



THE MARYLAND-NATIONAL CAPITAL
Park and Planning Commission

COMMISSION MEETING

June 17, 2020

10:00 a.m. – 12:00 p.m.

via teleconference

and live-streamed by

**Prince George's
Parks and Recreation Administration**
6600 Kenilworth Avenue
Riverdale, Maryland 20737

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**MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MEETING AGENDA
Wednesday, June 17, 2020**

Via videoconference, and live-streamed by

**Prince George’s Parks and Recreation Administration
6600 Kenilworth Avenue
Riverdale, Maryland 20737**

10:00 a.m. – 12 noon

		<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 – May 20, 2020	(+*)	Page 3
3.	General Announcements (10:05 a.m.)		
a)	National Caribbean American Heritage Month		
b)	Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) Pride Month		
c)	National Men’s Health Education Month		
d)	“Juneteenth” – June 19		
4.	Committee Minutes/Board Reports (For Information Only) (10:20 a.m.)		
a)	Executive Committee Meeting – Open Session – June 3, 2020	(+)	Page 7
b)	Executive Committee Meeting – Closed Session – June 3, 2020	(++)	
c)	Employees’ Retirement System Board of Trustees Regular Meeting – May 5, 2020	(+)	Page 11
d)	Employees’ Retirement System Board of Trustees Regular Meeting – May 19, 2020	(+)	Page 15
5.	Action and Presentation Items (10:20 a.m.)		
a)	Resolution #20-09 Adoption of the FY21 Commission Operating & Capital Budgets and Budget Transfer Request (Kroll)	(+*)	Page 17
b)	Resolution #20-10 Approval of FY21 Employer Contribution for Retiree Group Health Insurance – OPEB/115 Trust (Zimmerman)	(+*)	Page 41
c)	Resolution #20-11 Extension of Standby Work Compensation Program for Critical Operations (Bennet/Coburn)	(+*)	Page 43
d)	Resolution #20-12 COVID-19 Differential Pay and Social Distancing Leave for Term Contract Employees (Chiang-Smith)	(+*)	Page 55
e)	Resolution #20-13 In Solidarity with the Movement to Eliminate Racism and Injustice (Chiang-Smith/Gardner)	(+*)	LD
f)	Amendments to the Merit System Rules: Proposed amendments to the agency’s employment policies to incorporate Maryland law on Organ Donation Leave (Bennett/Beckham)	(+*)	Page 57
g)	Salary Lapse Request C-IT/OCIO (Chilet/Zimmerman)	(+*)	Page 71
h)	Acknowledge Elaine Stookey as Bi-County Open Trustee to the ERS Board of Directors for the term ending June 30, 20203	(+*)	Page 73
i)	Personnel Management Review for 2019 (Spencer/King)	(+)	Page 75

6. **Officers' Reports (11:25 a.m.)**

Executive Director's Report

a) Late Evaluation Report, May 2020 (For Information Only) (+) Page 77

Secretary Treasurer

b) 3rd Quarter MFD Purchasing Statistics (For Information Only) (+) Page 79

General Counsel

c) Litigation Report (For Information Only) (+) Page 91

(+) Attachment

(++) Commissioners Only

(*) Vote

(H) Handout

(LD) Late Delivery



Commission Meeting
Open Session Minutes
May 20, 2020

The Maryland-National Capital Park and Planning Commission met via teleconference with the Chair initiating the meeting at the Montgomery Regional Office Auditorium in Silver Spring, Maryland.

PRESENT

Montgomery County Commissioners

Casey Anderson, Chair
Gerald Cichy
Tina Patterson
Natali Fani-Gonzalez

Prince George's County Commissioners

Elizabeth M. Hewlett, Vice-Chair
William Doerner (joined 10:07)
Manuel Geraldo
A. Shuanise Washington

NOT PRESENT

Partap Verma

Dorothy Bailey

Chair Anderson called meeting to order at 10:xx a.m. and called roll.

ITEM 1

APPROVAL OF COMMISSION AGENDA

ACTION: Motion of Vice-Chair Hewlett to approve the agenda
Seconded by Commissioner Geraldo
7 approved the motion (Doerner absent for vote)

ITEM 2

APPROVAL OF COMMISSION MINUTES

Open Session – April 15, 2020
Closed Session – April 15, 2020
Special Meeting Open Session – April 30, 2020
Special meeting Open Session – April 30, 2020
ACTION: Motion of Commissioner Geraldo to approve the minutes
Seconded by Vice-Chair Hewlett
6 approved the motion (Doerner absent for vote)
1 abstention (Fani-Gonzalez)

ITEM 3

GENERAL ANNOUNCEMENTS

- a) Financial Disclosure Filing Deadline Reminder – Deadline Extended to June 5
- b) National Prevention Week (Mental and/or Substance Use Disorders)
- c) National Fitness Month/Fitness Days
- d) Asian Pacific American Heritage Month
- e) Jewish-American Heritage Month
- f) Military Appreciation Month
- g) Chair Anderson mentioned passing of Lionel Bailey, husband of Commissioner Bailey and father of Montgomery Planning employee Robbin Brittingham. He also noted the passing of Commissioner Fani-Gonzalez's mother. He added a request to please respect different ways that people of dealing with loss and said Commissioner Fani-Gonzalez instead of flowers or donations, asked people to reach out to loved ones and those they care about. He called for

and the meeting observed a moment of silence.

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

- a) Executive Committee – Open Session May 3, 2020
- b) Employees’ Retirement System Board of Trustees Regular Meeting – March 3, 2020
- c) Employees’ Retirement System Board of Trustees Regular Meeting – April 7, 2020
- d) Employees’ Retirement System Board of Trustees Special Meeting – April 22, 2020

ITEM 5 ACTION AND PRESENTATION ITEMS

- a) Resolution 20-03: Forest Glen / Montgomery Hills Sector Plan (Williams/Howerton)

ACTION: Motion of Commissioner Washington to approve Resolution 20-03
Seconded by Commissioner Geraldo
8 approved the motion

- b) Resolution 20-04: Transfer of Land to PGC DPW&T for future widening of Old Laurel Bowie Road (Sun/Maneval)

ACTION: Motion of Vice-Chair Hewlett to approve Resolution 20-04
Seconded by Commissioner Geraldo
8 approved the motion

- c) Resolution 20-07: Differential pay and Compensatory Leave for MCGEO Bargaining Unit Members (Chiang-Smith/Bennett)

ACTION: Motion of Vice-Chair Hewlett to approve Resolution 20-07
Seconded by Commissioner Geraldo
8 approved the motion

- d) Resolution 20-08: Differential pay and Social Distancing Leave for Merit Employees (Chiang-Smith/Bennett)

ACTION: Motion of Vice-Chair Hewlett to approve Resolution 20-08
Seconded by Commissioner Geraldo
8 approved the motion

- e) Employees’ Retirement System Proposed Operating Budget FY21 (Rose)

ACTION: Motion of Vice-Chair Hewlett to approve item
Seconded by Commissioner Cichy
8 approved the motion

- f) Reappointment of Pam Gogol and Sheila Morgan-Johnson to Employees’ Retirement System Board of Trustees (Rose)

Vice Chair Hewlett added that Ms. Gogol and Ms. Morgan-Johnson were both extremely valued members of the Employee Retirement System

