2. Communications Division
3. Information Technology and Innovation Division
4. Research and Strategic Projects Division
5. Countywide Planning and Policy Division

The following divisions report to the Deputy Director responsible for area-wide planning and development review:

1. Intake and Regulatory Coordination (IRC) Division
2. Downcounty Planning Division
3. Midcounty Planning Division
4. Upcounty Planning Division

As necessary, the Director of Planning may reorganize the structure of the Department. The Department’s organizational structure shall be accurately depicted in each annual operating budget submission.

1 See: Attachment A, Montgomery County Planning Department Organizational
2 Chart

3
4 The Montgomery County Department of Planning is organized on a matrix-
5 management basis, with staff assigned to divisions for administrative purposes, and
6 to inter-divisional task forces for program project purposes. The organization is
7 responsive to the mission of the department, as reflected in its work program. The
8 annual program budget should be referred to for further details about current
9 projects and staff allocations. The Director's Office staff includes the Assistant
10 Planning Director the Chief of Special Projects; budgetary and administrative
11 specialists; secretarial and clerical support, and other staff, as appropriate. The other
12 eight divisions of the Planning Department are clustered into three groups for the
13 program budget purposes of relating their individual functional emphases to the
14 three major work program sub elements of General Planning (Research,
15 Transportation Planning, and Environmental Planning Divisions); Community
16 Planning (Community Planning East, Community Planning West, and Community
17 Planning North Divisions); and Regulatory Planning (Urban Design and
18 Development Review Divisions). Division Chiefs report to the Montgomery
19 County Planning Director. (*Note to Draft Reviewer:* The above text is deleted
20 because the organizational components as described do not currently exist or have
21 been incorporated into new divisions or units.)
22

23 FUNCTIONS

24 A. Planning Director

25 The Montgomery County Planning Director or designee:

- 26 1. Administers the planning program policies, and
- 27
- 28 2. Coordinates the general program scheduling of the Montgomery County
29 Planning Board, and
- 30
- 31 3. Exercises general administration over the Department's planning
32 organizational units.
- 33
- 34 4. Provides leadership and executive oversight of the Planning Department's
35 work program, policies, procedures, and strategic planning and provides
36 planning, supervision, and coordination of all planning services.
- 37
- 38 5. Provides leadership on strategic planning and design issues.
- 39
- 40 6. Oversees and directs the preparation of the annual departmental budget
41 request, reviews and approves the needs of divisions, and submits requests
42 to budget authorities.
43

1 7. Provides coordination with county agency department heads, the Maryland
2 Department of Planning, the Metropolitan Washington Council of
3 Governments, and other public and private sector organizations throughout
4 the Washington D.C. Metropolitan area as well as the State of Maryland
5 and surrounding jurisdictions.

6
7 8. Communicates decisions and recommendations to the County Council, the
8 State Legislature, stakeholders in the planning/development process,
9 legislative bodies, the local development industry, and private citizens.

10
11 9. Coordinates with the Parks Director in Montgomery County and other
12 officials in the full commission.

13
14 **B. The Office of the Planning Director**

15 The Office of the Planning Director:

16
17 1. Provides leadership and executive oversight for the Department's work
18 program, policies, procedures, and strategic planning and provides
19 planning, supervision, and coordination of all planning services.

20
21 2. Leads updates to the county's adopted General Plan which provides
22 countywide, long-range, and high-level policy direction on Countywide
23 development. The General Plan is implemented through area and functional
24 master plans, zoning, capital improvements, private development, and other
25 tools.

26
27 3. Performs community outreach oversight, legislative oversight, and budget
28 management (including management of tax and non-tax revenue sources).

29
30 ~~develops and manages the planning work program and budget; provides~~
31 ~~administrative, secretarial, and clerical guidelines, supervision, and support to the~~
32 ~~other functional units of the department; coordinates and directs complex planning~~
33 ~~and management projects, such as the annual Growth Policy Report and similar~~
34 ~~projects, with the Planning Board, other departments of the Commission, the~~
35 ~~County Council and County Executive Offices, and other County and State~~
36 ~~agencies; and acts at staff level as general program coordinator across departmental~~
37 ~~lines on behalf of the Montgomery County Planning Board, including the~~
38 ~~maintenance of the Board's general calendar of meetings, the preparation of the~~
39 ~~Board's meeting agendas, and general program coordination with the County~~
40 ~~Council concerning quarterly reports, long range agenda integration, and related~~
41 ~~matters. (*Note to Draft Reviewer:* The above text is deleted because the~~
42 ~~organizational components as described do not currently exist or have been~~
43 ~~incorporated into new divisions or units.)~~

1 **C. Deputy Planning Director**

2 The following functions are carried out by the divisions that report to the
3 Deputy Planning Director responsible for oversight of countywide planning
4 activities, data analysis, research, and special studies, administrative,
5 communications, and information technology support:
6

7 **1. The Management Services Division:**

- 8
- 9 a. Supports a variety of policy, financial, budgetary, procurement, and
10 personnel needs, while ensuring the Department’s ability to attain its
11 goals and objectives.
 - 12
 - 13 b. Leads the Department’s organizational development program and
14 diversity efforts.
 - 15
 - 16 c. Provides a variety of services that directly support other departmental
17 divisions and assist the Director’s Office with implementing internal
18 policies and procedures to support the administrative functions within
19 the Department.
20

21 **2. The Communications Division:**

- 22
- 23 a. Serves as a resource for the department, empowering leadership,
24 planners, and staff to effectively engage all members of the community;
25 and to gain public and private understanding, approval, and consensus
26 on planning work.
 - 27
 - 28 b. Plans, develops, and facilitates communication and promotion of the
29 Montgomery County Planning Department’s identity, purpose,
30 priorities, projects, and research.
 - 31
 - 32 c. Crafts strategic communication approaches and campaigns by working
33 with planners to understand Montgomery Planning’s diverse audiences
34 and to design and activate audience-focused outreach.
 - 35
 - 36 d. Provides consultation, advice, training, tools, and resources to enable
37 staff to communicate in a unified voice about the Department’s mission
38 and values.
39

40 **3. The Information Technology and Innovation (ITI) Division** is an
41 interdepartmental entity serving both the Montgomery County Planning and
42 Parks Departments. The division:
43

- a. Maintains a secure and reliable state-of-the-art data infrastructure.
- b. Supports mission-critical applications, telecommunications, mobile computing, and desktop support to guide land development decisions and recommendations for the Planning and Parks Departments as well as the County Council.
- c. Maintains the Planning Department's geographic information system (GIS).
- d. Provides digital and information infrastructure and services.
- e. Provides 24/7 technology support to the Planning Department, Commissioners' Office, and Department of Parks.

4. **The Research and Strategic Projects (R&SP) Division:**

- a. Conducts policy-relevant research and special projects for the Planning Department.
- b. Supports the development of master plans and land use policy decisions by gathering and analyzing data on a range of topics, including demographics, housing, local economy, development, employment, and real estate markets.
- c. Oversees special studies requiring outside expertise.
- d. Informs and helps guide decisions by Planning staff, the Planning Board, the County Council, and the public on policy and planning questions.
- e. Develops the County's forecast of jobs, households, and population.
- f. Provides analyses of census demographics, residential and commercial markets, and land use trends as well as research and analyses of trends, economic impacts, and public policy issues for the Planning Board, Planning Department, County Council, and County Executive departments.
- g. Provides information on land use that is useful to the County's fiscal impact analyses for master plans and text amendments.

1 **5. The Countywide Planning and Policy (CPP) Division:**

- 2
- 3 a. Serves as the comprehensive planning and countywide policy arm of the
- 4 Department, addressing issues and plans that affect more than one area
- 5 of the county, such as the transportation network, zoning, housing,
- 6 growth management, historic and natural resources, and water quality.
- 7
- 8 b. Develops functional master plans on countywide topics.
- 9
- 10 c. Develops and evaluates countywide policies, answering policy
- 11 questions.
- 12
- 13 d. Updates and implements the county’s quadrennial Growth and
- 14 Infrastructure Policy that informs Planning Board decision-making on
- 15 development projects and ensures development complies with the
- 16 county’s Adequate Public Facilities Ordinance.
- 17
- 18 e. Participates in studies conducted by local, state, or regional agencies,
- 19 keeping current on policies and regulations affecting the county.
- 20
- 21 f. Prepares and/or evaluates zoning and subdivision text amendments and
- 22 prepares plans or legislative responses.
- 23
- 24 g. Provides specialized expertise, analysis, and policy coordination (as
- 25 needed) to the geographic area divisions.
- 26

27 **D. Deputy Planning Director:**

28 The Deputy Planning Director responsible for area-wide planning and

29 development review oversees Downcounty, Midcounty, Upcounty, and Intake

30 and Regulatory Coordination (IRC) Divisions.

31

32 **1. The Intake and Regulatory Coordination (IRC) Division:**

- 33
- 34 a. Manages the procedural requirements for development applications,
- 35 including assignment, tracking, and monitoring of all development
- 36 applications.
- 37
- 38 b. Provides the sole point of entry for developer applicants.
- 39
- 40 c. Ensures public access to development applications and information on
- 41 development.
- 42
- 43 d. Chairs the inter-agency Development Review Committee.

- e. Manages public noticing requirements for development applications.
- f. Assigns street names and addresses.
- g. Conducts building permit sign-off and plat review and recordation.
- h. Manages the Information Counter and provides the public with access to current and historic development application records, zoning maps, plats, and department publications.
- i. Performs inspections and enforcement actions to comply with the Forest Conservation Law, Subdivision Plans, and Site Plans.
- j. Manages the Reforest Montgomery Program to increase the tree and forest canopy in the County. This program identifies places to plant forests on public land and within recorded but unforested conservation easements, provides resources to support planting trees on individual lots or parcels, and manages contractors to ensure the plantings occur and are maintained.

2. The **Downcounty, Midcounty, and Upcounty Divisions** carry out the following functions:

- a. Prepares master plans, sector plans, studies, and guidelines.
- b. Provides for orderly, functional, and well-designed development consistent with sector or master plans.
- c. Provides timely and coordinated analysis of development applications, including but not limited to zoning, conditional uses, and regulatory reviews (including review of project plans, sketch plans, preliminary plans, and site plans), to implement area master plans, sector plans, and other public plans and policies.
- d. Provides recommendations to assist in conserving environmental resources.
- e. Provides the integration of environmental and transportation considerations from the earliest phases of the planning and development process.
- f. Provides guidance on multiple modes of transportation consistent with the best land use development and planning practices.

- g. Reviews proposed projects for consistency with County plans, policies, and guidelines and compatibility with surrounding development.
- h. Provides recommendations for innovative environmental practices.
- i. Assists community advisory committees, as necessary.
- j. Promotes the creation of equitable, vibrant, sustainable, and resilient communities that are inclusive, interconnected through multi-modal transportation networks, and offer a variety of affordable and attainable housing types.

3. The **Downcounty Division** covers the geographical portion of the county south of Interstate-495 (Capital Beltway), including the Silver Spring, Bethesda, and Friendship Heights Central Business Districts (CBDs), Takoma Park, Chevy Chase Lake, Greater Lyttonsville, Long Branch, Montgomery Hills, and Westbard.

4. The **Midcounty Division** covers the geographical portion of the county north of I-495, including areas along Georgia Avenue north to Norbeck Road, the Wheaton Central Business District (CBD); along US 29 east to Cherry Hill Road/Randolph Road; along Rockville Pike (MD 355) and the I-270 corridor through Gaithersburg. This includes the central portion of Montgomery County, between developed urban centers south of the Capital Beltway and more rural areas to the north.

5. The **Upcounty Division** covers approximately 75 percent of Montgomery County, including most of the county’s rural areas. This includes the county’s 93,000-acre Agricultural Reserve, the environmentally sensitive Special Protection Areas, and several communities, such as Fairland, Burtonsville, Sandy Spring, Ashton, Olney, Damascus, Clarksburg, Germantown, Darnestown, and Potomac.

Refer to the annual program budget ~~should be referred to~~ for further details about current projects and staff allocations.

(Note to Draft Reviewer: The text below is recommended for deletion, as the content has been updated to reflect the current organization and functions found in the budget book.)

1 General Planning Program

2 These three divisions provide functional and technical analyses the other divisions of the
3 department and to the Planning Board and public generally as appropriate; and have lead
4 responsibility for the preparation and maintenance of such countywide functional master plans as
5 may be adopted from time to time within their respective areas.
6

7 The Research Division concerns itself with demographic and economic studies; various kinds of
8 census and cost revenue analyses; demo graphic and fiscal modeling; and functional planning
9 generally in the areas of housing, employment, and public finance.
10

11 The Transportation Planning Division concerns itself with highway, railway, and air transport
12 studies; various kinds of analyses involving traffic generation, parking, and transportation
13 capacity; flow modeling; and functional planning generally in the areas of highways, transit,
14 bikeways and other transportation modes.
15

16 The Environmental Planning Division concerns itself with studies that relate earth, air, and water
17 conditions to the general public health, various kinds of analyses involving pollution in
18 environmental systems, water quality and air quality modeling; and functional planning in the
19 areas of water and sewer facilities, air pollution control strategies, solid waste disposal, fragile
20 ecological resource areas, etc.
21

22 Community Planning Program

23 These three divisions provide review and analysis of projects referred to them by other divisions
24 of the department and other agencies and public generally as appropriate; and have lead
25 responsibility for the preparation and maintenance of such comprehensive community master plans
26 and sector plans as may be adopted from time to time within their respective areas.
27

28 The Community Planning West Division concerns itself with community problems and
29 appropriate comprehensive planning responses in the area roughly bounded by the District of
30 Columbia on the south, the Potomac River on the west, the north boundary of Rockville on the
31 north, and Rock Creek on the east.
32

33 The Community Planning East Division concerns itself with the community problems and
34 appropriate comprehensive planning responses in the area roughly bounded by the District of
35 Colombia on the south, Rock Creek on the west, Norbeck and Ednor Roads on the north and the
36 Patuxent River on the east.
37

38 The Community Planning North Division concerns itself with the community problems and
39 appropriate comprehensive planning responses in the area roughly bounded by the areas of
40 Community Planning East and West Divisions on the south, the Potomac River on the west, and
41 the Patuxent River on the east.
42
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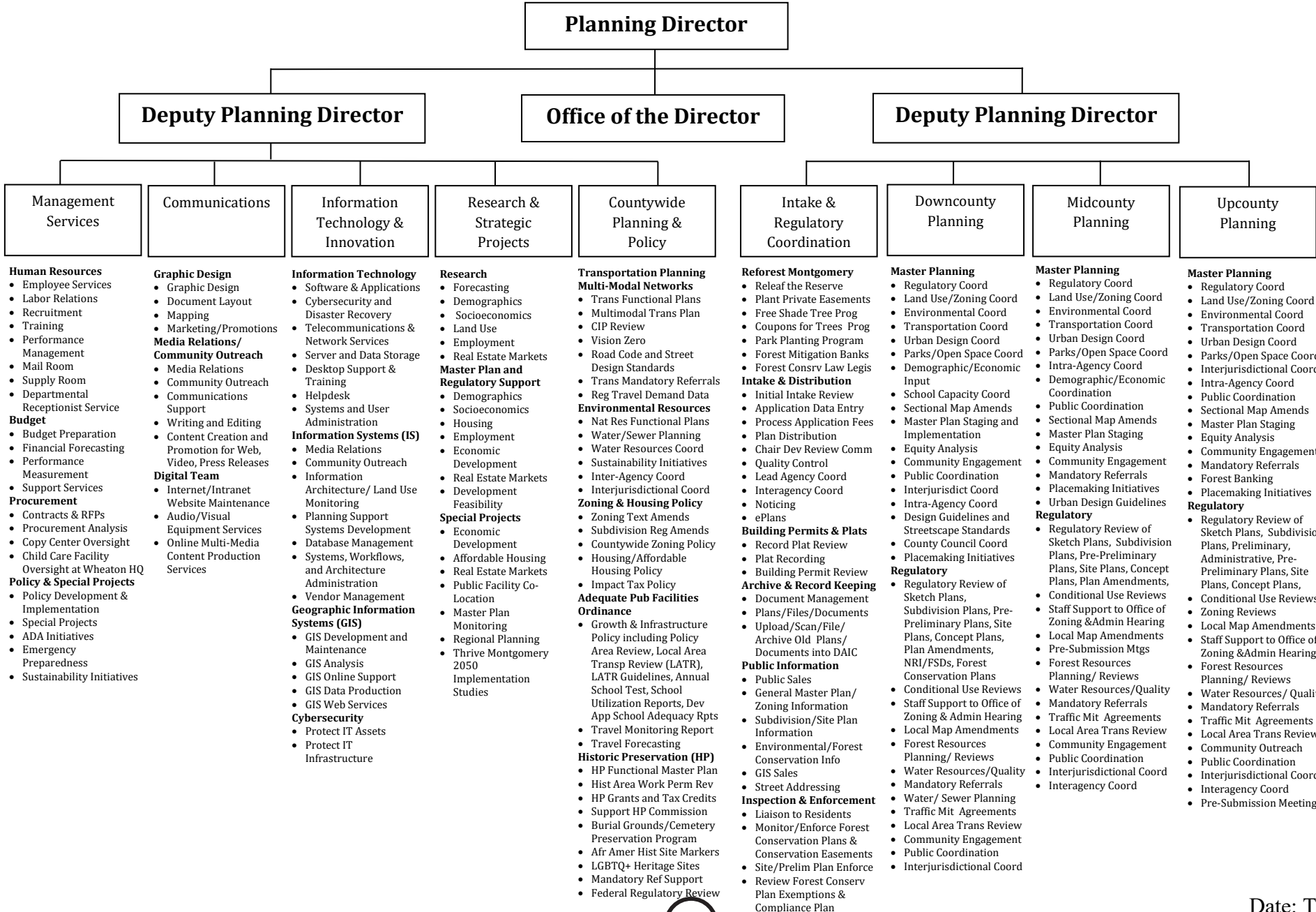
Regulatory Planning Program

~~These two divisions provide design and regulatory procedure recommendation to the other divisions of the department and to the Planning Board and public generally as appropriate; and have lead responsibility for the development and maintenance of such plans, ordinances or regulations as may be adopted from time to time within their respective areas.~~

~~The Urban Design Division concerns itself with the application of desirable urban design principles to the planning process; analyses dealing with the relationships between physical and spatial forms and human attitudes and behavior patterns; the provision of drafting and graphics services to other divisions; and site plan review procedures as established in the zoning and other ordinances.~~

~~The Dev. Review Division concerns itself with the development and administration of all relevant ordinances governing the use of private property; analyses of project applications under the zoning, subdivision, and other regulatory ordinances; maintenance of public records related to these and other items; and the provision of information, maps and documents to the public generally.~~

MONTGOMERY COUNTY PLANNING DEPARTMENT



**PROPOSED AMENDMENTS TO
ADMINISTRATIVE PRACTICE 1-50B, ORGANIZATION AND FUNCTIONS OF THE
PRINCE GEORGE'S COUNTY PLANNING DEPARTMENT**

Key to Revisions

Grey Highlighted Text: Proposed additions.

Stricken-out text: Proposed deletions.

Bold Italics Notes: Comments to the draft reviewer.

AUTHORITY

Pursuant to Division II of the Land Use Article of the Code of Maryland, this Practice was last amended by [TBD] on [TBD]. ~~Annotated Code of Maryland, Art. 28, §2-106.~~

**PURPOSE AND
BACKGROUND**

This Administrative Practice was originally approved by the Commission on January 11, 1984, to establish the organizational, administrative, and functional aspects of the Prince George's County Planning Department. The Department operates within the Maryland-National Capital Park and Planning Commission (M-NCPPC) which is the agency responsible for overall operations and functions of the bi-county agency of which the Prince George's County Planning Department is a part. The Commission is the governing body of the bi-county agency comprised of ten (10) members from the Montgomery County and Prince George's County Planning Boards.

The Prince George's County Department of Planning, managed by the Director of Planning, is subject to the oversight of the Prince George's County Planning Board, the Commission, and the annual capital and operating budgets that define its work program. These budgets are approved by the Planning Board, the Commission, and the Prince George's County Council.

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

- [date TBA]: Amended to update the organizational structure and functions of the Prince George's County Planning Department and to update the legal citations for its authority.

REFERENCES

- Annotated Code of Maryland, Land Use Article Division II

Note to Draft Reviewer: The following information has been revised with input from the department and coincides with the descriptions found in the FY 2023 Proposed Budget.

1 **MISSION**

The mission of the Prince George’s County Planning Department is to promote economic vitality, environmental sustainability, design excellence, and quality development in Prince George’s County.

6 **ORGANIZATION**

The Prince George's County Planning Department of Planning is headed by ~~directed~~ by the County Planning Director, also known as the “Department Head”, with assistance from a Deputy Director for Administration, a Deputy Director of Planning Operations, and five (5) ~~under the direction of nine~~ Division Chiefs.

The Planning Director reports to the Prince George’s County Planning Board.

The following divisions report to the Deputy Director for Administration:

- 1. Management Services Division
- 2. Information Management Division

The following divisions report to the Deputy Director for Planning Operations:

- 1. Development Review Division
- 2. Community Planning Division
- 3. Countywide Planning Division

The Director’s Office encompasses human resources, legislative services, and special department-wide project support functions.

As necessary, the Director of Planning may reorganize the structure of the Department. The Department’s organizational structure shall be accurately depicted in each annual operating budget submission.