ACTION: Motion of Vice-Chair Hewlett to approve the reappointment
Seconded by Commissioner Geraldo
8 approved the motion

- g) Request of use of Salary Savings
 - a. Department of Human Resources and Management
 - b. Office of the General Counsel
 - c. Department of Finance/Office of the Chief Information Officer
 - d. Office of the Inspector General

ACTION: Motion of Vice-Chair Hewlett to approve requests
 Seconded by Commissioner Geraldo
 8 approved the motion

ITEM 6

OFFICERS' REPORTS

Executive Director's Report

- a) Employee Evaluations Not Completed by Due Date (April 2020) (For information only)

Secretary Treasurer Report

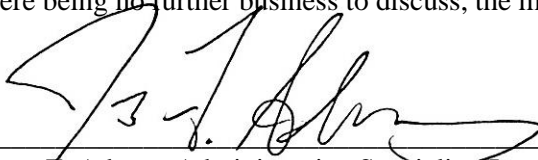
- b) Quarterly Investment Report (March 2020) (For Information only)

General Counsel Report

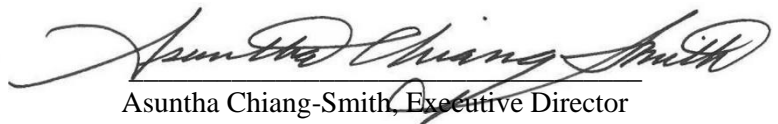
- c) Litigation Report (For information only)
- d) Annual Legislative Update – General Counsel Gardner emailed Commissioners an update on the current legislative session, and brought to their attention one bill, HB394 (PGMC101-20) MNCPPC Mandatory Referral Review. The bill was designed to fix a difficulty with the mandatory referral process from some public agencies and was passed favorably and with unanimous support of both Prince George's and Montgomery County Delegations. He reported after the bill passed the House, it never made its way to the Senate for a vote. There was no explanation from Annapolis why the bill did not move forward to the Maryland Senate.

Chair Anderson cancelled the closed session, noting negotiations with the Municipal and County Government Employees Organization (MCGEO) are in a holding pattern, which was a result of the rejection of the County Government contracts.

There being no further business to discuss, the meeting ended at 10:17 a.m.



James F. Adams, Administrative Specialist II



Asuntha Chiang-Smith, Executive Director

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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

EXECUTIVE COMMITTEE MEETING MINUTES

June 3, 2020

On June 3, 2020, the Maryland-National Capital Park and Planning Commission’s Executive Committee met via teleconference. Present were Chair Casey Anderson, Vice Chair Elizabeth M. Hewlett, and Executive Director Asuntha Chiang-Smith. Also present were:

Department Heads

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

Presenters/Staff

- Anju Bennett, Corporate Policy and Management Operations Director
- Mike Beckham, Policy Manager
- Mazen Chilet, Chief Information Officer
- Brian Coburn, Policy Analyst
- Boni King, Human Resources Manager
- John Kroll, Corporate Budget Director
- William Spencer, Corporate Human Resource Director
- Paulette Stewart, Human Resources Specialist

Executive Director Chiang-Smith convened the meeting at 10:06 a.m.

ITEM 1a – APPROVAL OF EXECUTIVE COMMITTEE AGENDA

Discussion	Executive Director Chiang-Smith Added item 4b. for closed session on Differential Pay and Social Distancing Leave During COVID-19 for Term Contract Employees
ACTION	Motion of Vice-Chair Hewlett, second by Chair Anderson. Amended agenda approved unanimously.

ITEM 1b – APPROVAL OF COMMISSION MEETING AGENDA for April 15, 2020

Discussion	Technical Writer Adams noted a correction in Item 5c. Resolution number for the extension of the standby compensation program is re-numbered from 20-12 to 20-11.
ACTION	Motion of Vice-Chair Hewlett, second by Chair Anderson. Amended agenda approved unanimously.

ITEM 1c – ROLLING AGENDA FOR UPCOMING COMMISSION MEETINGS

Discussion	Approved without modification.
ACTION	Motion of Vice-Chair Hewlett, second by Chair Anderson. Rolling agenda approved unanimously.

ITEM 2 – JANUARY 3, 2020 EXECUTIVE COMMITTEE MEETING MINUTES

Discussion	May 6, 2020 Open Session
ACTION	Motion of Vice-Chair Hewlett, second by Chair Anderson. Minutes approved unanimously.

ITEM 3 – DISCUSSION/PRESENTATION ITEMS	
Discussion	<p><u>Item 3a. Proposed amendments to the agency’s employment policies to incorporate Maryland law into Organ Donation Leave (Bennett/Beckham)</u></p> <p>CPMO Director Bennett requested the Executive Committee’s support on proposed amendments to the agency’s personnel regulations to acknowledge Organ Donation Act which was passed by Maryland. The Act requires employers to provide 30-60 of unpaid leave to eligible employees who are donating an organ or bone marrow. She explained the impacts of the law and the proposed updates to the agency’s policies. She explained the law does not require significant programmatic changes, but policy amendments recognize eligibility for the leave, job protections while leave is being taken, and coordination with other existing laws and leave benefits. Ms. Bennett indicated that the proposed amendments have been reviewed and are supported by the Merit System Board. The Merit System Board recommends adoption of the amendments.</p> <p>Among the amendments noted by Ms. Bennett, three areas were highlighted.</p> <ol style="list-style-type: none"> 1. The law does not change the duration of unpaid leave an employee can request, since the Commission already provides more than the law required. 2. Employees can substitute their own accrued paid leave to replace any portion of the unpaid leave. 3. The Maryland Donor Act leave is separate from leave entitlements extended by the Family Medical Leave Act (FMLA). Employers may not count the time taken for organ/bone marrow donation against the FMLA entitlement. <p>Th With the Executive Committee’s support, the amendments will be shared with the Commission for adoption.</p>
ACTION	Chair Anderson moved to bring the amendments to the Commission. Executive Director Chiang-Smith second. Unanimously approved.
DISCUSSION	<p><u>Item 3b. Personnel Management Review for 2019 (Spencer/King)</u></p> <p>Corporate Human Resources Director Spencer shared statistics of from the Personnel Management Review, describing the demographics of the M-NCPPC workforce for calendar year 2019. This is the 26th year of producing the report. He noted the M-NCPPC remains very diverse, and well-represents its communities in both Montgomery and Prince George’s Counties.</p> <p>Human Resources Manager King introduced Ms. Stewart, who worked on the report and compiled the statistics. Ms. King presented the analysis of workforce demographics. She noted the report will be published and posted on the agency’s intranet and on mncppc.org. Physical copies will also be printed and distributed to Division Chief level and higher toward the end of the month.</p> <p>Executive Director Chiang-Smith said she was planning to work with Human Resources on trends analysis to determine modeling of what the agency might expect over the coming years, as opposed to just showing current numbers.</p>
ACTION	

Discussion	<u>Item 3c. Investment Report April 2020 (information item only)</u>

Pursuant to Maryland General Provisions Article of the Annotated Code of Maryland, Section 3-305(b) (7) & (9), a closed session is proposed to consult with counsel for legal advice, conduct collective bargaining discussions and consider matters that relate to negotiation.


Vice Chair Hewlett made a motion that the meeting move into Closed Session at 10:22 a.m. Chair Anderson seconded. The motion was approved unanimously. Open Session resumed at 10:52 a.m.

Vice Chair Hewlett made a motion to ratify decisions made in closed session; Chair Anderson seconded. Motion passed unanimously.

There being no further business to discuss, Vice Chair Hewlett called for a motion to adjourn. Chair Anderson moved. Executive Director Chiang-Smith seconded. The motion was approved unanimously, and the meeting adjourned at 10:52 a.m.



 James F. Adams, Senior Technical Writer



 Asuntha Chiang-Smith, Executive Director

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

**BOARD OF TRUSTEES MEETING
MINUTES**

Tuesday, May 5, 2020; 10:00 a.m.
County Administration Building, Upper Marlboro, MD

Due to COVID-19, the Maryland-National Capital Park and Planning Commission Employees' Retirement System Board of Trustees ("Board") met virtually through Microsoft Teams with CHAIRMAN HEWLETT leading the call from the County Administration Building in Upper Marlboro, Maryland on Tuesday, May 5, 2020. The meeting was called to order at 10:00 a.m. by CHAIRMAN HEWLETT.

Board Members Present

Elizabeth M. Hewlett, Board of Trustees Chairman, Prince George's County Commissioner
Gerald R. Cichy, Board of Trustees Vice Chairman, Montgomery County Commissioner
Howard Brown, FOP Represented Trustee left at 11:00 a.m.
Pamela F. Gogol, Montgomery County Public Member
Amy Millar, MCGEO Represented Trustee
Sheila Morgan-Johnson, Prince George's County Public Member left at 11:15 a.m.
Elaine A. Stookey, Bi-County Open Trustee
Joseph C. Zimmerman, CPA, M-NCPPC Secretary-Treasurer, Ex-Officio

Board Members Not Present

Asuntha Chiang-Smith, M-NCPPC Executive Director, Ex-Officio
Melissa D. Ford, Prince George's County Open Trustee
Caroline McCarthy, Montgomery County Open Trustee

ERS Staff Present

Andrea L. Rose, Administrator
Heather D. Van Wagner, Senior Administrative Specialist
Sheila S. Joynes, ERS Accounting Manager

Presentations

Wilshire Associates - Bradley A. Baker, Managing Director and Martell McDuffy, Senior Analyst
M-NCPPC Legal Department – William C. Dickerson, Principal Counsel and Tracy Harvin, Senior Counsel

ITEM 1 APPROVAL OF THE MAY 5, 2020 CONSENT AGENDA

ACTION: VICE CHAIRMAN CICHY made a motion, seconded by MS. MILLAR to approve the Consent Agenda. The motion PASSED unanimously (8-0). (Motion #20-29)

ITEM 2 CHAIRMAN'S ITEMS
No Chairman's items reported.

ITEM 3 MISCELLANEOUS
No miscellaneous reported.

ITEM 4 MANAGER REPORTS/PRESENTATIONS

Wilshire Associates

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

Brad Baker presented a program summary on the Term Asset-Backed Securities Loan Facility (TALF) program. TALF was established in 2009 by the U.S. government to promote private investment in the ABS market. TALF 2020 was created in March 2020 to increase new issuance of ABS securities for financing consumer purchases such as auto and credit card loans and facilitating small business loans. Underlying assets will consist of AAA rated, asset-backed security ABS issues with similar risks as fixed income securities, including extension/prepayment risk, credit risk, and leverage risk. The volume of issuance is a big uncertainty. The investment objective is to provide attractive risk-adjusted returns over the term of the Fund by investing primarily in asset-backed securities that the FRBNY designates as eligible on a levered basis using financing obtained through the TALF program. Returns of 10-12% are anticipated; however, performance could vary and early investors may experience higher returns due to spread tightening. The program is expected to open in late May to early June and call down capital to September-October 2020 and will run for 3 years from when it ends.

When the Federal Reserve announced the establishment of the TALF program Wilshire started communicating with fixed income asset managers to start the due diligence process with firms. Wilshire conducted due diligence with 10 firms with a focus on their strategy specific philosophy, portfolio construction and team and presented the top 5 firms to the Board for consideration. Some managers will manage TALF only portfolios while others will manage portfolios in TALF and credit opportunities. The vast majority of Wilshire's clients are considering a TALF only program and Wilshire recommends the same for the ERS.

Mr. Baker said the TALF Fund would fit in the opportunistic credit bucket. The asset allocation is a 1-2% dedicated allocation (approximately \$10-20 million).

MR. BROWN left the meeting at 11:00 a.m.

Given the opening of the TALF program in a few weeks, the Board agreed to interview two managers with TALF only portfolios; delegate the interviews to the Investment Monitoring Group (IMG); and, hold a special telephonic Board meeting to approve a recommendation from the IMG.

ACTION: VICE CHAIRMAN CICHY made a motion, seconded by MS. GOGOL to delegate the two TALF interviews to the Investment Monitoring Group for a recommendation to the Board. The motion PASSED unanimously (7-0). (Motion #20-30)

ACTION: VICE CHAIRMAN CICHY made a motion, seconded by MS. MORGAN-JOHNSON to authorize a special telephonic meeting of the Board, if needed, to approve the selection of a TALF manager, as recommended by the Investment Monitoring Group. The motion PASSED unanimously (7-0). (Motion #20-31)

MS. MORGAN-JOHNSON left the meeting at 11:15 a.m.

Wilshire recommended the firms SLC Management and TCW for interviews. The firms are highly ranked on Wilshire's list and have favorable terms. For transparency, Wilshire disclosed that Wilshire's OCIO practice made commitments to SLC Management and TCW.

ACTION: VICE CHAIRMAN CICHY made a motion, seconded by MS. GOGOL to approve the Investment Monitoring Group interview SLC Management and TCW, as recommended by Wilshire. The motion PASSED unanimously (6-0). (Motion #20-32)

ITEM 5 COMMITTEE REPORTS/RECOMMENDATIONS

Administration & Personnel Committee – Report of April 21, 2020 Meeting

The Administration & Personnel Oversight Committee recommended approval of the FY2021 Operating Budget. The budget totals \$3,133,677 which is an 34.7% increase from FY2020. The increase is mainly due to the new pension administration software project approved by the Board and Commission last year.

ACTION: MR. ZIMMERMAN made a motion, seconded by VICE CHAIRMAN CICHY to approve the FY2021 Operating Budget. The motion PASSED unanimously (6-0). (Motion #20-33)

The three-year terms for the Montgomery County and Prince George's County Public Members on the Board expire June 30, 2020. In accordance with procedures of the ERS, a Notice of Vacancies on the Board of Trustees was placed on the Maryland Reporter's website, the ERS' website, and the Commission's website and Intranet site from March 23 through April 10, 2020 requesting a letter of interest, including a resume, to fill the Public Member's seats on the Board for the term ending July 1, 2023. Applications were due in the ERS office by April 10, 2020 by 5:00 p.m. The ERS received applications from incumbents, Pamela F. Gogol and Sheila Morgan-Johnson. No other applications were received by the deadline.

Public Trustees are appointed by the Commission and serve at the pleasure of the Commission. The Personnel Committee makes a recommendation to the Board who makes a recommendation to the Commission for appointment.