See: Attachment A, Prince George’s County Planning Department Organizational Chart

~~The Director's Office staff includes a Division Chief with a working title of Chief Planner, financial personnel, administrative specialists, and selected support staff. The eight divisions of the Planning Department are: Transportation Planning, Natural Resources, Area Planning (two), Research and Public Facilities, Zoning, and Development Review. (Note to Draft Reviewer: Revised as shown above.)~~

1 **FUNCTIONS**

2 **A. Planning Director**

3 The Prince George's County Planning Director or designee:

- 4 1. Administers the planning program policies. of the Prince George's County
5 ~~Planning Board, directs staff efforts and manages the staff. (Note to Draft~~
6 ~~Reviewer: Text removed and covered by numbers 2 and 3, immediately~~
7 ~~below.)~~
- 8
- 9 2. Coordinates the general program scheduling of the Prince George's County
10 Planning Board.
- 11
- 12 3. Exercises general administration over the Planning Department's
13 organizational units.
- 14
- 15 4. Provides leadership and executive oversight of the Planning Department's
16 work program, policies, procedures, and strategic planning and provides
17 planning, supervision, and coordination of all planning services.
- 18
- 19 5. Provides leadership on strategic planning and design issues.
- 20
- 21 6. Oversees and directs the preparation of the annual departmental budget
22 request, reviews and approves the needs of divisions, and submits requests
23 to budget authorities.
- 24
- 25 7. Provides coordination with county agency department heads, the Maryland
26 Department of Planning, the Metropolitan Washington Council of
27 Governments, and other public and private sector organizations throughout
28 the Washington D.C. Metropolitan area as well as the State of Maryland
29 and surrounding jurisdictions.
- 30
- 31 8. Communicates decisions and recommendations to the County Council, the
32 State Legislature, stakeholders in the planning/development process,
33 legislative bodies, the local development industry, and private citizens.
- 34
- 35 9. Coordinates with the Director of the Prince George's County Department
36 of Parks and Recreation and other officials in the full commission.

37

38 **B. The Office of the Planning Director**

39 The Office of the Planning Director:

- 40
- 41 1. Provides leadership and executive oversight of the Planning Department's
42 work program, policies, procedures, and strategic planning and provides
43 planning, supervision, and coordination of all planning services.

1 2. Leads updates to the county's adopted General Plan which provides
2 countywide, long-range, and high-level policy direction on countywide
3 development. The General Plan is implemented through area and functional
4 master plans, zoning, capital improvements, private development, and other
5 tools.

6
7 3. Oversees human resources, legislative services, and special department-
8 wide project support functions.

9
10 4. At the direction of the Planning Director, appoints ~~From time to time~~
11 interdivisional task forces ~~are appointed~~ to recommend improvements to the
12 Director in administrative, organizational, and planning activities.

13
14 ~~develops and manages the planning Work program and budget; provides~~
15 ~~administrative, secretarial, clerical, and mapping and graphics support to~~
16 ~~the other units of the department; directs data processing and data base~~
17 ~~management activities; and coordinates complex planning and management~~
18 ~~projects with the Planning Board and other departments of the Commission,~~
19 ~~County Council, County Executive offices, other County, State and Federal~~
20 ~~agencies and departments, and with the citizens of the community. (Note to~~
21 ~~*Draft Reviewer*: Text removed as these responsibilities are now assigned to~~
22 ~~Deputies and Division Chiefs, as appropriate.)~~

23
24 **C. Deputy Director of Administration**

25 The following functions are carried out by the divisions that report to the
26 Deputy Director of Administration responsible for management services and
27 information management support for the Planning Department:

28
29 **1. The Management Services Division:**

30
31 a. Provides distinct Department-wide administrative services and special
32 project functions.

33
34 b. Coordinates the development of, and monitors, the Department's annual
35 budget and provides finance and procurement services. This includes
36 management of tax and non-tax revenue sources.

37
38 c. Manages facilities and fleet services responsible for document
39 production including printing, desktop publishing, graphics design,
40 editing, and visual media services.

41
42 d. Oversees the development, design, and implementation of the Planning
43 Department's website.

1 **2. The Information Management Division:**

- 2
- 3 a. Provides computer systems and personal computer (PC) acquisition and
- 4 support.
- 5
- 6 b. Provides software development and database management.
- 7
- 8 c. Supports Commission-wide enterprise information technology
- 9 initiatives.
- 10
- 11 d. Maintains the Planning Department’s geographic information system
- 12 (GIS) services.
- 13
- 14 e. Develops socioeconomic and demographic forecasting.
- 15
- 16 f. Identifies, assembles, processes, and analyses spatial and tabular data.
- 17 This data is used extensively by the Planning Department, as well as,
- 18 County and municipal government agencies, state and federal agencies,
- 19 and the private sector (planners, surveyors, engineers, utilities, and real
- 20 estate and economic development professionals).
- 21
- 22 g. Oversees demographic, housing, land use, and economic data collection
- 23 and tabulation.
- 24
- 25 h. Performs data-driven analyses and policy-relevant research for Planning
- 26 Department leadership and staff, County officials and agencies,
- 27 businesses, and residents formulating sensible plans and programs for
- 28 maintaining or enhancing community vibrancy.
- 29

30 **D. Deputy Director of Planning and Operations**

31 The following functions are carried out by the divisions that report to the

32 Deputy Director of Planning and Operations responsible for oversight of

33 community planning, countywide planning, and development review:

34

35 **1. The Development Review Division:**

- 36
- 37 a. Reviews development proposals, including zoning map amendments,
- 38 subdivision plans, site plans, special exceptions, departures, and permits,
- 39 as mandated by the Prince George’s County Zoning Ordinance and
- 40 Subdivision Regulations.
- 41
- 42
- 43

- b. Provides support to the Intergovernmental Coordination Activity by analyzing and commenting on proposed text amendments to the Zoning Ordinance and Subdivision Regulations.
- c. Provides support to the countywide Planning Division and Community Planning Division in the form of resource members for master plan teams.
- d. Provides technical review and best professional recommendations on new development proposals.
- e. Provides notice of hearings to the public, mediation for opposing parties, and assistance and information to officials, municipalities, civic organizations, citizens, business owners, engineers, developers, and builders.
- f. Manages worldwide web access to the Development Activity Monitoring System (DAMS) which provides citizens with more convenient access to information on development activities. DAMS provides for integration with the Geographic Information System (GIS) database, as well as, internet access to report backup, and final decisions (resolutions) of the Planning Board.

2. **The Community Planning Division:**

- a. Prepares comprehensive plans (area master plans and sector plans), sectional map (or zoning) amendments, and planning studies.
- b. Reviews development proposals for consistency with approved plans and overlay zones.
- c. Manages the Department's Planning Assistance to Municipalities and Communities (PAMC) program.
- d. Facilitates intergovernmental coordination.
- e. Responds to requests for information and planning assistance from other departments and agencies (County, regional, state, and federal), municipalities, community groups, citizens, and residents.
- f. Carries out plans for livable communities and works with stakeholders to monitor, evaluate, and facilitate the implementation of approved plans.

1 **3. The Countywide Planning Division:**

- 2
- 3 a. Helps shape livable communities through the protection and
- 4 stewardship of natural and historic resources and by addressing key
- 5 infrastructure needs.
- 6
- 7 b. Provides planning services and growth management guidance on
- 8 countywide issues to communities, public officials, and other
- 9 government agencies.
- 10
- 11 c. Provides information and assistance to other state and County agencies,
- 12 community groups, citizens, and consultants as required.
- 13
- 14 d. Provides staff support to the Historic Preservation Commission.
- 15

16 Refer to the annual program budget for further details about current projects and staff

17 allocations. ~~The staff is organized to accomplish the objectives of the Planning Department~~

18 ~~as reflected in its annually adopted work program.~~ (*Note to Draft Reviewer:* Sentence

19 relocated from the “Organization” Section and recommended for revision as shown in grey

20 highlight.)

21

(*Note to Draft Reviewer:* The text below is recommended for deletion, as the content has been updated to reflect the current organization and functions found in the budget book.)

22

23 ~~County Planning Division prepares and maintains the County General Plan and functional plans~~

24 ~~which, when adopted and approved, will guide the physical development of the County;~~

25 ~~participates in a variety of Task Forces and studies involving overall development of the County;~~

26 ~~coordinates municipal and community liaison; and coordinates with surrounding jurisdictions on~~

27 ~~matters of regional significance which include review and comment on mandatory referrals.~~

28

29 ~~The Transportation Planning Division provides transportation data and analysis necessary~~

30 ~~to prepare plans and to evaluate development proposals; prepares studies in areas~~

31 ~~significant to transportation planning; and maintains liaison on transportation matters with~~

32 ~~agencies of the County, region, and State.~~

33

34 ~~The Natural Resources Division conducts comprehensive watershed management studies;~~

35 ~~coordinates the State's Flood Management Grant Program and the County's Stormwater~~

36 ~~Management Program, conduct water and sewer studies, water quality studies, noise and~~

37 ~~air pollution control planning; and coastal zone management.~~

38

39

40

41

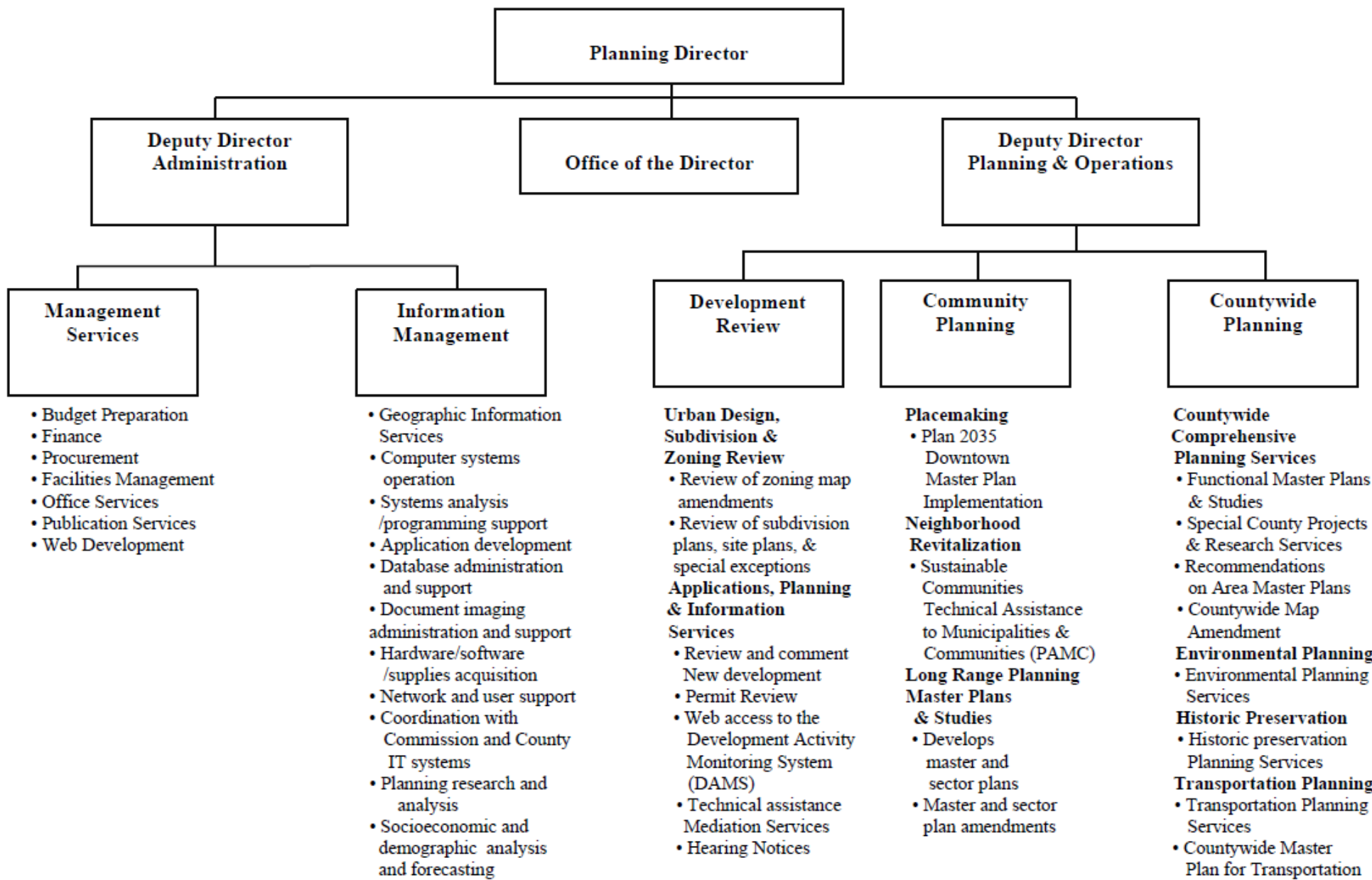
1 The Two Area Planning Divisions, though separate divisions, perform similar types of
2 work in different geographic locations. They compare area master plans and special
3 treatment area plans to guide the physical development of the County; monitor
4 development activity to insure the implementation of plan recommendations; recommend
5 comprehensive sectional zoning map amendments to rezone areas of the County to
6 conform with approved master plans and public policy guidelines; and assist in the
7 preparation of other special studies.

8
9 The Research and Public Facilities Division prepares report on population, employment,
10 and other statistical and demographic topics; and prepares studies on special issues such as
11 public facilities and services, standards, public land needs, and various grants and Federal
12 and State programs.

13
14 The Zoning Division prepares recommendations on six different types of zoning
15 applications; provides the Planning Board, the Zoning Hearing Examiner, and District
16 Council with the necessary information to make zoning decisions; and reviews local and
17 State legislation and provides assistance to the Planning Board and District Council on
18 these matters.

19
20 The Development Review Division reviews site development plans, processes
21 Comprehensive Design Plan and Specific Design Plan applications; processes preliminary
22 plans of subdivision and first record plats; participates in the review of permit applications;
23 responds to special projects for municipalities and requests for other urban design services;
24 manages the Department's public information desk; coordinates the filing of zoning
25 applications and assigns street names and house numbers.

PRINCE GEORGE'S COUNTY DEPARTMENT OF PLANNING



**PROPOSED AMENDMENTS TO
ADMINISTRATIVE PRACTICE 1-60A, ORGANIZATION AND FUNCTIONS OF THE
MONTGOMERY COUNTY DEPARTMENT OF PARKS**

Key to Revisions

Grey Highlighted Text: Proposed additions.

Stricken-out text: Proposed deletions.

Bold Italics Notes: Comments to the draft reviewer.

AUTHORITY

Pursuant to Division II of the Land Use Article of the Code of Maryland, this Practice was last amended by [TBD] on [TBD]. ~~Article 28, §2-106, Annotated Code of Maryland, 1970 Replacement Volume, and 1976 Cumulative Supplement.~~

**PURPOSE AND
BACKGROUND**

This Practice was originally approved by the Executive Committee on October 4, 1977 to establish the organizational, administrative, and functional aspects of the Montgomery County Department of Parks.

The Montgomery County Department of Parks, managed by the Director of Parks, is subject to the oversight of the Montgomery County Planning Board, the Commission, and the annual capital and operating budgets that define its work program. These budgets are approved by the Planning Board, the Commission, and the Montgomery County Council. The Capital Improvements Program (CIP) is informed by the Planning Board-approved Parks, Recreation and Open Space plan, area and functional master plans, and other policy documents, including the county's Racial Equity and Social Justice Policy, Climate Action Plan, and Vision Zero Policy. In implementing the CIP and other programs, the Parks Department uses tools including research, data analysis, and public engagement to help determine priorities and allocate resources.

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

- [date TBA]: Amended by the [Body TBD] to update the organizational structure and functions of the Montgomery County Department of Parks, including the creation of a Public Affairs and Community Partnerships Division, which replaces the functions of the Community Relations Office (Practice 1-70A which has been rescinded), and to update the legal citations for its authority.

1 **REFERENCES**

- 2 • Annotated Code of Maryland, Land Use Article, Division II
- 3 • ~~M-NCPPC Resolution No. 76-6 dated February 11, 1976, dealing with certain~~
4 ~~organizational steps taken to improve the effectiveness of the Department of~~
5 ~~Parks and Recreation. (Note to Draft Reviewer: The Resolution is outdated and~~
6 ~~no longer reflects the organization of the Department.~~
- 7 • ~~MCPB Resolution No. 76-13 dated April 8, 1976, dealing with the~~
8 ~~reorganization of certain administrative offices of the Montgomery County~~
9 ~~Department of Parks. (Note to Draft Reviewer: The Resolution is outdated and~~
10 ~~no longer reflects the organization of the Department.)~~

11 *Note to Draft Reviewer:* The following information has been revised with input from the department and
12 coincides with the descriptions found in the FY 2023 Proposed Budget.

13
14 **MISSION**

15 The mission of the Montgomery County Department of Parks is to protect and
16 interpret the County’s valuable natural and cultural resources; balance the demand
17 for recreation with the need for conservation; offer a variety of enjoyable
18 recreational activities that encourage healthy lifestyles; and provide clean, safe, and
19 accessible places for leisure-time activities.

20
21 **ORGANIZATION**

22 The Montgomery County Department of Parks is headed by the ~~Montgomery~~
23 ~~County~~ Director of Parks ~~Director~~, also known as the “Department Head”, with
24 assistance from a Deputy Director of Administration and a Deputy Director of
25 Operations. ~~Parks and two Associate Directors of Parks.~~

26 The Park Police Division and administrative support staff also report directly to the
27 Director of Parks.

28
29 The Montgomery County Director of Parks ~~Director~~ reports to the Montgomery
30 County Planning Board.

31
32 The following divisions report to the Deputy Director of Operations:

- 33 1. Facilities Management Division
- 34 2. Northern Parks Division
- 35 3. Southern Parks Division
- 36 4. Horticulture, Forestry & Environmental Education Division
- 37 5. Enterprise Division

1 The following divisions report to the Deputy Director of Administration:

- 2
- 3 1. Management Services Division
- 4
- 5 2. Park Development Division
- 6
- 7 3. Park Planning & Stewardship Division
- 8
- 9 4. Public Affairs & Community Partnerships Division
- 10
- 11 5. Information Technology and Innovation Division
- 12

13 As necessary, the Director of Parks may reorganize the structure of the Department.
14 The Department's organizational structure shall be accurately depicted in each
15 annual operating budget submission.

16
17 See: Attachment A, Montgomery County Department of Parks Organizational
18 Chart

19
20 ~~The Park Planning Division, Engineering and Design Division, and Park Permits Office~~
21 ~~are headed by the Deputy Director of Parks. The Interpretation and Conservation~~
22 ~~Division, Park Enterprise Facilities, and Golf Courses are headed by the Associate~~
23 ~~Director of Parks for Conservation and Regional Recreation. The Maintenance and~~
24 ~~Development Division and Horticulture and Forestry Division are headed by the~~
25 ~~Associate Director of Parks for Services. (See Organization Chart attached) (*Note to*~~
26 ~~*Draft Reviewer:* The above text is deleted as the referenced deputy and associate titles~~
27 ~~have been eliminated and reorganized as shown above.)~~
28

30 FUNCTIONS

31 A. Director of Parks

32 The Montgomery County Director of Parks ~~Director~~ or designee:

- 33 1. Administers the program policies of the Montgomery County Planning
34 Board, ~~and~~
- 35
- 36 2. Exercises general administration over organizational units, including, but
37 not limited to, budget, personnel, finance, land acquisition, and property
38 management functions for Montgomery County. This includes management
39 of tax and non-tax revenue sources.
- 40
- 41 3. Mobilizes the Montgomery County Parks Director and will put into effect
42 the mobilization of resources of workforce and equipment in times of
43 emergency situations and natural disasters at both county and state levels.

- 1 4. Appoints persons to sit on as the three-member trial board ~~Administrative~~
2 ~~Hearing Board~~, as necessary regarding Montgomery County Park Police
3 matters, in accordance with the provisions of Maryland Code, Public Safety
4 Article, Section 3-106(b)(2)(ii). ~~General Order 75-1, as amended 7/1/77.~~
5 (*Note to Draft Reviewer:* Text immediately above updated to reflect the
6 new police discipline process replacing LEOBR)
7

8 **B. Office of the Director**

9 The Office of the Director of Parks:

- 10
11 1. Implements the operating budget and the six-year Capital Improvements
12 Program (CIP) as approved by the Montgomery County Planning Board,
13 the Commission, and the County Council.
14
15 2. Advises the Planning Board on matters of park policy, acting as a liaison
16 between the public and local, state, and federal agencies and officials.
17
18 3. Serves as liaison to the Montgomery Parks Foundation.
19
20 4. Develops and administers internal management policies, procedures, and
21 practices, and, oversees the work program of park employees. (*Note to*
22 *Draft Reviewer:* The above section reflects the content found in the FY 24
23 Budget Book for Montgomery County Department of Parks.)
24

25 **C. Deputy Director of Operations**

26 The following functions are carried out by the divisions that report to the
27 Deputy Director of Operations:

- 28
29 1. The **Facilities Management Division** builds, maintains, and protects park
30 assets such as facilities, pavement, and fleet while providing the residents
31 and visitors of Montgomery County a safe park experience.
32
33 2. The **Northern Parks Division** encompasses the portion of Montgomery
34 County north of Rockville and from the Potomac River to the Howard
35 County line and provides park users with choices of active and passive
36 recreation in parks and facilities that are safe, environmentally sustainable,
37 and well-managed.
38
39
40
41
42
43

- 1 3. The **Southern Parks Division** encompasses the portion of Montgomery
2 County from Rockville to the north, the District of Columbia to the south,
3 Prince George's County to the east, and the Potomac River to the west. The
4 Division also provides park users with choices of active and passive
5 recreation in parks and facilities that are safe, environmentally sustainable,
6 and well-managed.
7
- 8 4. The **Horticulture, Forestry & Environmental Education Division**
9 supports the acquisition, conservation, stewardship, activation,
10 development, maintenance, and management of Montgomery County
11 Parks, and educates and inspires park patrons about plants, nature, and the
12 environment. The Division also provides opportunities for Montgomery
13 County residents and visitors to use parks through a wide variety of
14 programming including festivals, events, and recreational opportunities.
15
- 16 5. The **Enterprise Division** provides a positive park experience, achieves an
17 appropriate balance among fees and public service, develops and expands
18 programs, maintains, repurposes, and/or enhances current facilities, and is
19 responsible for operating Enterprise facilities in a fiscally responsible
20 manner. The Division also manages or oversees the operation of multiple
21 facilities that are entirely funded through user fees, rentals, and other non-
22 tax revenue sources.
23

24 D. **Deputy Director of Administration**

25 The following functions are carried out by the divisions that report to the
26 Deputy Director of Administration:
27

- 28 1. The **Management Services Division** provides comprehensive support and
29 oversight for financial management, procurement, human resources
30 services, organizational development, innovation, and data
31 analytics/enterprise systems for the Department. Offers inclusionary
32 services and modifications for participants of park programs, as well as
33 adaptive and therapeutic recreation programs. The Division also assists the
34 Director's Office with implementing internal policies and procedures to
35 support the administrative functions within the Department.
36
- 37 2. The **Park Development Division** implements the Capital Improvements
38 Program (CIP) which includes: managing the real estate portfolio,
39 developing the capital budget, preparing design and construction
40 documents, procuring design and construction services, and managing
41 construction for new parks as well as renovation of existing facilities.
42

1 3. The **Park Planning & Stewardship Division** develops long-range
2 planning efforts that drive the vision for the department and develops
3 concept plans and programs of requirements for new and redeveloping
4 parks. The Division also oversees a comprehensive park and trail planning
5 program to ensure the management and protection of the County's best
6 natural and cultural resources on M-NCPPC parkland; and, manages and
7 protects the Parks Department's cultural, historic, and natural resources.