Ms. Gogol has served on the Board since 2014. Ms. Gogol is currently a Principal Examiner for the Federal Housing Finance Agency responsible for analysis and oversight of Fannie Mae's market risk exposure. Ms. Gogol was the former Assistant Treasurer of the Commission and served as the Bi-County Open Trustee on the ERS Board in 2008.

Ms. Morgan-Johnson has served on the Board since 2016. In 2017, after a long-serving career as the Chief Investment Officer and Chief Operating Office for the \$9 billion District of Columbia Retirement plan, Ms. Morgan-Johnson was named as Executive Director. Ms. Morgan-Johnson has been serving as Chairman of the ERS' Investment Monitoring Group.

ACTION: MR. ZIMMERMAN made a motion, seconded by MS. MILLAR to approve the Reappointment of Pamela F. Gogol as the Montgomery County Public Member and Sheila Morgan-Johnson as the Prince George's County Public Member for the terms ending June 30, 2023. The motion PASSED unanimously (6-0). (Motion #20-34)

ITEM 6 REPORT OF ADMINISTRATOR

Andrea Rose presented the Administrator's Report dated April 27, 2020.

In FY2020, the ERS is projected to have savings in excess of \$122,896 due to salary lapse and savings in other services and charges. Staff requested to spend an additional \$6,328 in capital outlay in FY2020 for the pension software administration system project since the ERS received deliverables from Levi, Ray & Shoup in FY2020 that were originally scheduled for FY2021.

ACTION: VICE CHAIRMAN CICHY made a motion, seconded by MR. ZIMMERMAN to approve to Spend an Additional \$6,328 in Capital Outlay in FY2020 for the Pension Software Administration System for Deliverables Received from Levi, Ray & Shoup Originally Scheduled for FY2021. The motion PASSED unanimously (6-0). (Motion #20-35)

Ms. Rose reported the Certificate of Achievement for Excellence in Financial Reporting was awarded to the ERS by the Government Finance Officers Association (GFOA) of the United States and Canada for its Comprehensive Annual Financial Report (CAFR) for fiscal year ended June 30, 2019. Ms. Rose recognized Sheila Joynes, Accounting Manager, for leading the CAFR team.

Additionally, the GFOA gave an Award for Outstanding Achievement in Popular Annual Financial Reporting to the ERS for its Popular Annual Financial Report (PAFR) for the fiscal year ended June 30, 2019. Ms. Rose recognized Heather Van Wagner for leading the PAFR team to another award.

The Board meeting of May 5, 2020 adjourned at 11:30 a.m.

Respectfully,

Heather D. Van Wagner

Heather D. Van Wagner
Senior Administrative Specialist

Andrea L. Rose

Andrea L. Rose
Administrator



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

**SPECIAL BOARD OF TRUSTEES MEETING
MINUTES**

Tuesday, May 19, 2020; 4:00 p.m.
via Microsoft Teams

Due to COVID-19, the Maryland-National Capital Park and Planning Commission Employees' Retirement System Board of Trustees ("Board") met virtually through Microsoft Teams on Tuesday, May 19, 2020. The meeting was called to order at 4:00 p.m. by CHAIRMAN HEWLETT.

Board Members Present

Elizabeth M. Hewlett, Board of Trustees Chairman, Prince George's County Commissioner
Gerald R. Cichy, Board of Trustees Vice Chairman, Montgomery County Commissioner
Asuntha Chiang-Smith, M-NCPPC Executive Director, Ex-Officio joined at 4:10 p.m.
Melissa D. Ford, Prince George's County Open Trustee
Pamela F. Gogol, Montgomery County Public Member
Caroline McCarthy, Montgomery County Open Trustee
Amy Millar, MCGEO Represented Trustee
Sheila Morgan-Johnson, Prince George's County Public Member joined at 4:10 p.m.
Elaine A. Stookey, Bi-County Open Trustee
Joseph C. Zimmerman, CPA, M-NCPPC Secretary-Treasurer, Ex-Officio

Board Members Not Present

Howard Brown, FOP Represented Trustee

ERS Staff Present

Andrea L. Rose, Administrator
Heather D. Van Wagner, Senior Administrative Specialist
Sheila S. Joynes, ERS Accounting Manager

Presentations

Wilshire Associates - Bradley A. Baker, Managing Director and Martell McDuffy, Senior Analyst
M-NCPPC Legal Department – William C. Dickerson, Principal Counsel and Tracy Harvin, Senior Counsel

ITEM 1 APPROVAL OF THE MAY 19, 2020 CONSENT AGENDA

ACTION: MS. GOGOL made a motion, seconded by MS. STOOKEY to approve the Consent Agenda. The motion PASSED unanimously (8-0). (Motion #20-36)

ITEM 2 COMMITTEE REPORTS/RECOMMENDATIONS

Investment Monitoring Group (IMG) – Report of May 19, 2020 Meeting

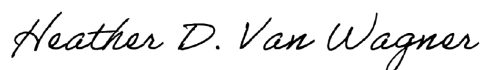
At its May 5, 2020 meeting, the Board delegated the TALF interviews with SLC Management and TCW to the Investment Monitoring Group. At its meeting today at 9:00 a.m., the IMG heard presentations from SLC Management and TCW. Both firms had teams from the original TALF 1.0 program from 2008-2009 with considerable experience and success in TALF 1.0. The returns aren't expected to be as high as TALF 1.0, but attractive, nonetheless. Even though the Federal Government hasn't given a start date for the program, both managers requested contract documents executed by Friday, May 22nd for an anticipated June 1st start date. While the managers were willing to offer the ERS several additional days,

the IMG, Wilshire and the Administrator, felt the short turnaround time would compromise due diligence on the legal review. Legal reviews, negotiation, approval and execution average 2-4 months. Wilshire's Brad Baker said there will continue to be dislocations on the credit spectrum with opportunities that would allow the ERS to complete its due diligence. The IMG unanimously recommended passing on TALF 2.0 as it would require compromising a thorough and comprehensive due diligence process.

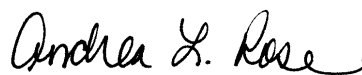
ACTION: VICE CHAIRMAN CICHY made a motion, seconded by MS. MCCARTHY to approve the Investment Monitoring Group's recommendation to pass on TALF 2.0. The motion PASSED unanimously (10-0). (Motion #20-37)

The Board meeting of May 19, 2020 adjourned at 4:16 p.m.

Respectfully,



Heather D. Van Wagner
Senior Administrative Specialist



Andrea L. Rose
Administrator


THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue Riverdale, Maryland 20730

June 17, 2020

To: The Maryland-National Capital Park and Planning Commission

Via: Asuntha Chiang-Smith, Executive Director

From: John Kroll, Corporate Budget Director

Subject: **Resolution 20-09 - Adoption of the Commission's FY 2021 Operating and Capital Budgets**
Recommendation:

Approve Resolution No. 20-09 "Adoption of the FY 2021 Commission Operating and Capital Budgets".

Background:

Pursuant to the Land Use Article, of the Annotated Code of Maryland, the Commission submitted its Proposed Budget to the County Executives of Prince George's County and Montgomery County on January 15th. In accordance with the Land Use Article, each County Council has approved that portion of the Commission budget allocated to its county. On May 21, 2020, Montgomery County Council adopted resolutions 19-466 and 19-475. On May 29, 2020, the Prince George's County Council approved bill CB-23-2020. Further, both Councils on May 7, 2020 approved those portions of the Commission budget allocable to both counties.

Resolution No. 20-09, "Adoption of the FY 2021 Commission Operating and Capital Budgets" adopts the budget for FY21 including the additions, deletions, increases, and decreases from the submitted Proposed Budget as approved by the respective County Councils of Montgomery County and Prince George's County.

The Adopted Budget totals \$660.5 million excluding reserves, ALARF, and Internal Service Funds. Compared to the FY20 Adopted Budget, the FY21 Budget is about \$10.2 million lower.

Due to the economic circumstances related to the COVID-19 pandemic, both counties adopted budgets that were primarily in keeping with a continuity of services level of expenditures. Proposed budgets were scaled back accordingly.

In Prince George's County, the budget is increasing by 0.2 percent for FY21. This primarily reflects a slight (0.7%) increase in tax supported operations offset by small decreases in debt service and the capital program. Property tax rates remain the same as those set in FY16.

In Montgomery County, the budget is decreasing by 5.0 percent for FY21. This net decrease is primarily due to a decrease in capital projects. Tax supported funds increased by 3.7 percent. As part of the final balancing, the County decreased both the Administration Fund's and the Park Fund's proposed property tax rates, increased the use of fund balance in the Administration Fund and decreased the use of fund balance in the Park Fund. The following chart provides a comparative summary of the FY21 Adopted Budget for each county.

**Summary of FY21 Adopted Budget Expenditures
(net reserves, ALARF, and Internal Service Funds)**

	FY20 Adopted	FY21 Adopted	\$ Change	% Change
Prince George's Funds				
Administration (1)	\$ 56,164,239	56,960,703	\$ 796,464	1.4%
Park (2)	182,826,294	182,721,465	(104,829)	-0.1%
Recreation (3)	93,683,334	95,370,701	1,687,367	1.8%
ALA Debt	-	-	-	-
Subtotal Tax Supported	332,673,867	335,052,869	2,379,002	0.7%
Park Debt Service	15,296,269	15,064,619	(231,650)	-1.5%
Capital Projects	75,345,205	73,884,810	(1,460,395)	-1.9%
Enterprise	19,050,792	19,148,292	97,500	0.5%
Special Revenue	8,145,469	8,158,062	12,593	0.2%
Total Prince George's	\$ 450,511,602	451,308,652	\$ 797,050	0.2%
Montgomery Funds				
Administration	\$ 32,619,879	32,634,966	\$ 15,087	0.0%
Park (2)	107,395,961	112,613,946	5,217,985	4.9%
ALA Debt	2,075,264	2,068,181	(7,083)	-0.3%
Subtotal Tax Supported	142,091,104	147,317,093	5,225,989	3.7%
Park Debt Service	6,624,410	7,440,410	816,000	12.3%
Capital Projects	52,619,000	32,377,000	(20,242,000)	-38.5%
Enterprise (4)	10,197,934	13,099,109	2,901,175	28.4%
Property Management	1,563,320	1,576,671	13,351	0.9%
Special Revenue	7,084,740	7,352,429	267,689	3.8%
Total Montgomery	\$ 220,180,508	209,162,712	\$ (11,017,796)	-5.0%
Combined Total	\$ 670,692,110	660,471,364	\$ (10,220,746)	-1.5%

(1) Includes transfer to Park Fund and Capital Projects Fund

(2) Includes transfer to Debt Service and Capital Projects Fund

(3) Includes transfer to Enterprise Fund and Capital Projects Fund

(4) Includes transfer to Capital Projects Fund

Summary of Adjustments in the FY21 Adopted Budget

The FY21 budgets, as approved by the respective County Councils, included the following adjustments from the Proposed Budget.

Montgomery County Adjustments from Proposed

Administration Fund

- ✓ Compensation marker was eliminated.
- ✓ Reclassification marker funding was reduced by \$145,740.
- ✓ CWIT project funding was reduced in DHRM, Finance, Legal, Office of Inspector General, and Corporate IT for a total of \$25,490, and increased in Planning by \$17,340.
- ✓ In the Commissioners' Office, reduction of \$30,000 to training and diversity event support.
- ✓ Within the Planning Department,
 - Reduction of \$48,600 in Support Services to CPI-related increases for supplies and services.
 - Reduction of \$225,000 in Functional Planning & Policy Division in professional services to support Mixed-Use Trip Generation Tool, Historic Preservation at 40, and Bikeway Branding Plan.
 - Reduction of \$300,000 in Functional Planning and Area 2 divisions, reflecting the FY20 supplemental appropriation for the I-270 Transit Corridor Functional Master Plan.
 - Reduction of \$25,000 in Area 1 in professional services to support Urban Loading and Delivery Management Study.
 - Reduction of \$25,000 in Area 3 in professional services to support Noise Guidelines Update.
 - Reduction of \$175,000 in Research and Special Projects in professional services to support Equity Opportunity Index, and Mixed-Use Development: Current Status and Future Trends.
- ✓ In the Finance Department, salary lapse was increased by \$29,257 to offset the cost of the approved Supplier Diversity Program position.
- ✓ In the Legal Department, salary lapse was increased by \$50,942.
- ✓ In the Office of the Inspector General, the requested position was not funded, nor the request for increased training, for a total reduction of \$57,248.
- ✓ In Corporate IT, the requested funding (\$43,265) for a new help desk system was not approved.
- ✓ Property tax revenues have been adjusted to reflect the March 2020 assessable base estimates issued by Montgomery OMB; and the tax rate contemplated in the Proposed Budget (1.86 cents) was reduced to 1.76 cents
- ✓ To balance the Administration Fund, use of fund balance was increased by \$301,657.

Park Fund

- ✓ Compensation marker was eliminated.
- ✓ Reclassification marker funding was reduced by \$282,385.
- ✓ Reduction of \$483,109 in multiple divisions to CPI-related increases for supplies and services.
- ✓ Reduction of \$24,109 in seasonal funding.
- ✓ Reduction of \$29,257 in Support Services to help offset the cost of the approved Supplier Diversity Program position in Finance.
- ✓ Reduction of \$240,529 in Public Affairs & Community Partnerships proposed to enhance customer service, ADA publications, and Events for Parks Activation.
- ✓ Reduction of \$143,902 in Management Services proposed to enhance labor relations and program access.
- ✓ Reduction of \$117,281 in Park Planning & Stewardship proposed to enhance equity analysis.
- ✓ Reduction of \$96,647 in Park Development proposed to enhance procurement.
- ✓ Reduction of \$447,027 in Facilities Management proposed to enhance facility condition assessments, court resurfacing and electrical upgrades to carbon producing facilities.
- ✓ Reduction of \$66,943 in Northern Parks proposed to fund stormwater management positions.
- ✓ Reduction of \$307,816 in Southern Parks proposed to enhance athletic field project design and construction management, renovation inspection, and nutrient management.
- ✓ Reduction of \$75,000 in Support Services proposed to enhance the internship program, and reduced funding for capital equipment debt service.
- ✓ Pay-go transfer to Capital Projects was reduced by \$100,000.
- ✓ CWIT project funding was reduced by \$46,470.
- ✓ Property tax revenues have been adjusted to reflect the March 2020 assessable base estimates issued by Montgomery OMB; and the tax rate contemplated in the Proposed Budget (6.12 cents) was reduced to 6.00 cents.
- ✓ To balance the Park Fund, use of fund balance was decreased by \$805,912.