8
9 4. The **Public Affairs & Community Partnerships Division** promotes the
10 Montgomery Parks brand and usage of programs, facilities, and services
11 through strategic marketing and communications efforts. The Division also
12 provides customer-oriented public response and feedback systems; a
13 friendly and efficient Parks Information and Customer Service Office, and
14 Park Permit Office; and, manages a robust volunteer services program.

15
16 5. The **Information Technology and Innovation Division** is an inter-
17 departmental Division, servicing both Montgomery Parks and Planning
18 Departments. In particular, the Division provides innovative, reliable, and
19 accessible technology, services, and support which enables the Planning
20 Department and the Department of Parks to achieve their visions.

21
22 **E. Park Police Division**

23 The Park Police Division provides professional public safety services with a
24 focus on crime prevention and detection through statistical analysis of resident-
25 based calls for service and officer observations to ensure a safe park system.
26 The Division works in partnership with the community to improve the quality
27 of life for the residents of Montgomery County.

28
29 **Note to Draft Reviewer:** The content below has been stricken and revised to reflect the current information
30 in the FY 24 Budget Book for Montgomery County Department of Parks .

31
32 ~~The Deputy Director of Parks assists in the over-all administration of facilities, services and management~~
33 ~~programs involving park planning, engineering and design, park permits, land acquisition and property~~
34 ~~management, energy and resources conservation, and manpower, including affirmative action and~~
35 ~~training.~~

36
37 ~~The Montgomery County Associate Director of Parks for Conservation and Regional Recreation directs~~
38 ~~and coordinates conservation and regional recreation programs.~~

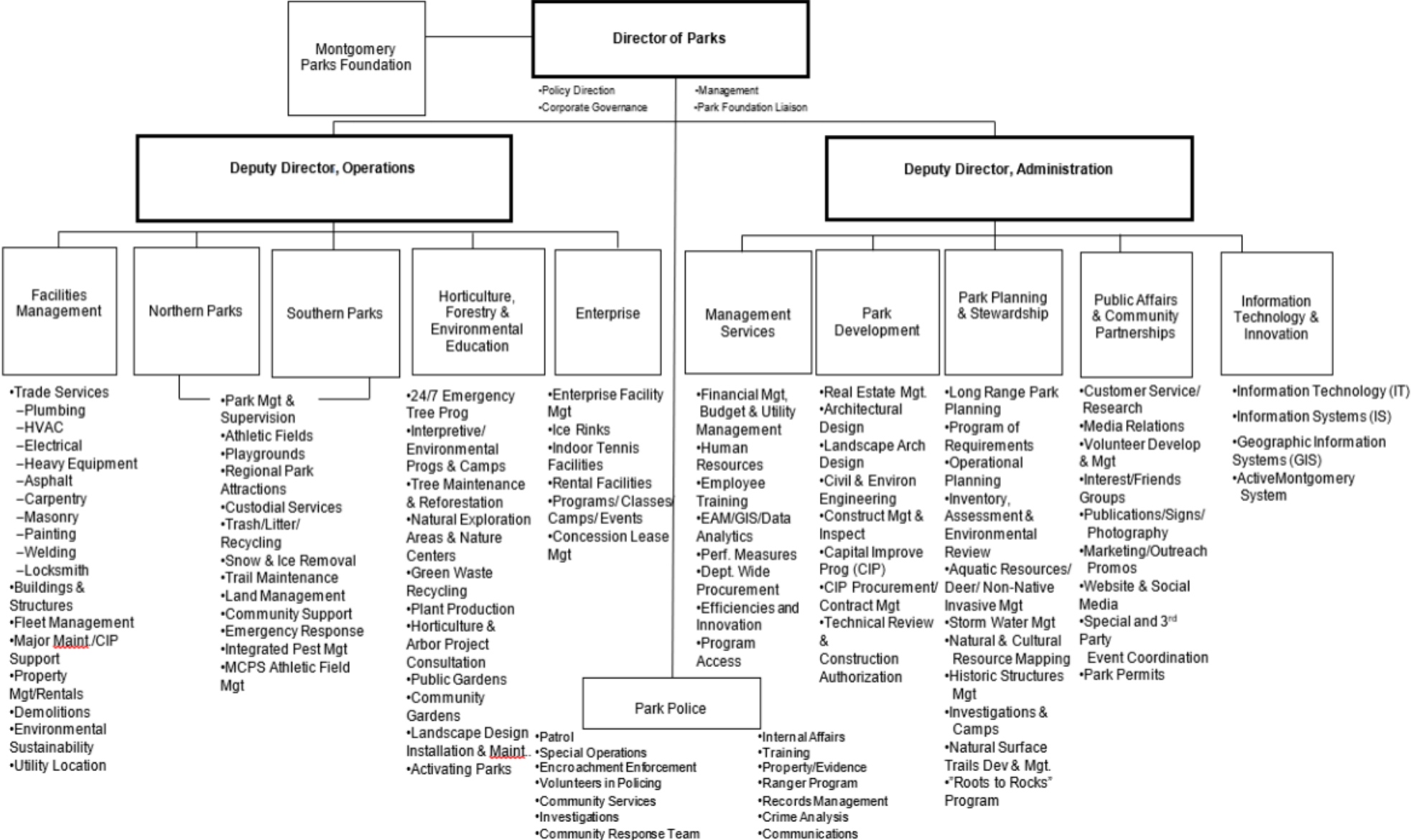
39
40 ~~The Montgomery County Associate Director of Parks for Services directs and coordinates programs in~~
41 ~~community recreation and urban beautification, including county-wide maintenance of the park system,~~
42 ~~and coordinates the interdivisional program budget functions of the Park Police Division.~~

1 ~~The Department of Parks assists the Planning Department in the development of functional community~~
2 ~~park plans; reviews mandatory referrals on park landscaping issues, subdivision and site plans; maintains~~
3 ~~coordination and relationships with the County Department of Recreation and Board of Education to~~
4 ~~assure joint use of facilities and coordinates Board of Education to assure joint use of facilities and~~
5 ~~coordinates cooperative assistance to other governmental units in the county; prepares an annual operating~~
6 ~~budget, a six-year Capital Improvements Program (permanent facilities such as buildings, playgrounds,~~
7 ~~and ice rinks), and Public Services Program (a six-year projection of operational costs and debt service);~~
8 ~~manages leases for park houses and park farms; administers, develops, and manages park enterprise~~
9 ~~facilities (revenue producing activities such as golf courses, mini-train rides, tennis bubble); and~~
10 ~~administers the advance land acquisition fund.~~

11

12 ~~The Department also plays an important role in conservation, water pollution control, and multiple use of~~
13 ~~land and water resources.~~

MONTGOMERY COUNTY DEPARTMENT OF PARKS ORG CHART



**PROPOSED AMENDMENTS TO
ADMINISTRATIVE PRACTICE 1-60B, ORGANIZATION AND FUNCTIONS OF THE
PRINCE GEORGE'S COUNTY DEPARTMENT OF PARKS AND RECREATION**

Key to Revisions

Grey Highlighted Text: Proposed additions.

~~Stricken out text:~~ Proposed deletions.

Bold Italics Notes: Comments to the draft reviewer.

AUTHORITY

Pursuant to Division II of the Land Use Article of the Code of Maryland, this Practice was last amended by [TBD] on [TBD], Division II, Land Use Article 66D, §§2-106 and 5-201, Annotated Code of Maryland, 1970 Replacement Volume, and 1977 Cumulative Supplement.

**PURPOSE AND
BACKGROUND**

This Practice was originally approved by the Executive Committee on January 30, 1978, to establish the organizational, administrative, and functional aspects of the Prince George's County Department of Parks and Recreation.

The Prince George's County Department of Parks and Recreation, managed by the Director of the Department of Parks and Recreation, is subject to the oversight of the Prince George's County Planning Board, the Commission, and the annual capital and operating budgets that define its work program. These budgets are approved by the Planning Board, the Commission, and the Prince George's County Council.

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

- August 7, 1980: Updated organization and functions of the Department.
- [date TBA]: Amended to update the organizational structure and functions of the Department including the creation of a Public Affairs and Community Engagement Division (which moves the responsibilities for communications and public affairs for the Department of Parks and Recreation from the Public Affairs Office located within the Planning Board's Office), and to update the legal citations for its authority.

Note to Draft Reviewer: The following are recommended for deletion, as they no longer accurately describe the organization and functions of the Department of Parks and Recreation (DPR). Resolution 76-06 will need to be amended or rescinded for this reason.

REFERENCES

- Annotated Code of Maryland, Land Use Article Division II
- ~~M NCPPC Resolution No. 76-6 dated February 11, 1976, dealing with certain organizational steps taken to improve the effectiveness of the Department of Parks and Recreation. (Note to Draft Reviewer: Resolution has been repealed)~~
- ~~Minutes of Prince George’s County Planning Board meeting Sept. 15, 1976.~~
- ~~Minutes of Prince George’s County Council meeting January 11, 1977, dealing with the reorg. of the Prince George’s County Dep.t of Parks and Recreation.~~

MISSION

The mission of the Department of Parks and Recreation, in partnership with County residents, is to provide comprehensive park and recreation programs, facilities, and services that respond to changing needs within County communities. The Department strives to preserve, enhance, and protect open spaces to enrich the quality of life for the present and future generations in a safe and secure environment.

ORGANIZATION

The Prince George’s County Department of Parks and Recreation is headed by the Director, also known as the “Department Head”, with assistance from a Chief of Staff, a Deputy Director of Parks and Recreation, and specialized assistance from and three Deputies Associate Directors and a Community Relations Specialist, consisting of:

1. The Deputy Director for Administration and Development
2. The Deputy Director for Recreation and Leisure Services
3. The Deputy Director for Parks and Facilities Management

The Park Police Division, Human Resources, and Financial Management units also report directly to the Director.

The Director of the Prince George’s County Department of Parks and Recreation reports to the Prince George’s County Planning Board.

The following divisions report to the Deputy Director for Recreation and Leisure Services:

1. Northern and Southern Recreation & Leisure Services Division

- 2. Special Programs Division
- 3. Aquatics and Athletic Facilities Division
- 4. Youth & Countywide Sports Division

The following divisions report to the Deputy Director for Administration and Development:

- 1. Management Services Division
- 2. Information Technology Services Division
- 3. Public Affairs and Community Engagement Division
- 4. Capital Planning and Development Division
- 5. Land Management and Environmental Stewardship Division

In addition, the Special Projects unit reports to the Deputy Director for Administration and Development.

The following divisions report to the Deputy Director for Parks and Facilities Management:

- 1. Natural & Historic Resources Division
- 2. Arts & Cultural Heritage Division
- 3. Northern and Southern Region Parks Division
- 4. Facility Services Division

As necessary, the Director of Parks and Recreation may reorganize the structure of the Department. The Department's organizational structure shall be accurately depicted in each annual operating budget submission.

See: Attachment A, Prince George's County Department of Parks and Recreation Organizational Chart

1 **FUNCTIONS**

2 **A. Director of Parks and Recreation**

3 The Prince George’s County Director of Parks and Recreation Director or
4 designee:

- 5 1. Supervises the Chief of Staff and three Deputy Directors that oversee
6 Recreation and Leisure Services (formerly Area Operations), Parks and
7 Facilities Management (formerly Facility Operations), and Administration
8 and Development. (*Note to Draft Reviewer:* Updated text reflects the
9 content in the FY24 budget book.)
- 10
- 11 2. Administers the park and recreation program policies of the Prince George’s
12 County Planning Board.
- 13
- 14 3. Exercises general administration over the parks and recreation
15 organizational units, including, but not limited to, budget, personnel,
16 finance information services, land acquisition, and property management
17 functions. This includes management of tax and non-tax revenue sources.
- 18
- 19 4. Mobilizes the Director will put into effect the mobilization of resources of
20 the workforce and equipment in times of emergency situations and natural
21 disasters at both county and state levels.
- 22
- 23 5. Provides Park Police program supervision for Prince George’s County.
- 24
- 25 6. Appoints the Director will appoint persons to sit on as the three-member
26 trial board Administrative Hearing Board, as necessary for Prince George’s
27 County Park Police matters, in accordance with the provisions of Maryland
28 Code, Public Safety Article, Section 3-106(b)(2)(ii). Gen. Order 75-1, as
29 amended 7/1/77. (*Note to Draft Reviewer:* Text immediately above
30 updated to reflect the new police discipline process replacing LEOBR.)
- 31

32 **B. Office of the Director**

33 The Office of the Director of Parks and Recreation:

- 34
- 35 1. Provides overall program direction, organizational communications, policy
36 guidance, and administration for the entire Department of Parks and
37 Recreation.
- 38
- 39 2. Plans, supervises, and coordinates all parks and recreation facilities and
40 services.
- 41

1 3. Manages the Park Police Division, the Human Resources, and Financial
2 Management units. (*Note to Draft Reviewer:* The above section reflects the
3 content found in the FY 24 Budget Book for DPR.)
4

5 **C. Deputy Director for Recreation and Leisure Services**

6 The following functions are carried out by the divisions that report to the
7 Deputy Director for Recreation and Leisure Services:
8

9 **1. The Northern and Southern Recreation and Leisure Services Divisions:**

10
11 a. Provides, maintains, and preserves a comprehensive recreation system
12 of programs, facilities, and services to the residents of a
13 demographically diverse area to meet the expressed needs and demands
14 of the public in a safe, secure, inclusive, and fulfilling environment.
15

16 b. Strives to preserve, enhance, and protect open spaces to enrich the
17 quality of life for present and future generations in a safe, and secure
18 environment.
19

20 c. Manages and supervises 45 community centers, one of which is the
21 County's first multi-generational complex, as well as community
22 programs and revenue-producing, senior, and youth programs.
23

24 d. Provides community outreach to regions within each division, by
25 working closely with residents' groups, municipalities, houses of
26 worship, schools, recreation councils, and government agencies to
27 assess parks and recreation.
28

29 **2. The Special Programs Division:**

30
31 a. Promotes health and wellness for children, youth, families, and seniors
32 through coordinating a variety of programs, projects, and services.
33

34 b. Provides fee-based and drop-in recreation services and childcare.
35

36 c. Establishes standards and monitors compliance for all youth camps and
37 programs with State and local regulatory requirements.
38

39 d. Provides programs and services for youth, including, for example, the
40 safe summer program, and youth workforce development program.
41

- e. Provides programs and services for seniors, including, for example, offering senior nutrition programs; operating senior centers, and facilitating senior activities at SAARC.
- f. Provides year-round and seasonal Therapeutic Recreation opportunities for residents and visitors with disabilities. Programs promote the development of leisure skills, socialization, and independence.

3. The Aquatics and Athletic Facilities Division:

- a. Manages the Department’s aquatic operations and large multi-use sports complexes, including for example, Fairland Sports and Aquatics Complex, Southern Regional Aquatic Wellness Center, the aquatic facility at the Southern Area Aquatics and Recreation Complex (SAARC), Prince George’s Sports & Learning Complex.
- b. Provides recreational opportunities for people of all ages and skill levels through revenue-generating classes, programs, and special events.
- c. Promotes health and wellness in a fun, structured, and professional manner through competitive and non-competitive activities available to youth of all ages in the areas of swimming, gymnastics, tennis, and track and field.

4. The Youth & Countywide Sports Division:

- a. Oversees youth and adult sports programs, athletic permitting, and field operations.
- b. Provides sports and recreation opportunities for County residents by establishing a convenient, streamlined, one-stop shop for all youth sports programs in the County.
- c. Manages leagues, clinics, and tournaments for a variety of sports, including baseball, basketball, flag football, futsal, lacrosse, soccer, softball, track & field, and volleyball.
- d. Manages facilities such as Sugar Ray Leonard Boxing Facility and the Prince George’s County Stadium, home of the Bowie Baysox.
- e. Coordinates and schedules a comprehensive athletic program and provides administrative support and resources to the Prince George’s County Boys and Girls Club.

1 f. Generates revenue for the Department through various programs,
2 including athletic field permitting, youth and adult sports leagues,
3 courses, clinics, and tournaments.

4
5 g. Collaborates with national sports governing bodies, area universities
6 and colleges, and professional sports organizations to provide sports,
7 fitness, and character development opportunities to youth, coaches,
8 parents, and sports commissioners.

9
10 **D. Deputy Director for Administration and Development**

11 The following functions are carried out by the divisions that report to the
12 Deputy Director for Administration and Development:

13
14 **1. The Management Services Division:**

15
16 a. Provides professional services to support the operating divisions within
17 the Department.

18
19 b. Serves as the information hub for the residents of Prince George's
20 County in promoting the multitude of recreational programs and
21 services offered by the Commission and Department.

22
23 c. Partners with internal divisions and the M-NCPPC Central
24 Administrative Services in delivering effective resource management in
25 the areas of training and development, information systems, and
26 customer service.

27
28 d. Provides support to enhance the Department's investment in
29 information management and resources through collaboration,
30 governance and policy standards, strategic planning, and service
31 delivery.

32
33 **2. The Information Technology Services Division:**

34
35 a. Provides professional, innovative, reliable, and secure technology
36 services to staff and residents in support of a comprehensive parks and
37 recreation program.

38
39 b. Oversees the installation and maintenance of computer network systems
40 within the department, coordinating the infrastructure, hardware,
41 software, and networking of information technology and
42 communication services for all divisions.

- c. Ensures network security and integrity; and manages the department's wide area voice and data communication networks.
- d. Administers departmentwide database management systems.
- e. Provides authorized access to client-server and web-based applications and portals.
- f. Implements and manages electronic security systems, hardware, software, telephone, and peripheral installation, management, and maintenance.
- g. Maintains and provides support for various applications such as Microsoft Office; Windows, Macintosh, and Linux-based operating systems; mobile devices; various databases, and other specific business applications.
- h. Serves as the tactical and administrative lead for the department's strategic plan initiatives such as document imaging and archiving' IT and Communications-related policy and procedure creation and enforcement' disaster recovery; business continuity, and Purchase Card Interface (PCI) compliance.

3. The Public Affairs and Community Engagement Division:

- a. Provides professional communications and marketing for the Department through media relations, community outreach and engagement, content development, graphics, and visual media.
- b. Helps ensure one look, one message, and one voice for the Department of Parks and Recreation.
- c. Works to enhance and improve community relations, encourage volunteering, and foster community partnerships.
- d. Promotes parks and recreation programs, facilities, and services; and encourages participation, involvement, and support by the community.
- e. Informs Prince George's County residents and visitors of available services through various forms of communication media.
- f. Supports generating additional financial resources for the Department through grant writing, sponsorships, and donor support.

1 4. The **Capital Planning and Development Division:**
2

3 a. Formulates and implements the department’s annual six-year Capital
4 Improvement Plan (CIP), which reflects the priority park acquisition
5 and development projects in the County as defined in the adopted
6 functional master plan for parks, recreation, and open space.
7

8 b. Manages resources to plan, design, and construct quality park facilities
9 for the public to meet the park and recreation needs of Prince George’s
10 County residents, including, for example, playgrounds, trails, park
11 amenities, stream valley restoration projects, and new community
12 centers.
13

14 5. The **Land Management and Environmental Stewardship Division:**
15

16 a. Oversees the long-term planning and management of the County’s
17 parks, trails, and natural resources, which is guided by the adopted
18 functional master plan for parks, recreation, and open space.
19

20 b. Prepares master park development plans, including the State Land
21 Preservation and Recreation Plan.
22

23 c. Utilizes data to establish, analyze, and monitor the level-of-service
24 program for parkland, facilities, and services used to prepare park
25 master plans and to determine community, park, and recreation facility
26 needs.
27

28 d. Leads the land acquisition program and acquires land based on level-of-
29 service needs for parkland and protects natural resources (i.e., stream
30 valleys, agriculture, open spaces,) per approved capital improvement
31 funding.
32

33 e. Provides subdivision review, site plan review, and review of zoning
34 applications to assure compliance with County codes.
35

36 In addition, the **Special Projects Unit:**
37

38 1. Coordinates the M-NCPPC’s accreditation by the Commission for
39 Accreditation of Park and Recreation Agencies (CAPRA).
40

41 2. Monitors progress on achieving the objectives and milestones of the
42 adopted functional master plan for parks and recreation and open space.
43

3. Identifies and monitors performance measures for each division.
4. Develops and delivers training on evaluation and customer satisfaction surveys.
5. Reports Departmental data through the national PRORAGIS database.
6. Facilitates the work of the Program Think Tank to update the Commission's Comprehensive Recreational Programming Plan.
7. Administers surveys to assess patron satisfaction with Departmental recreation and leisure programs.

E. Deputy Director for Parks and Facilities Management

The following functions are carried out by the divisions that report to the Deputy Director for Parks and Facilities Management:

1. The Natural and Historical Resources Division:

- a. Provides professional natural and historical resource management services, conservation, interpretative programs, museums, parks, and facilities that educate, engage, and encourage stewardship and visitation of the County's diverse natural resources and historical heritage. The natural components of the Division consist of Patuxent River Park (over 7,000 acres of natural park area along the Patuxent River), Bladensburg Waterfront Park, Old Maryland Farm; and Clearwater, Watkins, and Mount Rainier Nature Centers.
- b. Maintains natural area parks such as Cheltenham Wetland Park, Suitland Bog, Lake Artemesia, Dueling Creek, and many other Natural Area sites throughout the County.
- c. Coordinates cultural heritage events including Juneteenth, Echoes of the Enslaved, and American Indian Festival; as well as manages restored historic house museums and other historical sites.
- d. Operates the College Park Aviation Museum, which tells the important story of aviation history in the County, and College Park Airport, the oldest continuously operated airport in the world.
- e. Provides educational outreach programs and destination points to the Prince George's County School system and others.

1 f. Manages the Department's commercial agriculture program,
2 community garden plots, youth garden initiatives, and Urban
3 Agriculture Incubator program.

4
5 g. Manages the Department's archaeological, museum exhibit, park
6 ranger, and historic maintenance programs.

7
8 **2. The Arts and Cultural Heritage Division:**

9
10 a. Provides visual and performing arts programs and services,
11 interpretative programs, and affordable historical rental sites and
12 manages events at Commission-owned facilities including arts
13 facilities; historic properties; and the Prince George's Equestrian Center
14 at The Show Place Arena.

15
16 b. Promotes tourism to expand the cultural awareness and appreciation of
17 the County and preserves the County's historic buildings.

18
19 c. Supports and helps coordinate various cultural heritage events and
20 festivals, such as Hispanic Heritage Month, Black History Month, and
21 Asian Pacific Heritage Month, the Celebrate Africa festival and World
22 Dance Showcase, Bluebird Blues Festival, and the Prince George's
23 County Fair.

24
25 d. Serves as liaison to many performing and visual arts organizations, such
26 as the Prince George's Arts and Humanities Council, the Prince
27 George's Philharmonic, Gateway Arts and Entertainment District,
28 College Park Arts Exchange, the Clarice Smith Performing Arts Center
29 at the University of Maryland, and the Coalition for African Americans
30 in the Performing Arts.

31
32 e. Coordinates the Department's arts grant from the Maryland State Arts
33 Council.

34
35 **3. The Northern & Southern Region Parks Divisions:**

36
37 a. Provides and supports a comprehensive, safe, well-maintained, and
38 aesthetically pleasing parks and recreation system for residents and
39 visitors.

- b. Provides comprehensive general maintenance services for all parks and recreation facilities within the northern and southern regions of the County. This includes providing specialty trades work such as carpentry, welding, and planting; as well as, supplies and materials support.
- c. Delivers daily cleaning and custodial services for area offices, community centers, and other buildings and structures.
- d. Provides oversight, inspection, and maintenance of playground equipment located in developed parks and recreation centers throughout the Department.
- e. Provides general grounds maintenance of park structures and amenities, including, trails, athletic fields, courts, shelters, picnic areas, and roadways.
- f. Provides snow and ice removal services to the Department's parking lots and sidewalks and assist with the snow operations for the Prince George's County Government.

4. The Facility Services Division:

- a. Oversees major repairs and extensive maintenance projects identified through ongoing inspections and project life cycles of equipment and building materials in support of the Department's diverse work programs; and compliments the Department's Capital Improvement Program.
- b. Provides preventative maintenance, routine and emergency repairs, and renovations at park facilities, including electrical, HVAC-R, plumbing, carpentry, masonry, and welding services.
- c. Provides estimating, plan review, and supervision of major projects, and building inspections involving issues such as fire protection, elevators, electrical, HVAC-R, roofing, and plumbing.
- d. Provides fleet management services for the Department's vehicles, trailers, and other motorized and wheeled equipment, including garage facilities, fueling sites, mechanics, vehicle purchase, and administrative support.

- e. Coordinates with and provides snow removal and landscaping services to the Prince George’s County Government.

F. Park Police Division

The Park Police Division ensures the safety of park patrons and facilities 24 hours a day through crime prevention, apprehension, enforcement of criminal and motor vehicle laws of the State, and enforcement of Park Rules and Regulations. Officers at all levels are involved in problem-solving on behalf of residents and visitors through community-based policing strategies and partnerships.

The following functions are carried units within the Division:

1. The Office of the Division Chief:

- a. Oversees park police human resources, and financial management; as well as, administrative and operational supervision.
- b. Coordinates with County, State, and Federal agencies involved in parks, recreation, and policing.
- c. Disseminates public information to the media and community.
- d. Coordinates programs such as the Maryland “Law Enforcement Challenge,” serves as the Park Police Division liaison to the community at-large and manages the Division’s law enforcement accreditation process.

2. Field Operations:

- a. Provides police services and security to the M-NCPPC and patrons who use the over 28,500 acres of parkland, including administrative buildings, historic buildings and facilities, community and recreation centers, parks, trails, and undeveloped land.
- b. Proactively responds to residents’ requests for service and conducts active preventive patrols.
- c. Works with recreation and program managers to plan and coordinate park and community events.
- d. Enforces M-NCPPC Park Rules & Regulations, County Ordinances, and State and Federal laws.

1 3. The **Office of Public Safety Liaison and Community Engagement:**
2

- 3 a. Develops and coordinates the Department’s safety and preparedness
4 strategy to protect life, property, and the M-NCPPC community from
5 the effects of natural and man-made disasters including terrorist acts and
6 other threats.
7
- 8 b. Distributes all pertinent Homeland Security information and is the
9 Divisions’ liaison with the Maryland Coordination and Analysis Center
10 Joint Terrorism Task Force.
11
- 12 c. Designs, implements, maintains, and standardizes security, public, and
13 life-safety technology solutions necessary to protect M-NCPPC
14 employees, patrons, and property.
15

16 4. **Support Operations** provides support to all personnel within the division,
17 including records management, property and evidence, training,
18 communications, fleet management, and firearms support.
19

20 5. The **Office of Accountability, Oversight, and Recruitment:**
21

- 22 a. Responds to allegations of serious and/or criminal misconduct against
23 the M-NCPPC Park Police and its employees.
24
- 25 b. Conducts semi-annual audits and inspections of the Park Police
26 Division.
27
- 28 c. Manages recruitment efforts through national, regional, and local
29 venues, and assists human resources with testing and conducting
30 background investigations.
31
- 32 d. Employs special enforcement strategies and tactics to reduce crime on
33 park property, including utilizing plain clothes surveillance, checking
34 Hot Spot areas, and rapidly deploying officers to certain emergencies.
35
36
37
38
39
40
41
42
43

1 **Note to Draft Reviewer:** The content below is recommended for deletion, as it has been reorganized and
2 updated in the sections above.

3
4 ~~The Department of Parks and Recreation operates the public park and recreation~~
5 ~~programs for Prince George’s County, and assists the Planning Department in~~
6 ~~development of functional community park plans. Reviews mandatory referrals on~~
7 ~~park landscaping issues, subdivision and site plans; Maintains coordination with~~
8 ~~the Board of Education to assure joint use of facilities. Maintains coordination with~~
9 ~~the Washington Suburban Sanitary Commission to assure joint development of bike~~
10 ~~trails within the stream valley parks network. Coordinates cooperative assistance to~~
11 ~~other governmental units of the County. Prepares an annual operating budget and a~~
12 ~~Capital Improvements Program budget. Manages leases for park houses and park~~
13 ~~farms. Administers, develops, and manages park enterprise facilities (revenue-~~
14 ~~producing activities) such as golf courses, ice rinks, leased concessions, inflated~~
15 ~~indoor tennis facilities, and airport. Administers the advance land acquisition fund.~~

16
17 ~~The Department also advises plays an advisory role in County agencies, municipal~~
18 ~~governments, and citizens organization in conservation, water pollution control,~~
19 ~~and multiple use of land and water resources.~~

20
21 ~~DEPUTY DIRECTOR. The Deputy Director oversees the administration and~~
22 ~~management of the Director’s office and with the Director directs the entire park~~
23 ~~and recreation program. These duties include coordinating the efforts of the three~~
24 ~~Associate Directors, the Budget and Administrative Office, and the Land~~
25 ~~Acquisition and Special Projects Office. The Deputy Director represents the~~
26 ~~Director at Planning Board meetings, County Council sessions, interagency~~
27 ~~meetings, public meetings, and functions in the Director’s absence. (*Note to Draft*~~
28 ~~*Reviewer:* Text deleted because this function has been absorbed into positions in~~
29 ~~the Office of the Director as well as functions of the Deputies as~~
30 ~~appropriate/applicable.)~~

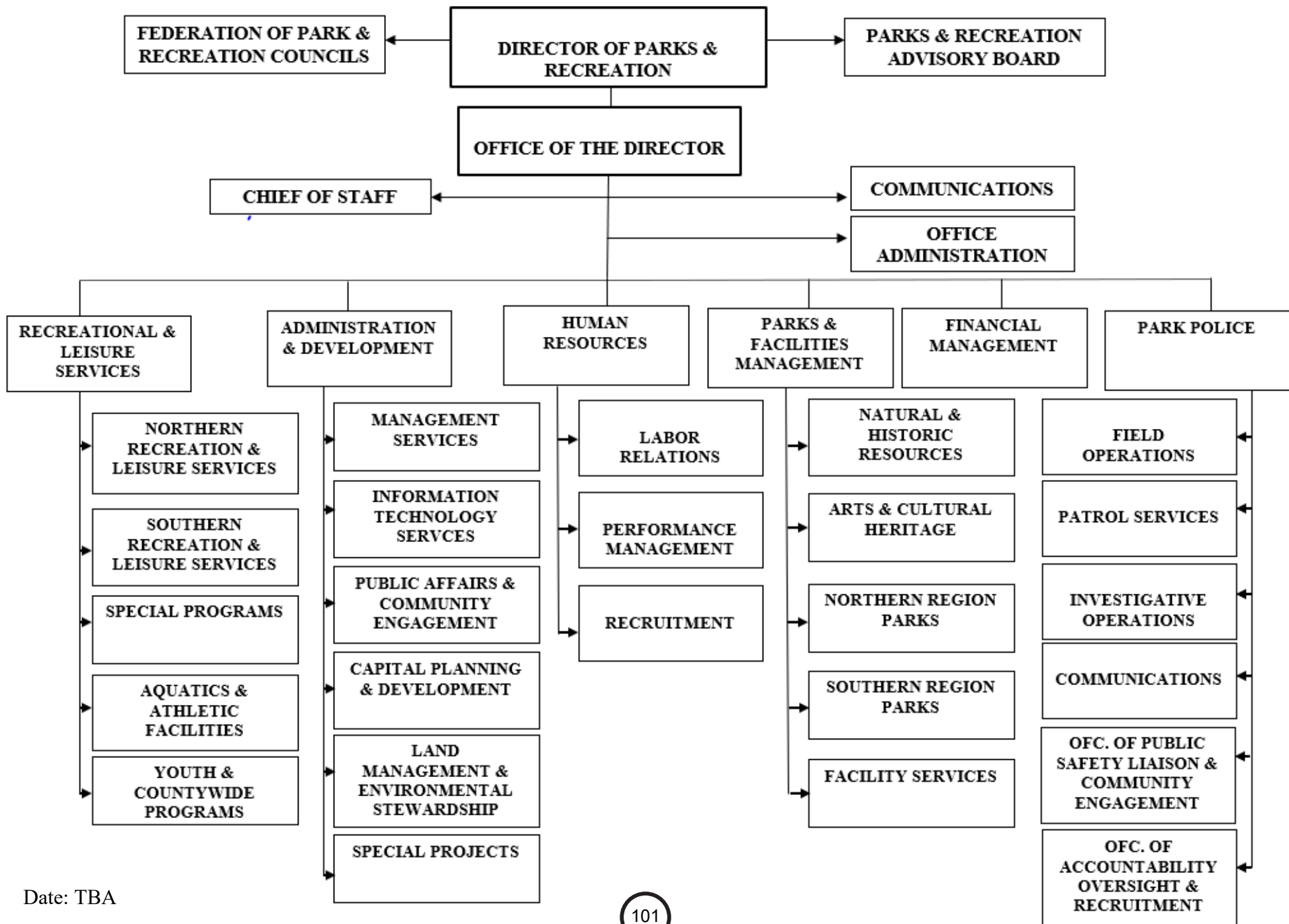
31
32 ~~ASSOCIATE DIRECTOR FOR FACILITY OPERATIONS. The Associate~~
33 ~~Director for Facility Operations supervises and manages the Planning, Design, and~~
34 ~~Research Division regulatory activities, the Trades and Development Division, the~~
35 ~~Horticulture and Forestry Division, and the Enterprise Division.~~

36
37 ~~ASSOCIATE DIRECTOR FOR AREA OPERATIONS. The Associate Director~~
38 ~~for Area Operations directs the administration and management of general leisure~~
39 ~~programming and day-to-day maintenance functions for Area Operations. This~~
40 ~~includes the park and recreation warehouse, school community center programs,~~
41 ~~and the three large geographical park and recreation areas (Northern, Central, and~~
42 ~~Southern).~~

1 ~~ASSOCIATE DIRECTOR FOR COUNTY-WIDE OPERATIONS. The Associate~~
2 ~~Director for County Wide Operations, through supervisory staff, directs the Park~~
3 ~~Permits Office, and coordinates and directs, through program coordinators the~~
4 ~~Boys' and Girls' Club programs, the specialized programs for special populations,~~
5 ~~historic preservation and research programming, sports and outreach programs,~~
6 ~~planning and operation of special County wide day and residential camps, art~~
7 ~~programs and services which include drama, dance, visual arts, and music, and the~~
8 ~~interpretation and conservation programs.~~

9
10 ~~COMMUNITY RELATIONS SPECIALIST. The Community Relations Specialist~~
11 ~~coordinates and promotes community and press relations services and public and~~
12 ~~internal information about the Department's plans and programs.~~

PRINCE GEORGE'S COUNTY DEPARTMENT OF PARKS AND RECREATION



Date: TBA

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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

October 18, 2023

TO: The Maryland-National Capital Park and Planning Commission

VIA: Asuntha Chiang-Smith, Executive Director
William Spencer, Acting Deputy Executive Director & Human Resources Director

FROM: Jennifer McDonald, Benefits Manager
Cynthia Henderson, Principal Benefits Specialist

SUBJECT: Benefit Plans - Recommendations for Calendar Year 2024

The Health & Benefits (H&B) office and members of senior management met with Aon, the agency's benefits consultant, to discuss new programs, changes to existing plans and rates for the 2024 calendar year. Department Heads were briefed in June and supported the recommendations for Calendar Year 2024. Since that time there has been discussions with the MCGEO union and one of our medical plan vendors, Kaiser Permanente, which resulted in adjustments to the recommended rate increases. This information has been discussed with the Executive Committee who support the recommendations.

Requested Action

Approve the recommendations of the Health & Benefits office.

Current Benefit Plan Design and Rate Changes:

1. Approve plan design changes to the Dental PPO plan (Dental HMO will remain the same)
 - Changes include a combination of enhanced benefits, an increase in the out-of-network deductible and other adjustments.
 - Will decrease current rates by 1.3%
2. Approve rate adjustments for (a) self-insured plans and (b) fully insured plans
 - Rate changes for the self-insured plans (such as United HealthCare and the prescription plan) range from 0% to 6.6%.
 - Rate changes for the fully insured plans (such as Kaiser Permanente, life and disability plans) range from 0% to 25%.

Proposed New Benefits:

1. Approve offering voluntary "Lifestyle" benefits to be rolled out during the first quarter of 2024.
 - 100% employee paid through payroll deductions
 - Allows ongoing enrollment and changes

Background Details

Changes to Current Plan Designs

Dental Plan Design Changes

The agency offers two dental plan options, both through Delta Dental, a PPO plan which allows you to visit any licensed dentist or specialist nationwide and an HMO plan where you must select a primary care dentist that participates in the HMO network. With the PPO plan you have access to two dentist networks, the Delta Dental PPO network, and the Delta Dental Premier network. Out-of-pocket expenses are lowest when you visit a dentist in the Delta Dental PPO network, where deeper contract discounts apply. Dentists in the Premier network offer a discount, but they are not as deep as those of the PPO network dentists. If you use a non-participating dentist, you can be billed for the full balance, since Delta Dental has no contract with these dentists for discounts or fee limitations. The annual maximum benefit per year per covered family member is \$2,000.

Under the HMO DeltaCare USA plan, you must select a Primary Care Dentist (PCD) in the DeltaCare USA network. The Primary Care Dentist will be responsible for coordinating your care and referring you to any specialists. You will be assigned a PCD if you do not select one. All services must be obtained from your designated network dentist except in an emergency or if services have been preauthorized in writing by Delta Dental. You can change your DeltaCare USA dentist at any time by calling DeltaCare Customer Service. You pay a set co-payment for each service. There is no annual deductible or annual maximum amount of coverage.

The following changes to the Delta Dental PPO plan only are recommended for plan year 2024.

- Add a Diagnostic & Preventive Annual Maximum Waiver which allows all members to receive their diagnostic and preventive services without accumulating to their annual \$2,000 maximum, thereby reserving those funds for restorative services.
- Add two additional problem-focused visits for a total combination of four per year.
- Increase the Out-of-Network (OON) Deductible from \$50/\$150 to \$100/\$300, which creates an incentive to use an in-network provider. No impact to those going in-network.
- Change the Out-of-Network Reimbursement (OON) from the 90th percentile to the 80th percentile currently used for the Delta “Premier” in-network. Currently members going out of network ***receive a higher level of reimbursement than any participating provider***. In the short term, this reduces the out-of-pocket expense, but it also causes members to use their annual maximum at a much faster rate.
 - At the 80th percentile, 80% of dentists are paid as billed – their submitted charges. Dentists that have fees *above* that percentile are charging more than other dentists in their market.
 - M-NCPPC currently has non-contracted reimbursement at the 90th percentile. This means that members going out of network receive a much higher level of reimbursement

- than any participating provider.
- The intent is to make things equitable, so that members who choose to go out-of-network will receive the same reimbursement as Premier in-network dentists.
 - Not only do employees who go out of network pay more at the time of service, they also run the risk of hitting their annual plan maximum much more quickly.
 - In the long term, a plan with a high rate of out-of-network utilization may also drive-up premium costs by increasing claim expenses.

If changes to the PPO plan are implemented rates will be lower than the current 2023 rates by 1.3%. Rates without changes will see a 5.0% increase. No change to the HMO plan rates.

The H&B office recommends implementing these changes to the dental PPO plan.

Flexible Spending Accounts Changes

Flexible Spending Account - The maximum that an employee may contribute to the health care flexible spending account will increase from \$2,850 to \$3,050. The maximum for the dependent care account remains at \$5,000.

The H&B office recommends implementing this increase to the health flexible spending account.

2024 Health Plan Rate Adjustments

The agency utilizes a benefits actuary, Aon Consulting, to help determine appropriate health plan rates which provide sufficient funding of health plan coverage and protection to the agency against expected claim costs during the plan year. Our insurance coverage is categorized as either fully insured or self-insured. With self-insured plans, the MNCPPC manages funds and pays claims as they are incurred. A commercial stop-loss policy exists to protect the agency against large claims. Each fall, the agency must determine the health plan premium rates for the following calendar year. The actuary works with each of our health plan providers to review our relevant claims data for the prior cycles as well as current year costs, trends for projected health costs in the market, and plan design offerings.

Through discussions between the MCGEO union and the agency, an agreement was reached to mitigate the recommended medical plan rate increases recommended by Aon and quoted by Kaiser by 4%. The reduction costs approximately \$1.7 million and will be absorbed by excess reserves in the Group Insurance Fund.

The Medical and Prescription Rates Effective January 1, 2024

Medical plan rates are increasing for all plans for 2024, except for the prescription plan.

- **UnitedHealthcare (UHC) Exclusive Provider Organization (EPO), for employees and retirees under 65 – increase of 3.7%.**
 - Recommendation from Aon was 7.7% driven primarily by medical trend.
 - Prior year's increase was calculated at 14.4%. The Commission elected to pass on the

recommended increase.

- **UnitedHealthcare EPO Medicare, for Medicare eligible retirees – increase of 1.9%.**
 - Recommendation from Aon was 5.9% driven primarily by medical trend.
 - Prior year's increase was calculated at 5.5%. The Commission elected to pass on the recommended increase.

- **UnitedHealthcare POS, for employees and retirees under 65 – increase of 6.6%.**
 - Recommendation from Aon was 10.6%, driven primarily by high-cost claims and medical trend.
 - Prior year's increase was calculated at 7.9%. The Commission elected to pass on the recommended increase.

- **UnitedHealthcare Medicare Complement, for Medicare Eligible Retirees – increase of 3.6%.**
 - Recommendation from Aon was 7.6%, driven primarily by medical trend.
 - Prior year's increase was calculated at 4.4%. The Commission elected to pass on the recommended increase.