Property Management Fund

- ✓ Compensation marker was eliminated.

Advance Land Acquisition Debt Service Fund

- ✓ Property tax revenues have been adjusted to reflect the March 2020 assessable base estimates issued by Montgomery OMB; the tax rate remained unchanged.
- ✓ Contribution to the Advance Land Acquisition Revolving Fund was similarly adjusted.

Advance Land Acquisition Revolving Fund

- ✓ Contribution from the Advance Land Acquisition Debt Service Fund was adjusted as was the budget for land acquisition.

Capital Projects Fund

- ✓ Capital project expenditures were decreased by \$16,093,000, reflecting a decrease of \$1,264,000 in acquisition and \$14,829,000 in park development. This reflects similar decreases in most revenue sources, primarily state POS funds, County funding, and bond funding.

Enterprise Fund

- ✓ Compensation marker was eliminated.

Risk Management Fund

- ✓ Compensation marker was eliminated.
- ✓ Reclassification marker funding was reduced by \$356.

CIO/CWIT Fund

- ✓ Compensation marker was eliminated.
- ✓ Reclassification marker funding was reduced by \$152.
- ✓ CWIT project funding was reduced by \$25,490. (Should have been reduced by \$71,960 – this will be addressed in the attached budget transfer.)

Prince George's County Adjustments from Proposed

Administration Fund

- ✓ Compensation marker was eliminated.
- ✓ Reclassification marker funding was reduced by \$57,750.
- ✓ A project charge reduction was substituted for the one proposed, for no net change
- ✓ In the Planning Department, one new Environmental Planner position was added to the Countrywide Planning Division for \$114,303.
- ✓ In the Finance Department, salary lapse was increased by \$39,908 to offset the cost of the approved Supplier Diversity Program position.
- ✓ In the Office of the Inspector General, the requested position was not funded, nor the request for increased training, for a total reduction of \$94,204.
- ✓ In Corporate IT, the requested funding (\$41,735) for a new help desk system was not approved.
- ✓ CWIT project funding was reduced in DHRM, Finance, Legal, Office of Inspector General, and Corporate IT for a total of \$25,490.
- ✓ Property tax revenues have been adjusted to reflect the March 2020 assessable base estimates issued by the State Department of Assessments and Taxation. These estimates are higher than the estimates used in the Proposed Budget.
- ✓ Projected interest earnings were reduced.

Park Fund

- ✓ Compensation marker was eliminated.
- ✓ Reclassification marker funding was reduced by \$176,130.
- ✓ Project charges were increased by \$13,300.
- ✓ Reduction of 17 positions in the following divisions: Park Police, Management Services, Information Tech & Communications, Support Services, Maintenance & Development, Public Affairs & Marketing, Natural & Historic Resources, and Northern Parks, for a total of \$1,324,411.
- ✓ Increased the transfer to Capital Projects Fund by \$600,000.
- ✓ Property tax revenues have been adjusted to reflect the March 2020 assessable base estimates issued by the State Department of Assessments and Taxation. These estimates are higher than the estimates used in the Proposed Budget.
- ✓ Projected interest earnings were reduced.

Recreation Fund

- ✓ Compensation marker was eliminated.
- ✓ Reclassification marker funding was reduced by \$116,748.
- ✓ Project charges were increased by \$116,000.
- ✓ Addition of \$500,000 to the Support Services Division to enhance service delivery via popup activities and programming with schools.
- ✓ Reduction of 7 positions in the following divisions: Maintenance & Development, Youth & Countywide Sports, Arts & Cultural Heritage, Northern Area Operations, and Central Area Operations, for a total of \$590,175.
- ✓ The subsidy to the Enterprise Fund was reduced by \$160,932, reflecting the elimination of the compensation marker and the reduction to the reclassification marker.
- ✓ Property tax revenues have been adjusted to reflect the March 2020 assessable base estimates issued by the State Department of Assessments and Taxation. These estimates are higher than the estimates used in the Proposed Budget.
- ✓ Projected interest earnings were reduced.

Capital Projects Fund

- ✓ Capital project expenditures were increased by \$9,654,810, funded by the increased transfer from the Park Fund of \$600,000; \$2,644,810 of additional state POS funds, and \$6,410,000 of state bond bills and grants.

Enterprise Fund

- ✓ Compensation marker was eliminated.
- ✓ Reclassification marker funding was reduced by \$17,332.
- ✓ The operating subsidy from the Recreation Fund was reduced by \$160,932.

Risk Management Fund

- ✓ Compensation marker was eliminated.
- ✓ Reclassification marker funding was reduced by \$356.

CIO/CWIT Fund

- ✓ Compensation marker was eliminated.
- ✓ Reclassification marker funding was reduced by \$187.
- ✓ CWIT project funding was reduced by \$25,490.

Commission-wide Adjustments from Proposed

Executive Office Building Fund

- ✓ Compensation marker was eliminated.
- ✓ Reclassification marker funding was reduced by \$1,125.

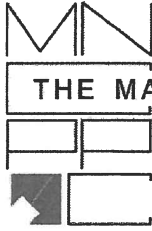
Group Insurance Fund

- ✓ Compensation marker was eliminated.
- ✓ Reclassification marker funding was reduced by \$2,348.

Attachments
M-NCPPC Resolution 20-09
Exhibits A, B, and C
Budget Transfer Request

cc: Joe Zimmerman, Secretary-Treasurer
Adrian Gardner, General Counsel
Department Directors

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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

M-NCPPC
RESOLUTION NO. 20-09
June 17, 2020

**ADOPTION OF THE FY 2021 COMMISSION OPERATING BUDGET
AND FY 2021 CAPITAL BUDGET**

WHEREAS, the Maryland-National Capital Park and Planning Commission (the “Commission”) has prepared and submitted its proposed FY 2021 operating budget (“the Proposed Operating Budget”) and its proposed FY 2021 capital budget (“Proposed Capital Budget”) to the County Executives of Montgomery and Prince George’s Counties in compliance with the § 18-104 of the Land Use Article of the Annotated Code of Maryland (“Land Use Article”), as amended and to the County Councils of Montgomery and Prince George’s Counties in compliance with § 18-105 of the Land Use Article; and

WHEREAS, the respective County Councils have established work programs and made certain deletions and additions to the Proposed Operating Budget, which actions are set forth in the Montgomery County Resolution 19-475, and Prince George’s County Bill CB-23-2020; and

WHEREAS, the Montgomery County Council made certain revisions to the Proposed Capital Budget, which action is set forth in Montgomery County Resolution 19-466; and

WHEREAS, the Prince George’s County Council made certain revisions to the Proposed Capital Budget, which action is set forth in the Prince George’s County Bill CB-23-2020; and

WHEREAS, the County Councils on May 7, 2020 have reviewed and together acted to approve the Bi-County budget items allocable to both counties; and

WHEREAS, the respective County Councils have acted to appropriate as the Commission’s FY 2021 operating budget (“the Operating Budget”) and FY 2021 Capital Budget certain expenditures, including those funded by grants, together totaling in the aggregate \$235,747,771 allocable to the various sources derived in Montgomery County as set forth in Exhibit A hereto and \$473,055,955 allocable to the various sources derived in Prince George’s County as set forth in Exhibit B hereto; and