- **Caremark Prescription – 0%.**
 - No change due to renegotiation of contractual rebates.
 - Prior year's increase was calculated at 18.5%. The Commission elected to pass on the recommended increase.

- **Kaiser Permanente HMO (Fully insured), which includes a prescription benefit in its design – increase of 5.9%.**
 - Rates were originally calculated to increase by 33%, but due to a self-imposed cap Kaiser quoted an increase of 25%.
 - The Health & Benefits team met with Kaiser and was able to get the 25% reduced to 15%.
 - M-NCPPC and MCGEO met with Kaiser which resulted in a further reduction to 9.9%.
 - After discussion with MCGEO, the agency agreed to further reduce the increase to 5.9%
 - Prior year increase was 7%; passed on as recommended.

- **Kaiser Permanente Medicare Complement Plan for Over 65 retirees which includes a prescription benefit in its design – increase of 2.2%.**
 - The original quote from Kaiser was 6.2%, driven primarily by medical trend.
 - Prior year was a 0.1% decrease.

Other Benefit Plans

Fully Insured – The rates for these plans are determined by the carriers' respective actuaries.

- **Vision Plan (EyeMed)**
 - Rates remain unchanged for 2024.
 - Rates are guaranteed through 12/31/2026.

- **Dental Plans (Delta Dental PPO and DeltaCare HMO)**
 - Delta HMO rates – No increase.

- There was no increase to HMO rates in 2023.
 - **Delta PPO – 5% increase**
 - Decrease of 1.3% in rates if all changes are adopted.
 - There was no increase to PPO rates in 2023.
- **Life Insurance Plans (Securian)**
 - Rates will increase by **25%** for only the basic plan due to poor experience.
 - Rates for the supplemental and dependent life plans remain unchanged
 - Rates are guaranteed through 2028.
 - Rates remained unchanged for 2023.
- **Long Term Disability Plan (MetLife)**
 - Rates will increase **10%** for 2024 for the basic and supplemental plans, guaranteed through 2026.
 - Rates remained unchanged for 2023.

Recommendations

The recommendation for the 2024 rates is to reduce the increases for all medical plans, self-insured and fully insured, as agreed to with the MCGEO union and pass on the rates as quoted by the carriers for the life and disability plans.

Attachment A illustrates the rate changes and dollar impact for employee and retiree groups based on the reduced rate increases.

New Program

Lifestyle Voluntary Benefits (Single Source)

“Everyday Benefit Solutions” is a single source for everyday voluntary benefit needs. The platform offers access to high-quality “lifestyle” oriented benefits all in one place and at lower costs versus retail. They have already done the heavy lifting of evaluating the market and negotiating rates and will help employees understand how best to protect themselves from and avoid risk in their lives. The voluntary benefits offered are:

- Student loan assistance program
- Auto, home and renters’ insurance
- Pet insurance
- Purchasing program
- Employee discount program
- Caregiver assistance program
- Identity Theft
- Whole Life insurance with long term care

These benefits help alleviate the financial hardship that may be experienced by employees. There is no open enrollment period. Employees may enroll/dis-enroll in the plan(s) desired at any time during the year. ***Premiums are deducted on a post-tax basis, paid 100% by the employee.*** The primary point of contact for employee questions, inquiries, and issues is Everyday Benefit Solutions, not the Health &

Benefits Team. A robust communication and educational campaign will be conducted to help employees make sound choices.

The H&B office recommends offering voluntary benefits through “Everyday Benefit Solutions” ; however, it is suggested that the roll-out be delayed until first or second quarter of 2024 to allow employees the opportunity to give full attention to these new benefits and not have them overlooked during the annual open enrollment season.

Open Enrollment for Retirees

The Internal Revenue Service (IRS) allows employees to pay for health plan coverage on a pre-tax basis, which provides tax savings to participants. In exchange for the loss of tax revenue to the IRS, their rules provide limited windows of opportunity for employees to enroll or make changes to benefit elections/dependents covered. The window applies to new hires or when there is a qualifying life event (marriage, divorce, new child, change in employment status etc.) and during a specified open enrollment period. In compliance, the agency allows employees to make changes within 45 days of new hire or qualifying event and during the three weeks of annual open enrollment in the fall of each year.

Currently, retirees may reinstate pre-certified dependents with proof of continuous comparable coverage during open enrollment or within 45 days following a qualifying event. They may also change plan selections such as Delta Dental PPO to DeltaCare HMO, Kaiser to UnitedHealthcare or EyeMed Vision

low level to high level only during Open Enrollment. The Health & Benefits Office recently learned that other organizations, including both Prince George's County and Montgomery County governments, do not subject retirees to the IRS rules as retirees pay their health premiums on a post-tax basis. Plan changes can be made any time during the year. Over the years, the annual open enrollment season has created angst for many of our retirees, fearing they will miss the deadline as the US postal service is relied upon to send information to them and, for them to return forms. Retirees will continue to receive information during the open enrollment season about changes in plans and rates. Enrollment in the vision and legal services plans will require a minimum enrollment period of 12 months before changes can be made.

The H&B office recommends that the agency allow retirees to make benefit plan election and allowed dependent changes at any time during the year.

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Exhibit A: 2024 Proposed Healthcare Rates

FRATERNAL ORDER OF POLICE (FOP) PREMIUM RATES EFFECTIVE 1/1/2024						
Plan	Cost Share %	Full 2024 Monthly Rate	Full Bi-Weekly	M-NCPPC Bi-Weekly	Employee Bi-Weekly	\$ Change from 2023
SINGLE COVERAGE						
Caremark Prescription	77%/23%	\$270.11	\$ 124.67	\$ 96.00	\$ 28.67	\$ -
Kaiser Permanente HMO with Prescription	77%/23%	\$696.35	\$ 321.39	\$ 247.47	\$ 73.92	\$ 14.78
Kaiser Permanente Medicare Complement	77%/23%	\$306.59	\$ 141.50	\$ 108.96	\$ 32.55	\$ 1.90
UnitedHealthcare Choice Plus POS	77%/23%	\$853.66	\$ 394.00	\$ 303.38	\$ 90.62	\$ 8.70
UHC Medicare Complement Plan	77%/23%	\$310.59	\$ 143.35	\$ 110.38	\$ 32.97	\$ 2.33
UnitedHealthcare Select EPO	77%/23%	\$724.60	\$ 334.43	\$ 257.51	\$ 76.92	\$ 5.52
UHC Select EPO Medicare Eligible	77%/23%	\$458.67	\$ 211.69	\$ 163.00	\$ 48.69	\$ 2.72
Delta Dental PPO	77%/23%	\$36.74	\$ 16.96	\$ 13.06	\$ 3.90	\$ 0.18
Delta Dental HMO	77%/23%	\$18.59	\$ 8.58	\$ 6.61	\$ 1.97	\$ -
EyeMed Vision Plan - Low	80%/20%	\$3.75	\$ 1.73	\$ 1.38	\$ 0.35	\$ -
EyeMed Vision Plan - Moderate	See Note*	\$6.50	\$ 3.00	\$ 1.38	\$ 1.62	\$ -
EyeMed Vision Plan - High	See Note*	\$11.31	\$ 5.22	\$ 1.38	\$ 3.84	\$ -
TWO MEMBER COVERAGE						
Caremark Prescription	77%/23%	\$540.22	\$ 249.33	\$ 191.98	\$ 57.35	\$ -
Kaiser Permanente HMO with Prescription	77%/23%	\$1,392.70	\$ 642.78	\$ 494.94	\$ 147.84	\$ 29.57
Kaiser Permanente Medicare Complement	77%/23%	\$613.18	\$ 283.01	\$ 217.92	\$ 65.09	\$ 3.81
UnitedHealthcare Choice Plus POS	77%/23%	\$1,707.32	\$ 787.99	\$ 606.75	\$ 181.24	\$ 17.40
UHC Medicare Complement Plan	77%/23%	\$621.18	\$ 286.70	\$ 220.76	\$ 65.94	\$ 4.66
UnitedHealthcare Select EPO	77%/23%	\$1,449.20	\$ 668.86	\$ 515.02	\$ 153.84	\$ 11.04
UHC Select EPO Medicare Eligible	77%/23%	\$917.34	\$ 423.39	\$ 326.01	\$ 97.38	\$ 5.44
Delta Dental PPO	77%/23%	\$73.66	\$ 34.00	\$ 26.18	\$ 7.82	\$ 0.37
Delta Dental HMO	77%/23%	\$36.15	\$ 16.68	\$ 12.85	\$ 3.84	\$ -
EyeMed Vision Plan - Low	80%/20%	\$7.55	\$ 3.48	\$ 2.79	\$ 0.70	\$ -
EyeMed Vision Plan - Moderate	See Note*	\$13.03	\$ 6.01	\$ 2.79	\$ 3.23	\$ -
EyeMed Vision Plan - High	See Note*	\$22.64	\$ 10.45	\$ 2.79	\$ 7.66	\$ -
FAMILY COVERAGE						
Caremark Prescription	77%/23%	\$810.33	\$ 374.00	\$ 287.98	\$ 86.02	\$ -
Kaiser Permanente HMO with Prescription	77%/23%	\$2,089.05	\$ 964.18	\$ 742.42	\$ 221.76	\$ 44.35
Kaiser Permanente Medicare Complement	77%/23%	\$919.77	\$ 424.51	\$ 326.87	\$ 97.64	\$ 5.71
UnitedHealthcare Choice Plus POS	77%/23%	\$2,560.98	\$ 1,181.99	\$ 910.13	\$ 271.86	\$ 26.10
UHC Medicare Complement Plan	77%/23%	\$931.77	\$ 430.05	\$ 331.14	\$ 98.91	\$ 6.99
UnitedHealthcare Select EPO	77%/23%	\$2,173.80	\$ 1,003.29	\$ 772.53	\$ 230.76	\$ 16.56
UHC Select EPO Medicare Eligible	77%/23%	\$1,376.01	\$ 635.08	\$ 489.01	\$ 146.07	\$ 8.16
Delta Dental PPO	77%/23%	\$136.22	\$ 62.87	\$ 48.41	\$ 14.46	\$ 0.69
Delta Dental HMO	77%/23%	\$52.38	\$ 24.18	\$ 18.62	\$ 5.56	\$ -
EyeMed Vision Plan - Low	80%/20%	\$11.30	\$ 5.22	\$ 4.17	\$ 1.04	\$ -
EyeMed Vision Plan - Moderate	See Note*	\$19.55	\$ 9.02	\$ 4.17	\$ 4.85	\$ -
EyeMed Vision Plan - High	See Note*	\$34.20	\$ 15.78	\$ 4.17	\$ 11.61	\$ -
OTHER PLANS						
Long-Term Disability (Per \$100 Monthly Benefit)	0%/100%	\$1.92				\$ 0.17
Legal Resources (24 pay periods)	0%/100%	\$17.00			\$ 8.50	\$ -
Basic Life Ins. (Per \$1,000 Monthly Benefit)	80%/20%	\$0.145				\$ 0.029
AD&D (Per \$1,000 Monthly Benefit)	80%/20%	\$0.025				\$ -

* Vision - Employer pays 80% of Low Option Plan toward any level of coverage. Member responsible for any balance.

Exhibit A: 2024 Proposed Healthcare Rates (Continued)

CONTRACT EMPLOYEES PREMIUM RATES EFFECTIVE 1/1/2024						
Plan	Cost Share%	Full 2024 Monthly Rate	Full Bi- Weekly Rate	M-NCPPC Bi-Weekly	Employee Bi-Weekly	\$ Change from 2023
SINGLE COVERAGE						
Caremark Prescription	65%/35%	\$270.11	\$124.67	\$81.03	\$43.63	\$ -
Kaiser Permanente HMO with Prescription	65%/35%	\$696.35	\$321.39	\$208.91	\$112.49	\$ 22.50
UnitedHealthcare Select EPO	65%/35%	\$724.60	\$334.43	\$217.38	\$117.05	\$ 8.40
TWO MEMBER COVERAGE						
Caremark Prescription	65%/35%	\$540.22	\$249.33	\$162.07	\$87.27	\$ -
Kaiser Permanente HMO with Prescription	65%/35%	\$1,392.70	\$642.78	\$417.81	\$224.97	\$ 44.99
UnitedHealthcare Select EPO	65%/35%	\$1,449.20	\$668.86	\$434.76	\$234.10	\$ 16.80
FAMILY COVERAGE						
Caremark Prescription	65%/35%	\$810.33	\$374.00	\$243.10	\$130.90	\$ -
Kaiser Permanente HMO with Prescription	65%/35%	\$2,089.05	\$964.18	\$626.72	\$337.46	\$ 67.49
UnitedHealthcare Select EPO	65%/35%	\$2,173.80	\$1,003.29	\$652.14	\$351.15	\$ 25.20

Exhibit A: 2024 Proposed Healthcare Rates (Continued)

MCGEO, NON-UNION REPRESENTED PREMIUM RATES EFFECTIVE 1/1/2024						
Plan	Cost Share %	Full 2024 Monthly Rate	Full Bi-Weekly Rate	M-NCPPC Bi-Weekly	Employee Bi-Weekly	\$ Change from 2023
SINGLE COVERAGE						
Caremark Prescription	85%/15%	\$270.11	\$124.67	\$105.97	\$18.70	\$ -
Kaiser Permanente HMO with Prescription	85%/15%	\$696.35	\$321.39	\$273.18	\$48.21	\$ 9.64
Kaiser Permanente Medicare Complement	85%/15%	\$306.59	\$141.50	\$120.28	\$21.23	\$ 1.24
UnitedHealthcare Choice Plus POS	80%/20%	\$853.66	\$394.00	\$315.20	\$78.80	\$ 7.56
UHC Medicare Complement Plan	80%/20%	\$310.59	\$143.35	\$114.68	\$28.67	\$ 2.03
UnitedHealthcare Select EPO	80%/20%	\$724.60	\$334.43	\$267.54	\$66.89	\$ 4.80
UHC Select EPO Medicare Eligible	80%/20%	\$458.67	\$211.69	\$169.35	\$42.34	\$ 2.36
Delta Dental PPO	80%/20%	\$36.74	\$16.96	\$13.57	\$3.39	\$ 0.16
Delta Dental HMO	80%/20%	\$18.59	\$8.58	\$6.86	\$1.72	\$ -
EyeMed Vision Plan - Low	80%/20%	\$3.75	\$1.73	\$1.38	\$0.35	\$ -
EyeMed Vision Plan - Moderate	See Note*	\$6.50	\$3.00	\$1.38	\$1.62	\$ -
EyeMed Vision Plan - High	See Note*	\$11.31	\$5.22	\$1.38	\$3.84	\$ -
TWO MEMBER COVERAGE						
Caremark Prescription	85%/15%	\$540.22	\$249.33	\$211.93	\$37.40	\$ -
Kaiser Permanente HMO with Prescription	85%/15%	\$1,392.70	\$642.78	\$546.36	\$96.42	\$ 19.28
Kaiser Permanente Medicare Complement	85%/15%	\$613.18	\$283.01	\$240.56	\$42.45	\$ 2.48
UnitedHealthcare Choice Plus POS	80%/20%	\$1,707.32	\$787.99	\$630.39	\$157.60	\$ 15.13
UHC Medicare Complement Plan	80%/20%	\$621.18	\$286.70	\$229.36	\$57.34	\$ 4.05
UnitedHealthcare Select EPO	80%/20%	\$1,449.20	\$668.86	\$535.09	\$133.77	\$ 9.60
UHC Select EPO Medicare Eligible	80%/20%	\$917.34	\$423.39	\$338.71	\$84.68	\$ 4.73
Delta Dental PPO	80%/20%	\$73.66	\$34.00	\$27.20	\$6.80	\$ 0.32
Delta Dental HMO	80%/20%	\$36.15	\$16.68	\$13.35	\$3.34	\$ -
EyeMed Vision Plan - Low	80%/20%	\$7.55	\$3.48	\$2.79	\$0.70	\$ -
EyeMed Vision Plan - Moderate	See Note*	\$13.03	\$6.01	\$2.79	\$3.23	\$ -
EyeMed Vision Plan - High	See Note*	\$22.64	\$10.45	\$2.79	\$7.66	\$ -
FAMILY COVERAGE						
Caremark Prescription	85%/15%	\$810.33	\$374.00	\$317.90	\$56.10	\$ -
Kaiser Permanente HMO with Prescription	85%/15%	\$2,089.05	\$964.18	\$819.55	\$144.63	\$ 28.93
Kaiser Permanente Medicare Complement	85%/15%	\$919.77	\$424.51	\$360.83	\$63.68	\$ 3.73
UnitedHealthcare Choice Plus POS	80%/20%	\$2,560.98	\$1,181.99	\$945.59	\$236.40	\$ 22.69
UHC Medicare Complement Plan	80%/20%	\$931.77	\$430.05	\$344.04	\$86.01	\$ 6.08
UnitedHealthcare Select EPO	80%/20%	\$2,173.80	\$1,003.29	\$802.63	\$200.66	\$ 14.40
UHC Select EPO Medicare Eligible	80%/20%	\$1,376.01	\$635.08	\$508.06	\$127.02	\$ 7.09
Delta Dental PPO	80%/20%	\$136.22	\$62.87	\$50.30	\$12.57	\$ 0.60
Delta Dental HMO	80%/20%	\$52.38	\$24.18	\$19.34	\$4.84	\$ -
EyeMed Vision Plan - Low	80%/20%	\$11.30	\$5.22	\$4.17	\$1.04	\$ -
EyeMed Vision Plan - Moderate	See Note*	\$19.55	\$9.02	\$4.17	\$4.85	\$ -
EyeMed Vision Plan - High	See Note*	\$34.20	\$15.78	\$4.17	\$11.61	\$ -
OTHER PLANS						
Long-Term Disability (Per \$100 Monthly Benefit)	80%/20%	\$0.93				\$0.09
Legal Resources	0%/100%	\$17.00				\$ -
Basic Life Ins. (Per \$1,000 Monthly Benefit)	80%/20%	\$0.145				\$ 0.029
AD&D (Per \$1,000 Monthly Benefit)	80%/20%	\$0.025				\$ -

* Vision - Employer pays 80% of Low Option Plan toward any level of coverage. Member responsible for any balance.

Exhibit A: 2024 Proposed Healthcare Rates (Continued)

Plan	RETIREE/SURVIVORS PREMIUM RATES EFFECTIVE 1/1/2024				
	Cost Share %	Full 2024 Monthly Rate	M-NCPPC Monthly	Retiree Monthly	\$ Change from 2023
SINGLE COVERAGE					
Caremark Prescription	80%/20%	\$270.11	\$216.09	\$54.02	\$ -
Kaiser Permanente HMO with Prescription	80%/20%	\$696.35	\$557.08	\$139.27	\$ 27.85
UnitedHealthcare Choice Plus POS	80%/20%	\$853.66	\$682.93	\$170.73	\$ 16.39
UnitedHealthcare Select EPO	80%/20%	\$724.60	\$579.68	\$144.92	\$ 10.40
Delta Dental PPO	80%/20%	\$36.74	\$29.39	\$7.35	\$ 0.35
Delta Dental HMO	80%/20%	\$18.59	\$14.87	\$3.72	\$ -
EyeMed Vision Plan - Low	80%/20%	\$3.75	\$3.00	\$0.75	\$ -
EyeMed Vision Plan - Moderate	See Note*	\$6.50	\$3.00	\$3.50	\$ -
EyeMed Vision Plan - High	See Note*	\$11.31	\$3.00	\$8.31	\$ -
TWO MEMBER COVERAGE					
Caremark Prescription	80%/20%	\$540.22	\$432.18	\$108.04	\$ -
Kaiser Permanente HMO with Prescription	80%/20%	\$1,392.70	\$1,114.16	\$278.54	\$ 55.71
UnitedHealthcare Choice Plus POS	80%/20%	\$1,707.32	\$1,365.86	\$341.46	\$ 32.78
UnitedHealthcare Select EPO	80%/20%	\$1,449.20	\$1,159.36	\$289.84	\$ 20.80
Delta Dental PPO	80%/20%	\$73.66	\$58.93	\$14.73	\$ 0.70
Delta Dental HMO	80%/20%	\$36.15	\$28.92	\$7.23	\$ -
EyeMed Vision Plan - Low	80%/20%	\$7.55	\$6.04	\$1.51	\$ -
EyeMed Vision Plan - Moderate	See Note*	\$13.03	\$6.04	\$6.99	\$ -
EyeMed Vision Plan - High	See Note*	\$22.64	\$6.04	\$16.60	\$ -
FAMILY COVERAGE					
Caremark Prescription	80%/20%	\$810.33	\$648.26	\$162.07	\$ -
Kaiser Permanente HMO with Prescription	80%/20%	\$2,089.05	\$1,671.24	\$417.81	\$ 83.56
UnitedHealthcare Choice Plus POS	80%/20%	\$2,560.98	\$2,048.78	\$512.20	\$ 49.17
UnitedHealthcare Select EPO	80%/20%	\$2,173.80	\$1,739.04	\$434.76	\$ 31.21
Delta Dental PPO	80%/20%	\$136.22	\$108.98	\$27.24	\$ 1.29
Delta Dental HMO	80%/20%	\$52.38	\$41.90	\$10.48	\$ -
EyeMed Vision Plan - Low	80%/20%	\$11.30	\$9.04	\$2.26	\$ -
EyeMed Vision Plan - Moderate	See Note*	\$19.55	\$9.04	\$10.51	\$ -
EyeMed Vision Plan - High	See Note*	\$34.20	\$9.04	\$25.16	\$ -
UNITEDHEALTHCARE MEDICARE COMPLEMENT PLAN					
1 Medicare Complement	80%/20%	\$310.59	\$248.47	\$62.12	\$ 4.39
2 Medicare Complement	80%/20%	\$621.18	\$496.94	\$124.24	\$ 8.78
Family - 3 or More All Medicare Complement	80%/20%	\$931.77	\$745.42	\$186.35	\$ 13.17
1 Medicare Complement + 1 POS	80%/20%	\$1,164.25	\$931.40	\$232.85	\$ 20.78
1 Medicare Complement + 2 or More POS	80%/20%	\$2,017.91	\$1,614.33	\$403.58	\$ 37.17
2 Medicare Complement + 1 or More POS	80%/20%	\$1,474.84	\$1,179.87	\$294.97	\$ 25.17
UNITED HEALTHCARE EPO MEDICARE PLAN					
1 Medicare Complement	80%/20%	\$458.67	\$366.94	\$91.73	\$ 5.12
2 Medicare Complement	80%/20%	\$917.34	\$733.87	\$183.47	\$ 10.25
Family - 3 or More All Medicare Complement	80%/20%	\$1,376.01	\$1,100.81	\$275.20	\$ 15.37
1 Medicare Complement + 1 EPO<65	80%/20%	\$1,183.27	\$946.62	\$236.65	\$ 15.53
1 Medicare Complement + 2 or More EPO<65	80%/20%	\$1,907.87	\$1,526.30	\$381.57	\$ 25.93
2 Medicare Complement + 1 or More EPO<65	80%/20%	\$1,641.94	\$1,313.55	\$328.39	\$ 20.65
KAISER PERMANENTE MEDICARE COMPLEMENT PLAN WITH PRESCRIPTION DRUG					
1 Medicare Complement	80%/20%	\$306.59	\$245.27	\$61.32	\$ 3.59
2 Medicare Complement	80%/20%	\$613.18	\$490.54	\$122.64	\$ 7.18
Family - 3 or More All Medicare Complement	80%/20%	\$919.77	\$735.82	\$183.95	\$ 10.76
1 Medicare Complement + 1 HMO	80%/20%	\$1,002.94	\$802.35	\$200.59	\$ 31.44
1 Medicare Complement + 2 or More HMO	80%/20%	\$1,699.29	\$1,359.43	\$339.86	\$ 59.30
2 Medicare Complement + 1 or More HMO	80%/20%	\$1,309.53	\$1,047.62	\$261.91	\$ 35.03
LEGAL PLAN					
Legal Resources	0%/100%	\$17.00	\$0.00	\$17.00	\$ -

* Vision - Employer pays 80% of Low Option Plan toward any level of coverage. Member responsible for any balance.