WHEREAS, the Operating Budget includes the Executive Office Building and Group Health Insurance Funds as set forth in Exhibit C, which are Commission-wide Internal Service Funds funded through the operating department appropriations made by the respective County Councils for Montgomery County and Prince George's County; and

WHEREAS, the Commission does hereby delegate to the Montgomery County Planning Board and the Prince George's County Planning Board for review of expenditure plans for departments, offices and divisions within the Commission and the allocation of funds in accordance with the Operating Budget and this Resolution;

NOW, THEREFORE BE IT RESOLVED that the Commission does hereby approve and adopt the FY 2021 Operating Budget and the FY 2021 Capital Budget as set forth in Exhibit A, Exhibit B, and Exhibit C hereto; and

BE IT FURTHER RESOLVED that the Commission's Secretary-Treasurer and other officers are authorized to carry out financing for the Capital Equipment Internal Service Fund consistent with funding levels in the Operating Budget at such time and on such terms as they believe to be advantageous to the Commission without further action required by the Commission or either Planning Board; provided that the appropriate officers shall provide the Commission and each Planning Board subsequent notice of any action taken pursuant to this resolution; and

BE IT FURTHER RESOLVED that the Executive Director and Secretary-Treasurer are directed to establish the necessary controls to ensure compliance with the § 18-109 of the Land Use Article, which provides that no expenditure of funds shall be made or authorized by the Commission in excess of the approved budget amounts plus 10% thereof for each park and recreation project and for each administration or operating department or function of the Commission, and for each planning project contained in the planning work program for each county, as set forth in the approved Council Resolutions, unless approved by either or both County Councils, whichever is appropriate, and which also stipulates that the Commission may not exceed the total approved budget for each of its Funds, except for Enterprise Funds, without the prior approval by either or both County Councils, as applicable; and

BE IT FURTHER RESOLVED that in the event operational necessity requires that a budget amendment be made during the fiscal year, as outlined in § 18-108 of the Land Use Article and Budget Adjustment Practice 3-60, the budget amendment requires approval of the appropriate County Council. An amendment may change the total amount of the appropriation stated in the adopting resolutions of the County Council, or transfer more than 10% of appropriated funds from one appropriation to another. A budget may be amended by resolution by the respective county councils on their initiative or at the request of the Commission after receipt of recommendations from the respective county executives and after public hearing upon reasonable notice to the public. With

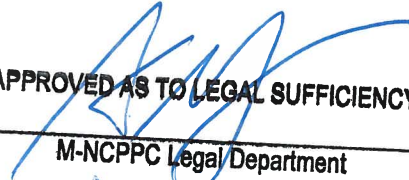
respect to budget items applicable to both counties, an amendment is not effective unless it has received the concurrence of both county councils; and

BE IT FURTHER RESOLVED that in the event operational necessity requires that budget adjustments be made during the fiscal year, as outlined in Budget Adjustment Practice 3–60, the officials and managers listed below are authorized to approve adjustments within or between budget appropriations for objects of expenditure or other levels of control within a department, division, office, or program under their direction, as those appropriations are set forth in the Operating Budget adopted by the respective County Councils and pursuant to this Resolution, provided however that any cumulative budget adjustments increasing budget control levels by an amount in excess of \$50,000 shall be reviewed and approved by the Commission and/or the appropriate Planning Board; and provided further that any budget adjustment which involves any change in the work program shall be reviewed and approved by the Commission and/or the affected Planning Board; and provided further that any budget adjustment which would result in the Commission exceeding the total approved budget for any of its Funds, except the Enterprise Funds, must have the prior approval of either or both County Councils, as applicable:

- Executive Director
- Secretary–Treasurer
- General Counsel
- Director of Parks – Montgomery County
- Director of Planning – Montgomery County
- Director of Parks and Recreation – Prince George's County
- Director of Planning – Prince George's County
- Chair – Prince George’s County Planning Board
- Chair – Montgomery County Planning Board; and

BE IT FURTHER RESOLVED that the transfer of funds between departments or administrative units as listed above as adopted shall require the approval of the Commission and/or the appropriate Planning Board; and

BE IT FURTHER RESOLVED that the Office of the Secretary–Treasurer and the Budget Office are authorized to review all budget adjustments and disapprove those budget adjustments for which funds are not available or which do not comply with law or Commission fiscal policies.


APPROVED AS TO LEGAL SUFFICIENCY
M-NCPPC Legal Department
Date June 9, 2020

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
FY21 ADOPTED BUDGET

MONTGOMERY COUNTY

	FY21 Proposed Budget	Council Adjustments	FY21 Adopted Budget	Positions	Workyears
ADMINISTRATION FUND					
REVENUES					
Tax Revenue (Tax rates: Real = 1.76 Cents, Personal = 4.40 Cents) Assessable Base in Billions (Real/Personal): 171.363 / 3.494	33,618,400	(2,105,893)	31,512,507		
Taxes - Interest and Penalties	50,000	-	50,000		
Intergovernmental	565,600	-	565,600		
Charges for Service	204,700	-	204,700		
Interest Income	100,000	-	100,000		
Current Revenue	34,538,700	(2,105,893)	32,432,807		
Use of Fund Balance	879,502	301,657	1,181,159		
Total Sources	35,418,202	(1,804,236)	33,613,966		
EXPENDITURES					
Commissioners' Office	1,265,196	(30,000)	1,235,196	12.00	9.50
Planning Department					
Planning Director's Office	1,441,992	-	1,441,992		
Management Services	1,270,426	-	1,270,426		
Communication Division	1,575,036	-	1,575,036		
Functional Planning & Policy	3,054,058	(325,000)	2,729,058		
Area 1	1,692,059	(25,000)	1,667,059		
Area 2	2,250,563	(200,000)	2,050,563		
Area 3	1,693,553	(25,000)	1,668,553		
Dev. Applications & Regulatory Coordination	919,206	-	919,206		
Information Technology and Innovation	3,611,371	-	3,611,371		
Research and Special Projects	1,139,647	(175,000)	964,647		
Grants	150,000	-	150,000		
Support Services	2,632,120	(31,260)	2,600,860		
Planning Total	21,430,031	(781,260)	20,648,771	151.00	116.94
Department of Human Resources and Management	2,459,657	(2,390)	2,457,267	18.49	16.64
Department of Finance	2,254,622	(28,587)	2,226,035	20.92	20.02
Legal Department	1,639,427	(60,782)	1,578,645	13.00	13.00
Merit System Board	87,200	-	87,200	0.50	0.25
Office of Inspector General	391,353	(63,808)	327,545	2.00	2.20
Corporate IT	1,735,335	(50,635)	1,684,700	8.84	8.84
Support Services	653,092	-	653,092	0.00	0.00
CAS Total	9,220,686	(206,202)	9,014,484	63.75	60.95
Non-Departmental	2,470,689	(734,174)	1,736,515		
Total Expenditures	34,386,602	(1,751,636)	32,634,966	226.75	187.39
Transfer to Special Revenue Fund	-	-	-		
Transfer to Park Fund	-	-	-		
Contingency Reserve @ 3%	1,031,600	(52,600)	979,000		
Total Expenditures and Uses	35,418,202	(1,804,236)	33,613,966		