OFFICE OF THE INSPECTOR GENERAL

MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION

ANNUAL REPORT

Fiscal Year 2023

Renee M. Kenney, CPA, CIG, CIA, CISA

Inspector General

FY 23

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Message from the Inspector General

Renee M. Kenney, CPA, CIG, CIA, CISA

I am pleased to present the Maryland-National Capital Park and Planning Commission (Commission), Office of the Inspector General's (OIG) Annual Report on the activities and accomplishments of the OIG from July 1, 2022 through June 30, 2023 Fiscal Year 2023 (FY23).

The Commission is a complex and dynamic bi-county agency, with nine Offices and Departments¹. The OIG's work demonstrates our commitment to promoting accountability, efficiency, and effectiveness in Commission programs and operations. The OIG strives to keep Commission management fully informed about opportunities for improvement in Commission activities and corrective action responses.

In FY23, the OIG completed nine performance audits, four fraud, waste, and abuse investigations, three limited investigations, three management advisories, and 19 follow-up reviews. The OIG's work resulted in 32 audit recommendations, all concurred by Commission management.

In addition to audit work, OIG personnel completed six internal training sessions to Commission Departments. The training provided guidance on internal controls and fraud, waste, and abuse awareness and prevention.

The OIG successfully navigated personnel changes and vacancies within the Audit Committee as well as in our own office. In October 2022, both the Montgomery County Planning Board Chair and appointed Audit Committee member resigned from the Commission. A Senior Auditor and a Senior IT Auditor position within the OIG remained vacant as of fiscal year end². However, on a positive note, I am excited to announce the successful recruitment of the OIG's Deputy Inspector General, Ms. Modupe Ogunduyile. Ms. Ogunduyile brings a wealth of experience and knowledge to the OIG team; her early efforts have already helped the Office improve efficiency and accountability.

I would like to thank the Audit Committee for their leadership and guidance throughout the year.

I would like to also thank the Commission's leadership for their support and confidence in the contributions of the OIG.



Renee M. Kenney
August 7, 2023

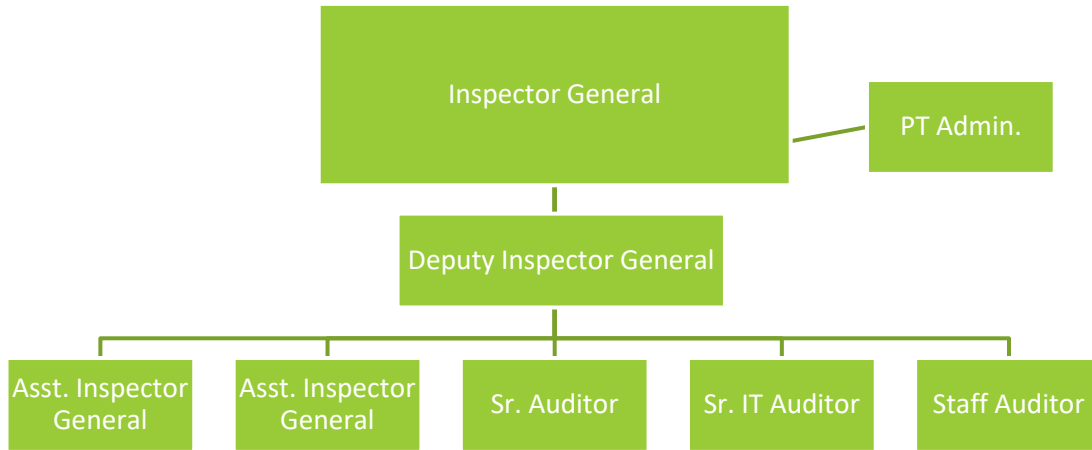
¹ Prince George's County Department of Parks and Recreation, Prince George's County Planning Department, Montgomery County Department of Parks, Montgomery County Planning Department, Department of Finance, Department of Human Resources and Management, General Counsel's Office, Office of the Chief Information Officer, and Office of the Inspector General.

² The OIG anticipates full capacity by September 5, 2023.

Office and Staffing

OFFICE OF THE INSPECTOR GENERAL PERSONNEL

- Renee M. Kenney, CPA, CIG, CIA, CISA, Inspector General
- Modupe Ogunduyile, CIG, Deputy Inspector General
- Robert Feeley, CGFM, CFE, CAA, CICA, Assistant Inspector General
- Wanda King, Assistant Inspector General
- Aaron Smith, Staff Auditor
- Irith Dror, CISA, Sr. IT Auditor (started 7/24/23)
- Sr. Auditor - vacant



Office and Staffing

PROFESSIONAL CREDENTIALS

OIG personnel maintain relevant certifications and are members of many prestigious professional audit and accounting associations. Auditing certifications demonstrate a technical capability that is recognized internationally. The professional associations providing the certifications have rigorous standards and minimum requirements that include comprehensive written exams for technical knowledge and skills and verified education and experience requirements. The certifications also carry stringent ethical standards.

CERTIFICATIONS	
CPA	Certified Public Accountant
CIG	Certified Inspector General
CIA	Certified Internal Auditor
CISA	Certified Information System Auditor
CFE	Certified Fraud Examiner
CGFM	Certified Government Finance Manager
CAA	Certified Acquisition Auditor
CICA	Certified Internal Control Auditor

GOVERNANCE

AUDIT COMMITTEE AND OFFICE OF THE INSPECTOR GENERAL

The Audit Committee (AC) and OIG were established to assist the Commission with corporate governance and independent oversight of the agency's financial reporting processes.

The Annotated Code of Maryland defines the authority and purpose of the Audit Committee (§15-401 – §15-405) and the Office of the Inspector General (§15-501 – §15-508). Commission Practice 1-31, *Organization and Functions of the Audit Committee and Office of the Inspector General* establishes the regulations outlining the responsibilities of the AC and OIG.

The AC consists of four voting members and one non-voting member, as follows:

- Ms. Dorothy Bailey, Vice-Chair, Prince George's County Planning Board, AC Chair;
- Ms. Mitra Pedoeem, Vice-Chair, Montgomery County Planning Board³;
- Mr. Benjamin Williams⁴, Public Member, Prince George's County;
- Ms. Erin White⁵, Public Member, Montgomery County; and
- Mr. Peter Shapiro, Commission Chair⁶ served as an ex-officio nonvoting member of the AC in FY23

AUDIT STANDARDS

Performance Audits are completed per *Generally Accepted Government Auditing Standards*. Fraud, Waste, and Abuse Investigations are completed per *Principles and Standards for Offices of Inspector General*.

ANNUAL WORK PLAN

The OIG is charged with assisting the Commission by providing independent evaluation and recommendations to improve the effectiveness, productivity, and efficiency of

³ Montgomery County Planning Board, AC member, Commissioner Partap Verma resigned from the Commission on October 12, 2022. Acting Commissioner Cherri Branson represented Montgomery County between November 3, 2022 and February 27, 2023. Montgomery County Planning board, Commissioner Mitra Pedoeem was appointed to the Audit Committee as of July 13, 2023.

⁴ On January 6, 2022, Mr. Benjamin Williams was re-appointed for a two-year term as Prince George's County AC Public Member expiring September 30, 2023.

⁵ On March 17, 2022, Ms. Erin White was appointed a two-year term as Montgomery County's AC Public Member, expiring September 30, 2023.

⁶ Each January, the appointment of Commission Chair alternates between the two Planning Board Chairs. The Commission Chair serves as the non-voting member of the Audit Committee.

GOVERNANCE

Commission programs, policies, and operations. To meet this responsibility, each spring an annual work plan is presented to the AC for approval.

The annual work plan is based on numerous interviews with Commission leadership, coupled with the completion of various risk assessment exercises. The OIG's approved FY23 work plan identified eight business process audits, and 11 facility audits for completion. The work plan is considered a living document and is subject to change throughout the fiscal year based on the needs of the Commission.

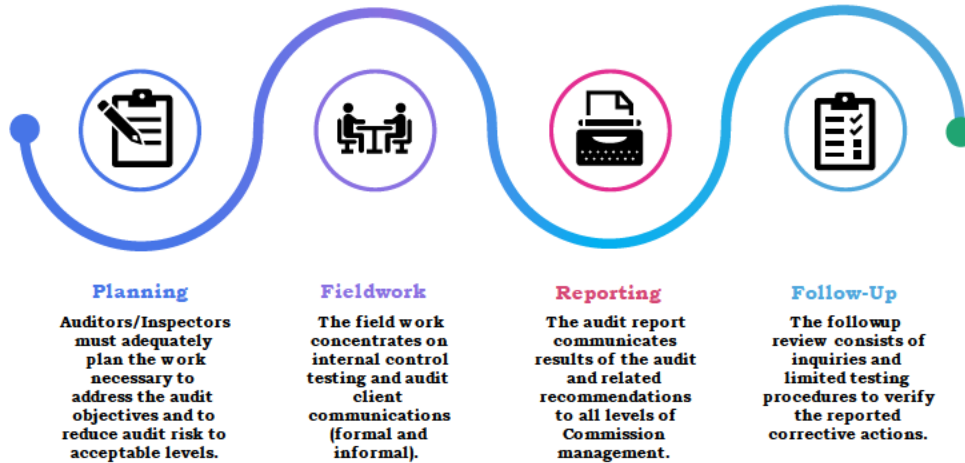
PEER REVIEW

The OIG has had several successful peer reviews. The next peer review, to be completed by the Association of Local Government Auditors, is planned for December 4-8, 2023 and will cover the reporting period July 1, 2020 – June 30, 2023 (FY21 – FY23).

AUDITS

AUDIT PROCESS

AUDIT PROCESS



Planning – Auditors must adequately plan the work necessary to address the audit objectives. For each performance audit, the OIG holds an opening meeting with key stakeholders to obtain an understanding of the nature of the program under audit and the potential use that will be made of the audit results. During the opening meeting, the OIG and audit client discuss audit risk, audit objectives, scope and expectations.

Fieldwork – The fieldwork portion of the audit concentrates on internal control testing and audit client communications (interviews).

Reporting – The audit report communicates results of the audit and related recommendations. Commission management is provided with an opportunity to respond in writing to all audit findings and recommendations.

Follow-Up Review – The OIG conducts a follow-up on all high and medium risk audit recommendations to ensure identified risks have been mitigated and recommendations that been fully implemented and resolved.

AUDITS

PERFORMANCE AUDITS

The OIG fell short of completing all planned performance audits in FY23. This was attributed to several factors, including unplanned vacancies and scope expansion on two audits⁷. For each of these two audits, additional fieldwork and testing was required to identify underlying root causes of identified issues and to strengthen the effectiveness of our audit recommendations.

In FY23, the OIG completed nine performance audits covering one business process/program and eight facilities.

Business process audit included:

- 1) Prince George's County Maintenance Yards – Controlled Assets

Facility audits are comprehensive and cover high-risk processes such as petty cash, purchase cards, cash receipts, timekeeping, procurements, expense reimbursements, facility rentals, vehicle usage, and capital and controlled assets. In FY23, the OIG completed the following facility audits:

- 1) Lake Arbor Community Center
- 2) Laurel Beltsville Senior Center
- 3) Glenridge Child Care Center
- 4) Upper Marlboro Child Care Center
- 5) Vansville Community Center
- 6) Potomac Landing Community Center
- 7) Prince George's Plaza Community Center
- 8) College Park Community Center

FY23 Performance Audit Reports contained 20 audit recommendations. Commission management concurred with all recommendations and provided reasonable management responses to reduce identified risk and resolve audit findings.

Appendix A contains a summary of each performance audit.

⁷ Prince George's County Maintenance Yard – Controlled Assets (Audit No. PGC-004-2023) and Commission Leave Accruals (Audit No. CW-001-2024)

AUDITS

MAJOR AUDIT CONCERNS

A major audit concern identifies a deficiency in the design or operation of an internal control procedure(s) which adversely affects an operating unit's ability to safeguard assets, comply with laws and regulations, and ensure transactions are properly executed and reported.

In FY23, the OIG spent a considerable amount of time assessing the Commission's internal processes and procedures for the oversight of controlled assets. Controlled assets are defined as assets less than \$10,000 that require additional safeguarding due to their theft-prone or sensitive nature. Seven out of 9 performance audits had a finding related to controlled assets.

In Prince George's County, we visited 16 maintenance facilities in an effort to verify the completion and effectiveness of their controlled asset processes and procedures. While testing, we identified the following issues:

- Maintenance units and sections are not maintaining current listings of their controlled assets (4 out of 16).
- Maintenance units and sections are not conducting annual physical inventories of their controlled assets (15 out of 16).
- Maintenance units and sections are not affixing asset tags to their controlled assets (11 out of 16).
- Maintenance units and sections are not adequately securing controlled assets (2 out of 16).
- Controlled assets acquired with open PO's are not being consistently identified and tracked by the Facility Services Division.

Follow-up on the above recommendations will be completed by 8/31/2023.

In March 2023, the OIG completed a confidential fraud, waste, and abuse investigation into the alleged theft of controlled assets at the Cabin John Maintenance Facility within Montgomery County. The OIG concluded \$10,650 of controlled assets were misappropriated. The supplemental internal control report included three recommendations to strengthen internal controls over the oversight of controlled assets.

In FY22, the OIG completed an audit of controlled assets at Montgomery County maintenance yards⁸. The audit report included five recommendations to strengthen internal controls over the administration of controlled assets. The OIG completed their

⁸ Audit Report Montgomery County Maintenance Yards – Controlled Assets (MC-001-2022) was issued on December 31, 2011.

AUDITS

follow-up review of the findings in FY23. We were pleased to report that all audit recommendations were satisfactorily implemented and resolved.

To help mitigate the identified risks over controlled assets, OIG personnel met with Department Heads in January 2023 to discuss the pervasive findings and possible risk to the Commission. In addition, in June 2023, the Commission promulgated updates to Commission Practice 3-14, *Capital and Controlled Asset Policy* and Administrative Procedure 04-01, *Capital and Controlled Asset Procedures Manual*. These updated policy documents provide additional guidance to management on safeguarding controlled assets.

The OIG resolved most audit recommendations involving controlled assets during the completion of the scheduled follow-up reviews. The OIG reasonably concludes, based on the extended audit coverage, increased communication with management, and updated Commission policies and procedures, major audit concerns over controlled assets have been addressed and adequately mitigated.

FOLLOW-UP REVIEWS

Performance audit reports and internal control reports include audit findings and recommendations to:

- preserve the Commission's reputation;
- improve the effectiveness, productivity, or efficiency of Commission programs, policies, practices, and operations; and
- ensure public accountability.

The OIG completes a follow-up review for all high and medium risk audit findings and recommendations. The purpose of a follow-up review is to determine if management's corrective actions have been effectively implemented. A follow-up review also provides official closure of the audit findings and recommendations.

In FY23 the OIG completed 19 follow-up reviews. The 19 reviews included assessment and testing of 51 high and medium risk audit recommendations. The OIG concluded management resolved 44 of the 51 (86%) recommendations, six were partially resolved as some degree of progress was made, but they were not yet complete, and one recommendation was closed⁹ as management disagreed with the feasibility of the recommendation.

⁹ IT Security Assessment Follow-Up Audit (CW-002-2021) – Implement a Centralized Network Operations Center. Note: Management concurred with the recommendation when the initial audit report was issued.

INVESTIGATIONS

FRAUD, WASTE, AND ABUSE INVESTIGATIONS

The OIG completed 4 fraud, waste and abuse (FWA) investigations in FY23. A summary of each can be found in **Appendix B**, FY23 Investigations. FWA investigations are conducted in accordance with *Principles and Standards for Offices of Inspector General*. The OIG provided Commission management with 12 recommendations to strengthen internal controls over the processes under investigation.

Appendix C contains a definition of fraud, waste, and abuse.

LIMITED INVESTIGATIONS

The OIG issued three memorandums of limited investigation. A memorandum of limited investigation describes specific issues or complaints received and the outcomes of the limited procedures undertaken during a preliminary inquiry. Based on the information available to the OIG, the OIG determined a full FWA investigation was not warranted.

- Youth and County Wide Sports – Franchise Umpires
- Montgomery County Park Police – Timecard Irregularities
- Meadowbrook Maintenance Facility – Petty Cash Fund

A summary of each is provided below.

Youth and County Wide Sports

Allegations of the Commission's failure to pay fees owed to league umpires for their referee services was forwarded to the OIG for investigation. The OIG determined the Commission was not responsible for the payments to the umpires as the agreement for services was between the softball league and the Officials Association.

Montgomery County Park Police – Timecard Irregularities

An anonymous complaint was submitted to the OIG through the hotline. Per the complaint, a Montgomery County Park Police officer was clocking into his/her shift 15 minutes before 5:00 a.m. to collect the midnight differential for his/her full shift. With the assistance of Montgomery County Park Police Internal Affairs, the OIG completed an initial inquiry. The allegations were not substantiated.

Meadowbrook Maintenance Facility – Petty Cash Fund

INVESTIGATIONS

Upon an employee's departure from the Commission, Montgomery County management identified irregularities in the Meadowbrook Maintenance Facility petty cash fund. The OIG completed a review of the petty cash and confirmed the account was deficient \$1,262.

MANAGEMENT ADVISORIES

Per State statute, the OIG is authorized to complete management advisories. Management advisories are considered non-audit services. The OIG completed 3 management advisories in FY23.

- Alcohol in the Workplace
- South Germantown Driving Range
- Montgomery County Chair Leave Accruals

A summary of each is provided below.

Alcohol in the Workplace

At the request of the Audit Committee, the OIG investigated allegations of alcohol in the workplace. The OIG concluded alcohol was present, served, and consumed on Commission property. The identified actions violated Commission policy. At the completion of our investigation, the OIG issued two confidential management advisory memorandums, one addressing actions of Commission employees and one addressing actions of appointed personnel.

South Germantown Driving Range

As a result of a 2022 investigation completed by the Maryland-National Capital Park Police, Montgomery County Division (Park Police), the OIG agreed to complete a management advisory review into the cash receipt reconciliation processes at the South Germantown Driving Range (SGDR).

Initially, Park Police concluded, a significant lack of oversight and internal controls existed at the facility. Their investigation revealed misdemeanor thefts by employees, but the available evidence was not compelling to pursue any charges.

Montgomery County Department of Parks management agreed to implement additional reconciliation procedures to reduce the risk of misappropriation of funds. At the request of management, in April 2023, the OIG reviewed newly implemented reconciliation procedures and tested cash receipts at SGDR. The OIG concluded, if the reconciliations were completed daily and reviewed by management on a monthly basis, as required in the new procedures, risk of misappropriation would be adequately mitigated.

██████████ Leave Accruals

Appointed Officers of the Commission, including the ██████████ ██████████, are not governed by the Merit System Rules and Regulations which dictate leave (e.g., annual, sick, personal, etc.) accrual rates for Merit System employees.

MANAGEMENT ADVISORIES

Appointed personnel leave accrual rates are negotiated and included in the Officer's employment contract.

Upon [REDACTED] separation from the Commission in [REDACTED], questions arose about [REDACTED] available leave balances subject to final payout. Ms. Asuntha Chiang-Smith, Executive Director and Ms. Debra Borden, General Counsel, requested a management advisory to ensure the leave balances reported in the Commission's ERP system were accurate.

The OIG completed a review of [REDACTED] accruals and documented usage. The OIG identified discrepancies in [REDACTED] leave balances involving the rollover of annual leave to sick leave. The Department of Finance confirmed OIG's calculation and adjusted [REDACTED] sick leave balance as required.

The OIG also made a recommendation to strengthen internal control procedures with the [REDACTED] for the recording of leave and approval of timecards.

Due to the identified error and risk of erroneous leave balances, the OIG initiated a performance audit, Manual Leave Accrual Adjustments, to review the Commission's policies and procedures for manual accrual adjustments. The audit was in process at 2023 fiscal year end. The audit report will be issued in FY24.

APPENDIX A

FY23 PERFORMANCE AUDITS

Audit Number	Report Title/Status	Recommendation Title	Recommendation Detail	Assigned Risk
PGC-001-2023	<p>Lake Arbor Community Center</p> <p>Scheduled for OIG follow-up in October 2023.</p>	1. Require 2 nd Level Approval for Contract Rentals	The facility director should ensure all contract rentals are reviewed and have the required secondary approval signature as required by the policy.	Medium
		2. Maintain Petty Cash Fund Above 50 Percent	The Facility Director must implement a periodic review of petty cash requests, to ensure the petty cash fund levels are maintained at an appropriate level in accordance with Facility Internal Control Policy.	Low
PGC-003-2023	<p>Laurel Beltsville Senior Center</p> <p>All audit recommendations have been resolved.</p>	1. Strengthen Managerial Oversight of Controlled Assets	<p>Center management needs to strengthen its managerial oversight of controlled assets. Management should ensure staff perform the following:</p> <ul style="list-style-type: none"> • Conduct periodic controlled assets inventory 	Medium

APPENDIX A

FY23 PERFORMANCE AUDITS

			<ul style="list-style-type: none"> • Ensure all controlled assets are assigned individual asset tag number. • Any items on the controlled asset listing that are unable to be located should be properly documented. 	
		2. Strengthen Managerial Oversight of Employee Travel Activities	Management must ensure all employees are familiarized and adhere to Practice No. 3-10, <i>Authorized Business Expenses</i> and that travel expense reports are forwarded to the Office of Finance within 20 days of the travel activity.	Low
PGC-004-2023	Prince George's County Maintenance Yards – Controlled Assets OIG follow-up is in process, to be completed by August 31, 2023.	1. Maintain Current Controlled Asset Listings	Management should ensure current, accurate and complete controlled asset listings are maintained at each facility in accordance with Administrative Procedure 04-01 and Department Directive DPR-4-01-22.	High
		2. Perform Annual Physical Inventories	Management should ensure full physical inventories are conducted on a yearly basis at each maintenance facility and trade shop.	High
		3. Strengthen Security of Controlled	Management should complete an assessment of all warehouses,	High

APPENDIX A

FY23 PERFORMANCE AUDITS

		Assets	<p>sheds and the front gate of the Historic Properties Maintenance Unit and Patuxent River Park sites to determine how best to secure. If possible, card readers should be installed where practical to offer a higher level of security by providing a record of who enters the area along with the time of entry.</p> <p>In the interim, locks should be changed as soon as possible. Management should ensure new key issuance is fully documented and tracked.</p>	
		4. Flag Controlled Asset Purchases in Open Purchase Order Records	Management should establish internal procedures for identifying and flagging controlled assets in open PO order tracking spreadsheet to enhance the trackability of those obtained with an open purchase order.	High
		5. Ensure Asset Tags are Affixed to all Controlled Assets	Management must ensure current, accurate and complete controlled asset listings are maintained at each facility/shop which provides a number assigned to each controlled asset and has a tag affixed to each asset in accordance with Administrative Procedure 04-01	High

APPENDIX A

FY23 PERFORMANCE AUDITS

			and Department Directive DPR-4-01-22.	
PGC-05A-2023	Glenridge Child Care Center Recommendation #2 has been resolved. Recommendations #1 and #3 are partially resolved. A second follow-up review is scheduled for December 2023.	1. Ensure Seasonal Employees Approve Bi-Weekly Timecards	Management should ensure all employees are aware of the Administrative Procedures pertaining to timekeeping and timecard approvals. Management should also verify that all employees have signed their timecards in order to confirm approval of hours worked.	High
		2. Ensure Compliance with Controlled Assets Policies and Procedures	Management should ensure staff are aware of the facility internal control requirements and mandate compliance.	Medium
		3. Strengthen Petty Cash Operations	Management should ensure staff are aware of facility internal control requirements and mandate compliance.	Medium
PGC-05B-2023	Upper Marlboro Child Care Center All audit recommendations have been resolved.	1. Ensure Compliance with Controlled Assets Policies and Procedures	Management should ensure staff are aware of the facility internal control requirements and mandate compliance.	Medium
		2. Maintain Legible	Management should ensure all	Medium

APPENDIX A

FY23 PERFORMANCE AUDITS

		and Accurate Vehicle Mileage Log Data	drivers are aware of the Administrative Practice. Management should also discuss drivers' responsibilities for completing the log, provide training to employees as needed, and periodically review logs for completeness, accuracy and timeliness.	
		3. Ensure Employees Approve Bi-Weekly Timecards	Management should ensure all employees are aware of the Administrative Procedures pertaining to timekeeping and timecard approvals. Management should also verify that they, as well as all employees, sign timecards to confirm approval of hours worked.	Low
PGC-009-2023	Vansville Community Center All audit recommendations have been resolved.	1. Conduct Annual Controlled Asset Inventory	Center management should ensure inventory of controlled assets are conducted on a yearly basis.	Medium
		2. Ensure Bank Deposits are Timely	Center management should strengthen oversight of facility cash to ensure bank deposits are made timely in compliance with Commission policies and procedures.	Low

APPENDIX A

FY23 PERFORMANCE AUDITS

<p>PGC-010-2023</p>	<p>Potomac Landing Community Center</p> <p>All audit recommendations have been resolved.</p>	<p>1. Maintain Accurate Controlled Asset Listings</p>	<p>Center management should ensure all assets located at the Center are recorded on the Controlled Asset Register and all assets are included in the annual inventory.</p>	<p>Medium</p>
<p>PGC-011-2023</p>	<p>Prince George's Plaza Community Center</p> <p>OIG follow-up is scheduled for October 2023.</p>	<p>1. Strengthen Managerial Oversight over Contract Rental Procedures</p>	<p>Center management should designate a rental coordinator that is trained to ensure the proper completion of contract rental reservations, and, establish a periodic review and reconciliation of contract rental transactions is implemented.</p>	<p>Medium</p>
		<p>2. Complete Inventory of Controlled Assets</p>	<p>Center management should ensure inventory of controlled assets are conducted on an annual basis.</p>	<p>Medium</p>
<p>PGC-014-2023</p>	<p>College Park Community Center</p>	<p>No audit findings</p>		

APPENDIX B

FY23 INVESTIGATIONS

Due to the confidential nature of fraud, waste, and abuse investigations, Appendix B is being distributed separate from OIG's FY23 Annual Report

APPENDIX C

FRAUD, WASTE, AND ABUSE DEFINITION

Per Commission Practice 3-31, Fraud, Waste, and Abuse is Defined as:

- **Fraud:** “Means an intentional act or attempt to obtain something of value from the M-NCPPC or another person through willful misrepresentation. Fraud includes a willful false representation of a material fact, whether by words or by conduct, by false or misleading allegations, or by concealment of that which should have been disclosed, which causes the Commission to act, or fail to act, to the detriment of the Commission’s interest.”

- **Waste:** “Means an inappropriate act or omission by an employee with control over, or access to, M-NCPPC property or funds that unreasonably deprives the M-NCPPC of value. Waste includes mismanagement or other unintentional conduct that is deficient or improper when compared to conduct a prudent person would consider necessary to preserve the value of M-NCPPC property or funds under the same facts and circumstances.”

- **Abuse:** “Means an employee’s intentional or reckless misconduct or misuse of authority or position:
 - (I) Involving M-NCPPC property or funds that is improper or deficient when compared to conduct a prudent person would consider reasonable under the same facts and circumstances; or
 - (II) For the purpose of furthering improperly the private interests of the employee, a family member, or a close personal or business associate. Abuse also includes theft or misappropriation of commission property or funds; and destruction or alteration of official records and any intentional breach of a legal or equitable duty, Commission policy or violation of federal or state laws that causes harm to the Commission.”

AUDIT COMMITTEE ACTIVITY REPORT

FISCAL YEAR 2023 (July 1, 2022 – June 30, 2023)

Report Date: October 18, 2023

INTRODUCTION

The Audit Committee (AC or Committee) operates independently from the management of the Maryland-National Capital Park and Planning Commission (M-NCPPC or Commission). The AC serves as a forum, in which auditors and other interested parties may identify and discuss concerns related to financial reporting and internal controls.

The Annotated Code of Maryland, Land Use Article, Subtitle 4 Audit Committee, §15-401-§15-405, governs the establishment and function of the Audit Committee (e.g., membership, terms, qualifications, and powers).

During FY23, the AC consisted of four (4) voting members:

- Dorothy Bailey, Vice-Chair, Prince George’s County Planning Board, Audit Committee Chair
- Partap Verma, Vice Chair, Montgomery County Planning Board and Cheri Branson, Acting Montgomery County Commissioner¹
- Benjamin Williams, Public Member, Prince George’s County
- Erin White, Public Member, Montgomery County

Chair Casey Anderson served on the AC July 1, 2022 – October 12, 2022 (ex-officio nonvoting member). Chair Peter Shapiro served on the AC October 13, 2022 – June 30, 2023 (ex-officio nonvoting member).

DISCHARGE OF DUTIES

External Auditors

The Audit Committee is responsible for appointment, compensation, retention, and oversight of the work of any external auditor engaged for the purpose of performing independent audit services, reviews or attest services.

Each fiscal year, the Office of the Secretary-Treasurer submits an Annual Comprehensive Financial Report (ACFR), in accordance with the Land Use Article of the Annotated Code of Maryland. In conjunction with the ACFR, State statute requires an annual audit by independent certified public accountants.

The Department of Finance issued a competitive procurement for the Commission’s external auditing services in January 2021. The Commission, with agreement from the AC, selected the accounting firm of SB & Company to complete the FY23 external review. The AC meets with the external auditor for pre-audit planning and audit closeout.

¹ Partap Verma resigned from the Commission on October 12, 2022. Acting Commissioner Cheri Branson served on the AC between November 3, 2022 and February 27, 2023. Montgomery County Planning Board, Vice Chair, Mitra Pedoeem was appointed to the Audit Committee as of July 13, 2023.

The AC provides technical and substantive oversight and direction for the OIG's work program. On June 14, 2022, the AC formally approved the FY23 Fiscal Work Plan submitted by the Inspector General. The Work Plan included performance audits, fraud, waste, and abuse investigations, management advisories, and follow-up reviews.

The Audit Committee meets quarterly with Ms. Renee Kenney, Inspector General to discuss significant audit findings and recommendations. The Office of the Inspector General's FY23 Annual Report contains a summary of completed audits and investigations.

MAJOR AUDIT CONCERNS

The AC concurs with the OIG's identification of controlled assets as a major audit concern in FY23. The AC also concurs with the OIG's conclusion, based on the extended audit coverage, increased communication with management, and updated Commission policies and procedures, major audit concerns over controlled assets have been addressed and adequately mitigated.

No additional significant concerns were brought forward to the AC.

SUMMARY

Based on our review of the Commission's Annual Comprehensive Financial Report, SB and Company's Audit Report and all reports and memorandums issued by the Office of the Inspector General, the Audit Committee deems the Commission's internal controls and adherence to financial regulations and internal policies acceptable. The Commission's internal control systems and processes appear to reduce operational and compliance risk, while also ensuring heightened fiduciary oversight of Commission funds.

CONCLUSION

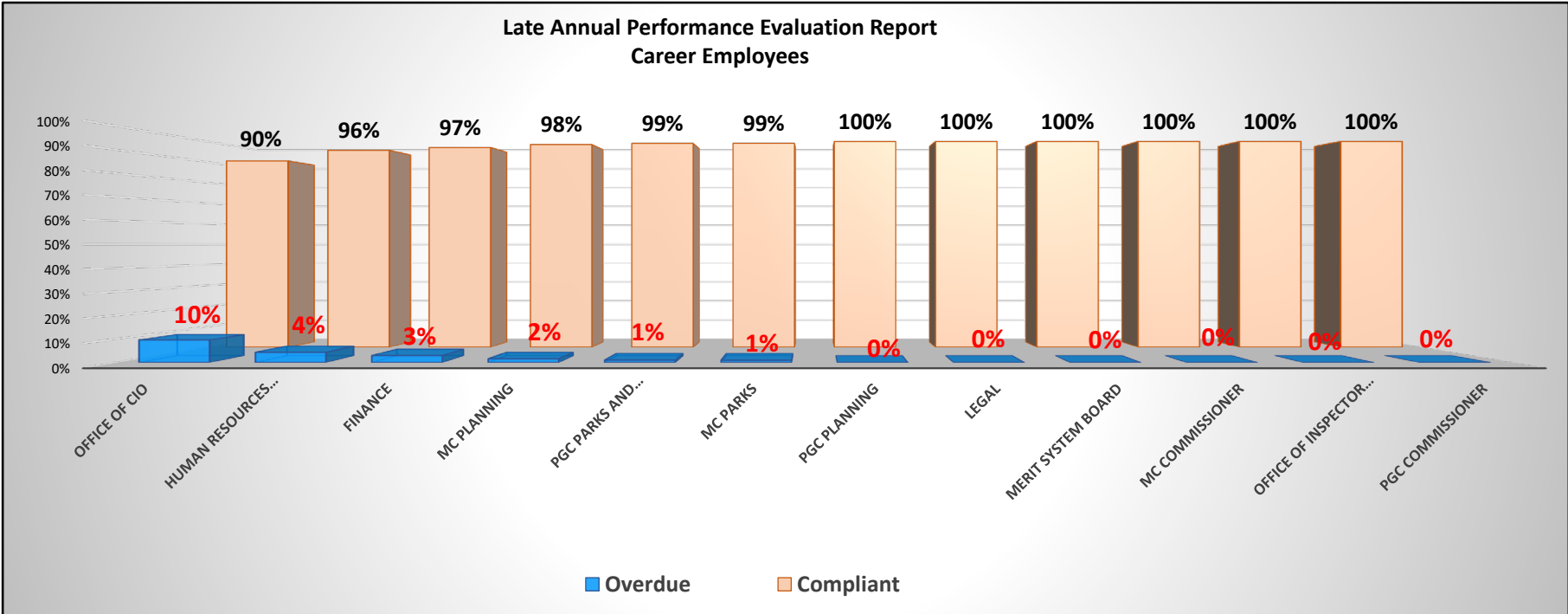
The Audit Committee would like to thank the Chair Peter Shapiro, Commissioners, Officers, management, staff, the Department of Finance and the Office of the Inspector General for their continued efforts to strengthen public accountability and to improve the effectiveness, productivity, and efficiency of Commission operations.

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**THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
EMPLOYEE PERFORMANCE EVALUATIONS NOT COMPLETED BY DUE DATE
BY DEPARTMENT AS OF SEPTEMBER 2023**

	<u>31 - 60 DAYS</u>		<u>61 - 90 DAYS</u>		<u>91 + DAYS</u>		<u>DEPARTMENT TOTALS</u>	
	Aug-23	Sep-23	Aug-23	Sep-23	Aug-23	Sep-23	Aug-23	Sep-23
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	1	1	0	1	0	0	1	2
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.	2	2	1	1	0	0	3	3
LEGAL DEPARTMENT	0	0	0	0	0	0	0	0
FINANCE DEPARTMENT	1	1	0	0	1	1	2	1
PRINCE GEORGE'S PLANNING	0	0	0	0	0	0	0	0
PRINCE GEORGE'S PARKS & RECREATION	16	9	0	1	2	2	18	11
MONTGOMERY COUNTY PARKS	13	7	0	1	0	0	13	8
MONTGOMERY COUNTY PLANNING	2	2	0	0	0	0	2	2
DEPARTMENT TOTAL BY DAYS LATE	35	22	1	4	3	3		
COMMISSION-WIDE TOTAL							39	27

**DEPARTMENTS HAVE BEEN NOTIFIED OF LATE EVALUATIONS.



*Data as of September 30, 2023

Employee Count Department	Evaluation Status		Total Employees
	Overdue	Compliant	
Finance	1	39	40
Human Resources and Mgt	3	48	51
Legal		25	25
MC Commissioner		3	3
MC Parks	8	723	731
MC Planning	2	131	133
Merit System Board		1	1
Office of CIO	2	19	21
Office of Inspector General		6	6
PGC Commissioner		9	9
PGC Parks and Recreation	11	1,010	1,021
PGC Planning		177	177
Total Employees	27	2,191	2,218



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

Reply To

October 3, 2023

Debra S. Borden
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
General Counsel
RE: Litigation Report for September 2023 – FY 2024

Please find the attached litigation report we have prepared for your meeting scheduled on Wednesday, October 18, 2023. 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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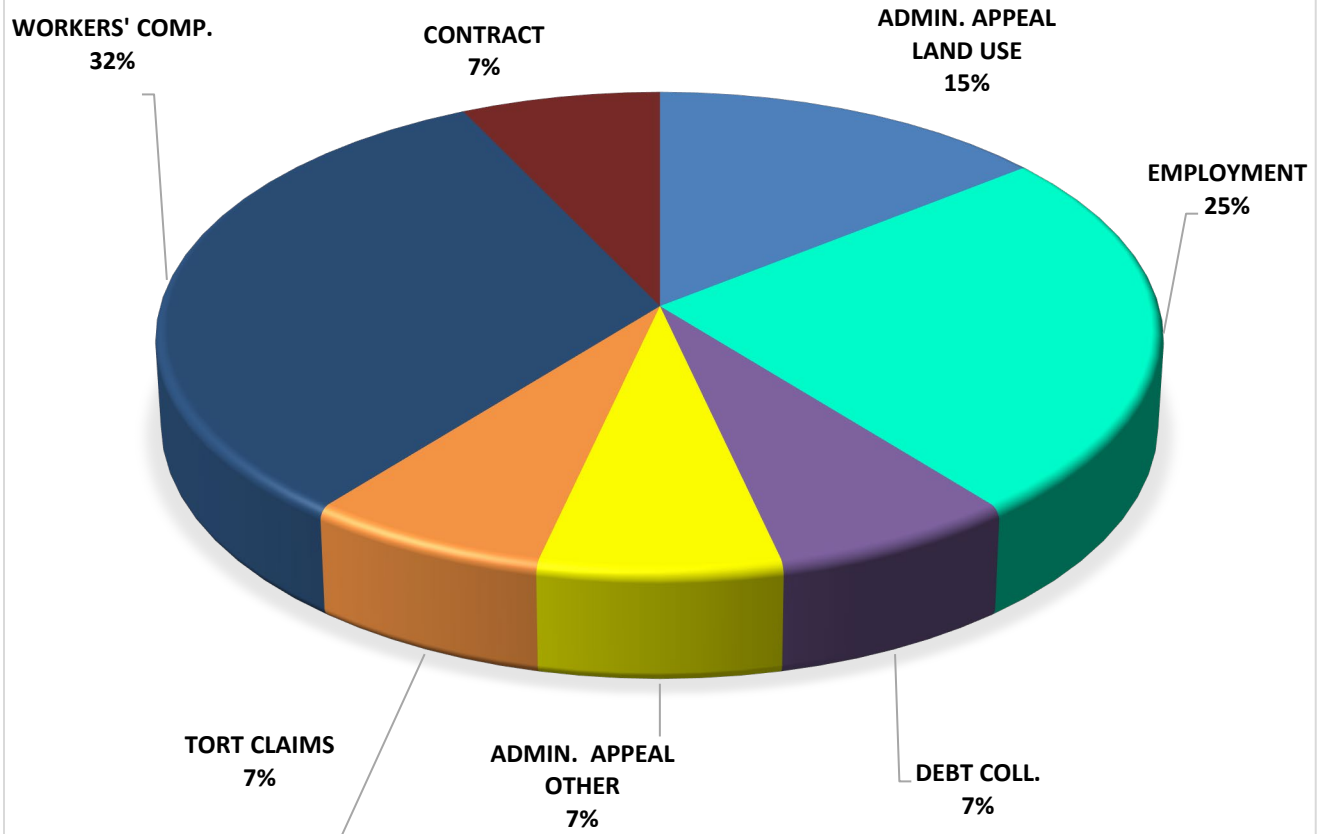
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September 2023 Composition of Pending Litigation

(Sorted by Subject Matter and Forum)

	STATE TRIAL COURT	APPELLATE COURT OF MARYLAND	SUPREME COURT OF MARYLAND	FEDERAL TRIAL COURT	FEDERAL APPEALS COURT	U.S. SUPREME COURT	SUBJECT MATTER TOTALS
ADMIN APPEAL: LAND USE	1	2	1				4
ADMIN APPEAL: OTHER	2						2
BANKRUPTCY							
CIVIL ENFORCEMENT							
CONTRACT DISPUTE	1	1					2
DEBT COLLECTION	2						2
EMPLOYMENT DISPUTE	3			3	1		7
LAND USE DISPUTE							
MISCELLANEOUS							
PROPERTY DISPUTE							
TORT CLAIM	2						2
WORKERS' COMPENSATION	9						9
PER FORUM TOTALS	20	3	1	3	1		28

OVERVIEW OF PENDING LITIGATION



September 2023 Litigation Activity Summary

	COUNT FOR MONTH			COUNT FOR FISCAL YEAR 2024			
	Pending August 2023	New Cases	Resolved Cases	Pending Prior F/Y	New Cases F/YTD**	Resolved Cases F/YTD**	Pending Current Month
Admin Appeal: Land Use (AALU)	4			4	3	3	4
Admin Appeal: Other (AAO)	2			2			2
Bankruptcy (B)							
Civil Enforcement (CE)							
Contract Disputes (CD)	2			2			2
Debt Collection (D)	2			2			2
Employment Disputes (ED)	6	1		3	5		7
Land Use Disputes (LD)				1		1	
Miscellaneous (M)	1		1	1		2	
Property Disputes (PD)							
Tort Claims (T)	2			2			2
Workers' Compensation (WC)	6	4	1	6	8	2	9
TOTALS	25	5	2	23	16	8	28

**INDEX OF YTD NEW CASES
(7/1/2023 TO 6/30/24)**

A. <u>New Trial Court Cases.</u>	<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>
Mays v. Commission, et al.	Charles County	ED	July
Wallace v. Commission, et al.	PG	ED	July
Celey v. Commission	PG	ED	July
In the Matter of Pocahonta Drive Homeowners	MC	AALU	July
Fennell v. Commission	PG	ED	Aug.
In the Matter of Jeanne Kavinsky	PG	WC	Sept.
In the Matter of Jeanne Kavinsky	PG	WC	Sept.
In the Matter of Jeanne Kavinsky	PG	WC	Sept.
In the Matter of Jeanne Kavinsky	PG	WC	Sept.

B. <u>New Appellate Court Cases.</u>	<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>
Brij Bhargava, et al. v. Prince George's County Public Schools Proposed Southern K-8 Middle School, et al.	PG	AALU	May
Friends of Ten Mile Creek v. Montgomery County Planning Board	MC	AALU	Aug.

**INDEX OF YTD RESOLVED CASES
(7/1/2023 TO 6/30/2024)**

A. <u>Trial Court Cases Resolved</u>	<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>
English-Figaro v. Planning Board of Prince George's County	PG	AALU	June
Fairwood Community Association, Inc. v. Prince George's County Planning Board	PG	AALU	July
Citizen Association of Kenwood, Inc. v. Commission	MC	LUD	Aug.
In the Matter of James Montville	PG	WC	Aug.
Wilmington Savings Fund Society FSB v. Burke, et al.	PG	Misc.	Aug.

B. <u>Appellate Court Cases Resolved</u>	<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>
In the Matter of Friends of Ten Mile Creek, et al.	MC	AALU	July

	Disposition of FY24 Closed Cases Sorted by Department	
CLIENT	PRINCIPAL CAUSE OF ACTION IN DISPUTE	DISPOSITION
Employees Retirement System		
Finance Department		
Department of Human Resources & Management		
Montgomery County Department of Parks		
Montgomery County Park Police		
Montgomery County Planning Board		
Citizen Association of Kenwood, Inc. v. Maryland-National Park and Planning Commission	Complaint to prevent implementation of road diet project for Little Falls Parkway in Montgomery County.	08/01/2023 - Voluntary Dismissal Without Prejudice
In the Matter of Friends of Ten Mile Creek, et al.	Appeal of decision affirming the Montgomery County Planning Board's approval of Site Plan 820200160 – Creekside at Cabin Branch.	07/18/2023 – Judgment of the Circuit Court for Montgomery County affirmed.
Prince George's County Department of Parks and Recreation		
In the Matter of James Montville	Claimant sought judicial review of Workers' Compensation Commission decision dated October 3, 2022, which determined that he has a 12% permanent partial disability. Claimant was seeking an award that was much higher.	08/10/2023 - Case remanded to Workers' Compensation Commission for approval of agreement.
Wilmington Savings Fund Society FSB v. Burke, et al.	Lawsuit to quiet title to deed of trust and extinguish the lien and debt associated with that deed, establishing that Plaintiff's deed is in full force and effect and has first priority over the Commission's lien on property owned by Tomel Burke, judgment Debtor.	08/30/2023 - Judgment by Consent against the Commission in favor of the Plaintiff
Prince George's County Planning Board		

English-Figaro v. Planning Board of Prince George's County	Petition for Judicial Review of Planning Board's approval of Preliminary Plan of Subdivision 4-2104.	06/01/2023 Case voluntarily dismissed with prejudice.
Fairwood Community Association, Inc. v. Prince George's County Planning Board	Petition for Judicial Review of Planning Board's approval of Preliminary Plan of Subdivision 4-2104.	07/27/2023 - Case voluntarily dismissed without prejudice.
Prince George's Park Police		
Office of Internal Audit		

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DISTRICT COURT FOR MONTGOMERY COUNTY, MARYLAND

Commission v. Build A Barn, LLC

Case No. D-06-CV-23-013209 (C)

Lead Counsel: Johnson
Other Counsel:

Abstract: Breach of Contract matter to recover funds expended for sheds that were never received.

Status: Hearing set.

Docket:

05/11/2023	Complaint filed
08/18/2023	Defendant served
11/29/2023	Hearing set

DISTRICT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

Commission v. Faulk

Case No. 050200086392022 (D)

Lead Counsel: Johnson
Other Counsel:

Abstract: Subrogation action to recover losses for damage(s) to Commission property.

Status: Judgment in favor of the Commission for \$3,546.13.

Docket:

04/25/2022	Complaint filed
10/18/2022	Request for summons renewal filed
01/23/2023	Affidavit of Non-service filed
01/23/2023	Post Office request mailed
02/14/2023	Motion for Alternative Service
02/22/2023	Order – Motion for Alternative Service denied
03/29/2023	Second Motion for Alternative Service
04/12/2023	Order – Motion/Request Granted
04/21/2023	Service upon Maryland MVA pursuant to Court Order
05/03/2023	Request for summons renewal filed
8/28/2023	Judgment granted.

Commission v. Lindsey
Case No. 050200183742022 (D)

Lead Counsel: Johnson
Other Counsel:

Abstract: Action to recover losses for damage(s) to Commission property.

Status: Motion for Alternative Service granted.

Docket:

09/12/2022	Complaint filed
12/05/2022	Request for summons renewal filed
05/02/2023	Request for summons renewal filed
06/26/2023	Affidavit of Non-service filed
07/18/2023	Motion for Alternative Service denied
08/25/2023	Second Motion for Alternative Service filed
09/12/2023	Order of the Court. Motion for Alternative Service Granted

CIRCUIT COURT FOR CHARLES COUNTY, MARYLAND

Beth Mays v. Maryland-National Park and Planning Commission, et al.
Case No. C-08-CV-23-000516 (ED)

Lead Counsel: Foster
Other Counsel: Crowe

Abstract: Employee terminated from the Commission for her COVID vaccination status has brought suit alleging several employment-related claims, such as religious and genetic discrimination, retaliation, and wrongful discharge

Status: Motion to Dismiss pending.

Docket:

07/03/2023	Complaint filed
07/12/2023	Commission served
08/07/2023	Commission's Motion to Dismiss filed
08/21/2023	Consent Stipulation to Extend time for Plaintiff to Respond to Motion to Dismiss
09/05/2023	Response in Opposition to Motion to Dismiss
09/05/2023	Amended Complaint
09/13/2023	Order to Extend time
09/20/2023	Motion to Dismiss Amended Complaint

CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND

In the Matter of Joshua P. Scully
Case No. C-15-CV-23-002546 (WC)

Lead Counsel: Foster
Other Counsel:

Abstract: Claimant seeks judicial review of Workers' Compensation Order finding that claimant at maximum medical improvement and denying right shoulder surgery.

Status: Hearing set.

Docket:

06/27/2023	Petition for Judicial Review filed
12/01/2023	Hearing set

In the Matter of Pocahontas Drive Homeowners
Case No. C-15-CV-23-002634 (AALU)

Lead Counsel: Mills
Other Counsel:

Abstract: Petitioners seeks Judicial Review of the Montgomery County Planning Department's approval of Forest Conservation Act Exemption 4203166E to Davis Airport.

Status: Petition filed.

Docket:

07/05/2023	Petition for Judicial Review filed
07/14/2023	Response to Petition for Judicial Review
09/05/2023	Motion to Extend time for Filing of the Administrative Record
09/15/2023	Order Granting Motion to Extend Time
09/18/2023	Notice of Record Issued

CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

Tiffany Celey v. Maryland-National Capital Park and Planning Commission

Case No. C-16-CV-23-003168 (ED)

Lead Counsel: Foster
Other Counsel: Johnson

Abstract: Defendant is alleging discrimination based upon race, sex, retaliation, and disability.

Status: Commission has yet to be served.

Docket:

07/12/2023	Complaint filed
09/26/2023	Summons reissued

In the Matter of William Dickerson

Case No. C-16-CV-23-001402 (AAO)

Lead Counsel: Gates (Groom Law Group)
Other Counsel:

Abstract: Claimant seeks judicial review of Employees Retirement System ("ERS") decision dated February 21, 2023, which denied a reconsideration of the COLA calculation.

Status: Petition for Judicial Review filed.

Docket:

03/28/2023	Petition for Judicial Review filed
04/05/2023	ERS served
04/25/2023	Administrative Record received
05/26/2023	Stipulation for Extension of Time for Petition to File Opening Memorandum
06/20/2023	Petitioner's Memorandum of Law in Support of Petition for Judicial Review
06/29/2023	Stipulation for Extension of Time for Respondent to File Answering Memorandum
06/30/2023	Order Granting Extension of Time
07/31/2023	Response to Petitioner's Memorandum
08/12/2023	Reply Memorandum

In the Matter of Danielle Jones-Dawson

Case No. C-16-CV-22-000675 (AAO)

Lead Counsel: Crowe
Other Counsel: Foster

Abstract: Claimant seeks judicial review of Merit Board decision dated October 20, 2022, terminating employment due to non-compliance with Notice 21-07, COVID-19 Vaccination Requirements.

Status: Hearing set.

Docket:

11/20/2022	Petition for Judicial Review filed
11/29/2022	Response to Petition for Judicial Review
02/08/2023	Memorandum for Petitioner
03/09/2023	Commission's Answering Memorandum
12/04/2023	Hearing set

In the Matter of Jeanne Kavinski

Case No. C-16-CV-23-001821, C-16-CV--23-001826, C-16-CV-23-001827 (WC)

Lead Counsel: Foster
Other Counsel:

Abstract: Claimant filed the same issues in three claims with overlapping body parts seeking authorization for treatment and causal relationship of a new injury. In addition, the Commission contested whether a compensable injury occurred in a new claim (D/A:4/28/2021). The Commission was successful in defending the authorization for treatment and against the new claim. Claimant has appealed the determination in all three claims.

Status: Response filed. Discovery Pending in C-16-CV-23-001827. Other cases consolidated.

Docket:

04/18/2023	Petition for Judicial Review filed
05/02/2023	Response to Petition for Judicial Review filed in all three cases
05/02/2023	Commission's Designation of Experts filed in case number C-16-CV-23-001827
06/27/2023	Order of the Court. Cases C-16-CV23-001821 and C-16-CV-23-001826 are consolidated. Case - C-16-CV-23-001821 to serve as the lead case
08/29/2023	Scheduling Order issued in C-16-CV23-001827
05/08/2024	Trial in case C-16-CV23-001827

In the Matter of Jeanne Kavinsky
Case No. C-16-CV-23-004139 (WC)

Lead Counsel: Foster
Other Counsel: Crowe

Abstract: Claimant sought a finding that treatment to her left ankle, to include surgery, and associated indemnity benefits were causally related to any of the subject claims; all treatment and related benefits were denied. Claimant also sought a finding of permanent disability related to head injuries; the Commission found no permanent disability. Claimant has appealed all findings.

Status: Petition for Judicial Review filed.

Docket:

09/08/2023	Petition for Judicial Review filed
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In the Matter of Jeanne Kavinsky
Case No. C-16-CV-23-004296 (WC)

Lead Counsel: Foster
Other Counsel: Crowe

Abstract: Claimant sought a finding that treatment to her left ankle, to include surgery, and associated indemnity benefits were causally related to any of the subject claims; all treatment and related benefits were denied. Claimant also sought a finding of permanent disability related to head injuries; the Commission found no permanent disability. Claimant has appealed all findings.

Status: Petition for Judicial Review filed.

Docket:

09/19/2023	Petition for Judicial Review filed
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In the Matter of Jeanne Kavinsky
Case No. C-16-CV-23-004297 (WC)

Lead Counsel: Foster
Other Counsel: Crowe

Abstract: Claimant sought a finding that treatment to her left ankle, to include surgery, and associated indemnity benefits were causally related to any of the subject claims; all treatment and related benefits were denied. Claimant also sought a finding of permanent disability related to head injuries; the Commission found no permanent disability. Claimant has appealed all findings.

Status: Petition for Judicial Review filed.

Docket:

09/19/2023	Petition for Judicial Review filed
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In the Matter of Jeanne Kavinsky
Case No. C-16-CV-23-004298 (WC)

Lead Counsel: Foster
Other Counsel:

Abstract: Claimant sought a finding that treatment to her left ankle, to include surgery, and associated indemnity benefits were causally related to any of the subject claims; all treatment and related benefits were denied. Claimant also sought a finding of permanent disability related to head injuries; the Commission found no permanent disability. Claimant has appealed all findings.

Status: Petition for Judicial Review filed.

Docket:

09/19/2023	Petition for Judicial Review filed
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In the Matter of Kenneth L. Rogers
Case No. C-16-CV-23-001935 (WC)

Lead Counsel: Foster
Other Counsel:

Abstract: Claimant seeks judicial review of Workers' Compensation Commission decision dated March 30, 2023, which determined that the Claimant did not suffer from a serious disability.

Status: Case settled in principle. Awaiting remand to Workers' Compensation Commission.

Docket:

04/26/2023	Petition filed
05/10/2023	Response to Petition for Judicial Review Filed
05/10/2023	Designation of Expert Witnesses

Simmons v. Commission, et al.
Case No. C-16-CV-23-000873 (Tort)

Lead Counsel: Thornton
Other Counsel: Crowe

Abstract: Tort suit for injuries allegedly sustained while attending Therapeutic Recreations Programs, Kids' Care After-School Program at Cedar Heights Community Center.

Status: In discovery.

Docket:

02/24/2023	Complaint filed
02/28/2023	Commission served
03/28/2023	Motion to Dismiss filed.
03/30/2023	Prince George's County's Motion to Dismiss
04/14/2023	Stipulation of Dismissal as to Defendants Prince George's County and Maryland-National Park and Planning Commission
04/20/2023	Answer of Defendant Chatman
05/09/2023	Scheduling Order issued
06/05/2023	Order Granting Plaintiff's Consent Motion to Extend Time to Respond to Motion to Dismiss
08/21/2023	Line to Correct Misnomer, Entry of Appearance and Notice of Discovery filed
05/07/2024	Trial

Troublefield v. Prince George's County, et al.
Case No. CAL 22-12298 (Tort)

Lead Counsel: Thornton
Other Counsel: Rupert

Abstract: Tort suit for injuries allegedly sustained while attending a graduation ceremony at Show Pace Arena.

Status: Case settled. Agreement pending.

Docket:

04/11/2022	Complaint filed
04/27/2022	Commission served
05/09/2022	Stipulation/Line of Dismissal as to Prince George's County only
05/20/2022	Commission's Answer filed
08/15/2023	Motion to Dismiss Show Place Arena and supporting Memo
08/15/2023	Notice of Appearance
08/18/2023	Plaintiff's Response to Motion to Dismiss
08/30/2023	Order Granting Motion to Dismiss as to Show Place Arena

Rakiya-Rae Wallace v. Commission, et al. v. Commission, et al.
Case No. C-16-CV-23-003055 (ED)

Lead Counsel: Foster
Other Counsel: Johnson

Abstract: Employee terminated from the Commission for her COVID vaccination status has brought suit alleging several employment-related claims, such as religious and genetic discrimination, retaliation, and wrongful discharge

Status: Motion to Dismiss pending.

Docket:

07/03/2023	Complaint filed
07/12/2023	Commission served
08/07/2023	Motion to Dismiss and Supporting Memorandum
08/21/2023	Consent Stipulation to Extend Time to Respond to Motion to Dismiss
09/05/2023	Response in Opposition to Defendants' Motion to Dismiss
09/05/2023	Amended Complaint
09/18/2023	Order of Court. Motion to Dismiss Denied as Moot
09/22/2023	Motion to Dismiss Amended Complaint

APPELLATE COURT OF MARYLAND

Brij Bhargava, et al. v. Prince George's County Public Schools
Proposed Southern K-8 Middle School

Case No. ACM REG – 0659-2023 (AALU)
(Originally filed under CAL21-13945 in Prince George's County)

Lead Counsel: Warner
Other Counsel:

Abstract: Appeal of decision affirming the Prince George's County 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.

Status: Appeal filed.

Docket:

05/31/2023	Appeal filed
06/27/2023	Order to Proceed
08/25/2023	Briefing Notice
08/30/2023	Joint Stipulation to Modify Briefing Schedule

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

Case No. ACM- REG-0840-2023 (CD)
(Originally filed under 483255-V in Montgomery County)

Lead Counsel: Rupert
Other Counsel: Mills (CCRC)

Abstract: Appeal of decision affirming CCRC decision denying HMF's demand that an allowance be made, and additional monies be paid by the Commission to HMF for construction at Greenbriar Local Park.

Status: Appeal filed.

Docket:

06/26/2023	Notice of Appeal
07/11/2023	Civil Information Report
08/03/2023	Order to Proceed
09/19/2023	Briefing Notice

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

Case No. ACM-REG-2099-2022 (AALU)
(Originally filed under CAL20-14895 in Prince George's County)

Lead Counsel: Warner
Other Counsel:

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

Status: Briefs filed.

Docket:

02/02/2023	Notice of Appeal
02/23/2023	Show Cause Issued to Appellant. Civil Appeal Information Report due March 10, 2023.
02/28/2023	Motion
03/03/2023	Order
03/08/2023	Motion
03/20/2023	Order to Proceed
05/19/2023	Briefing Notice
07/03/2023	Appellant's Brief filed
08/04/2023	Appellee's Brief filed
08/24/2023	Reply Brief
08/25/2023	Reply Brief
09/25/2023	Scheduling Notice

SUPREME COURT OF MARYLAND

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

Case No. SCM-PET-0177-2023 (AALU)

(Originally filed under 487649-V in Montgomery County and CSA-REG-1094-2022)

Lead Counsel: Mills
Other Counsel:

Abstract: Petitioner seeks appeal of Decision of the Appeal's Court of Maryland affirming the Appeal of decision affirming the Montgomery County Planning Board's approval of Site Plan 820200160 – Creekside at Cabin Branch.

Status: Petition for Certiorari filed.

Docket:

08/17/2023	Appeal filed
09/01/2023	Respondent Answer

U.S. DISTRICT COURT OF MARYLAND

Deakins v. Commission, et al.

8:23-cv-00138 AAQ (ED)

Lead Counsel: Foster
Other Counsel: Rupert

Abstract: Complaint by former employee relating to Commission's COVID-19 vaccination mandate. Complaint alleges disability discrimination and unreasonable failure to accommodate.

Status: Case settled. Agreement pending.
Docket:

01/19/2023	Complaint filed
01/24/2023	Case Management Order
01/24/2023	Commission served
01/30/2023	Notice of Intent to file Motion to Dismiss by Defendants Riley and Spencer
02/01/2023	Order – all parties have voluntarily consent to proceed before Magistrate
02/27/2023	Answer to Complaint
03/06/2023	Order regarding Motion to Dismiss
03/20/2023	Joint Status Report
03/20/2023	Order approving briefing schedule
04/19/2023	Commission's Partial Motion to Dismiss filed
05/05/2023	Response in Opposition to Motion to Dismiss for Failure to State a Claim filed
5/19/2023	Reply to Response to Motion to Dismiss for Failure to State a Claim filed
07/05/2023	Joint Motion Early Settlement Conference
07/05/2023	Order referring case to Magistrate Judge T. Sullivan for settlement
07/06/2023	Order granting Motion for Referral for Settlement Conference
07/22/2023	Motion to Withdraw as Attorney for D. Deakins
07/24/2023	Order granting Motion to Withdraw
07/26/2023	Order scheduling settlement conference
08/10/2023	Order approving the parties' joint request for an in-person settlement conference
09/25/2023	Settlement Order Dismissing case.

Fennell v. The Maryland-National Capital Park and Planning Commission

8:23-cv-02314-AAQ (ED)

Lead Counsel: Foster
Other Counsel: Rupert; Thornton

Abstract: Fennell has filed suit arising out of her termination from employment related to her COVID vaccination status.

Status: Complaint filed. Commission has yet to be served.

Docket:

08/24/2023	Complaint filed
09/07/2023	Disclosure statement by Fennell

Izadjoo v. Commission, et al.

8:23-cv-00142 GLS (ED)

Lead Counsel: Foster
Other Counsel: Johnson

Abstract: Former Montgomery Parks employee alleging employment discrimination

Status: Motion pending.

Docket:

01/19/2023	Complaint filed
01/25/2023	Case Management Order
02/07/2023	Commission served
02/13/2023	Request for Pre-Motion Conference re: Intent to File Motion to Dismiss
09/01/2023	Order granting Defendant Leave to file Proposed Motion
09/06/2023	Consent to Magistrate Judge
09/08/2023	Order referring case to Magistrate
09/22/2023	Motion to Dismiss for Failure to State a Claim

U.S. COURT OF APPEALS FOR THE FOURTH CIRCUIT

Evans v. Commission, et al.
Case No. 23-1475
(Appeal from 8:19-cv-02651) (ED)

Lead Counsel: Foster
Other Counsel: Levan

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

Status: Appeal filed.

Docket:

04/25/2023	Appeal filed
05/25/2023	Briefing Order filed
07/05/2023	Joint Appendix by Evans
07/05/2023	Brief of Evans
08/04/2023	Brief of Commission, et al.
08/07/2023	Docket Correction requested by Commission, et al.
08/08/2023	Brief of Commission, et al.
08/25/2034	Evans' Reply Brief filed