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
FY21 ADOPTED BUDGET

MONTGOMERY COUNTY

	FY21 Proposed Budget	Council Adjustments	FY21 Adopted Budget	Positions	Workyears
PARK FUND					
REVENUES					
Tax Revenue (Tax Rate: Real = 6.00 cents, Personal = 15.00 cents)	110,615,500	(3,186,499)	107,429,001		
Assessable Base in Billions (Real/Personal): 171.363 / 3.494					
Taxes - Interest and Penalties	200,000	-	200,000		
Intergovernmental	4,219,782	(233,886)	3,985,896		
Charges for Service	2,478,793	-	2,478,793		
Rentals/Concessions	755,000	-	755,000		
Interest Income	100,000	-	100,000		
Miscellaneous Revenues	102,100	-	102,100		
Current Revenue	118,471,175	(3,420,385)	115,050,790		
Transfer from CIP	25,000	-	25,000		
Transfer from Capital Equipment Fund	-	-	-		
Transfer from Administration Fund	-	-	-		
Use of Fund Balance	1,497,068	(805,912)	691,156		
Total Sources	119,993,243	(4,226,297)	115,766,946		
EXPENDITURES					
Operating Divisions					
Director of Parks	1,589,025	(49)	1,588,976		
Public Affairs & Community Partnerships	3,612,639	(269,412)	3,343,227		
Management Services	2,844,865	(151,817)	2,693,048		
Information Technology and Innovation	2,728,668	(39,400)	2,689,268		
Park Planning and Stewardship	6,711,207	(227,209)	6,483,998		
Park Development	4,143,841	(100,697)	4,043,144		
Park Police	15,018,761	(24,600)	14,994,161		
Horticulture, Forestry & Environmental Education	10,662,939	(33,625)	10,629,314		
Facilities Management	13,885,513	(514,657)	13,370,856		
Northern Parks	11,026,996	(139,870)	10,887,126		
Southern Parks	15,708,914	(366,359)	15,342,555		
Support Services	12,745,320	(210,395)	12,534,925		
Grants	400,000	-	400,000		
Non-Departmental	8,026,045	(1,928,107)	6,097,938		
Total Expenditures	109,104,733	(4,006,197)	105,098,536		
Transfer to Debt Service	7,165,410	-	7,165,410		
Transfer to CIP	450,000	(100,000)	350,000		
Contingency Reserve @ 3%	3,273,100	(120,100)	3,153,000		
Total Expenditures and Uses	119,993,243	(4,226,297)	115,766,946	774.00	758.70
ADVANCE LAND ACQUISITION DEBT SERVICE FUND					
REVENUES					
Tax Revenue (Tax Rate: Real = 0.10 cents, Personal = 0.25 cents)	2,087,700	(19,519)	2,068,181		
Assessable Base in Billions (Real/Personal): 197.440 / 4.235					
Current Revenue	2,087,700	(19,519)	2,068,181		
Use of Fund Balance	-	-	-		
Total Sources	2,087,700	(19,519)	2,068,181		
EXPENDITURES					
Debt Service	142,600	-	142,600		
Total Expenditures	142,600	-	142,600		
Transfer to ALA Revolving Fund	1,945,100	(19,519)	1,925,581		
Total Expenditures and Uses	2,087,700	(19,519)	2,068,181		
TOTAL TAX-SUPPORTED FUNDS, LESS RESERVES & ALA TRANSFER	151,249,345	(5,857,833)	145,391,512	1,000.75	946.09

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
FY21 ADOPTED BUDGET

MONTGOMERY COUNTY

	FY21 Proposed Budget	Council Adjustments	FY21 Adopted Budget	Positions	Workyears
<u>ADVANCE LAND ACQUISITION REVOLVING FUND</u>					
REVENUES					
Interest Income	100,000	-	100,000		
Current Revenue	100,000	-	100,000		
Transfer from ALA Debt Service Fund	1,945,100	(19,519)	1,925,581		
Use of Fund Balance	8,421,506	-	8,421,506		
Total Sources	10,466,606	(19,519)	10,447,087		
EXPENDITURES					
Land	10,466,606	(19,519)	10,447,087		
Total Expenditures	10,466,606	(19,519)	10,447,087		
<u>PARK DEBT SERVICE FUND</u>					
REVENUES					
Intergovernment	200,000		200,000		
Premiums on Bonds Issued	75,000		75,000		
Transfer from Park Fund	7,165,410	-	7,165,410		
Total Sources	7,440,410	-	7,440,410		
EXPENDITURES					
Debt Service	7,440,410	-	7,440,410		
Total Expenditures	7,440,410	-	7,440,410		
<u>CAPITAL PROJECTS FUND</u>					
REVENUES					
Intergovernmental	34,420,000	(14,243,000)	20,177,000		
Interest	25,000	-	25,000		
Bond Proceeds	7,375,000	(2,550,000)	4,825,000		
Contributions	3,650,000	800,000	4,450,000		
Miscellaneous	-	-	-		
Current Revenue	45,470,000	(15,993,000)	29,477,000		
Transfer from Park Fund	450,000	(100,000)	350,000		
Transfer from Enterprise Fund	2,550,000	-	2,550,000		
Total Sources	48,470,000	(16,093,000)	32,377,000		
EXPENDITURES					
Park Acquisition & Development	48,445,000	(16,093,000)	32,352,000		
Total Expenditures	48,445,000	(16,093,000)	32,352,000		
Transfer to Park Fund	25,000	-	25,000		
Total Expenditures and Uses	48,470,000	(16,093,000)	32,377,000		
<u>ENTERPRISE FUND</u>					
REVENUES					
Charges for Service	12,215,136	-	12,215,136		
Interest Income	393,000	-	393,000		
Current Revenue	12,608,136	-	12,608,136		
Use of Fund Balance	576,452	(85,479)	490,973		
Total Sources	13,184,588	(85,479)	13,099,109		
EXPENDITURES					
Operations	10,634,588	(85,479)	10,549,109		
Total Expenditures	10,634,588	(85,479)	10,549,109		
Transfer to CIP	2,550,000	-	2,550,000		
Total Expenditures and Uses	13,184,588	(85,479)	13,099,109	38.00	121.80
Revenues Over/(Under) Expenditures	-	-	-		

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
FY21 ADOPTED BUDGET

MONTGOMERY COUNTY

	FY21 Proposed Budget	Council Adjustments	FY21 Adopted Budget	Positions	Workyears
<u>PROPERTY MANAGEMENT FUND</u>					
REVENUES					
Rental Revenue	1,561,500	(9,829)	1,551,671		
Interest Income	25,000	-	25,000		
Current Revenue	1,586,500	(9,829)	1,576,671		
Use of Fund Balance	-	-	-		
Total Sources	1,586,500	(9,829)	1,576,671		
EXPENDITURES					
Operating Expenditures	1,586,500	(9,829)	1,576,671	4.00	5.80
Total Expenditures	1,586,500	(9,829)	1,576,671		
<u>SPECIAL REVENUE FUND</u>					
REVENUES					
Intergovernmental	1,902,450	-	1,902,450		
Charges for Service	3,568,260	-	3,568,260		
Interest Income	110,000	-	110,000		
Current Revenue	5,580,710	-	5,580,710		
Transfer from Administration Fund	-	-	-		
Use of Fund Balance	1,771,719	-	1,771,719		
Total Sources	7,352,429	-	7,352,429		
EXPENDITURES					
Operations	7,352,429	-	7,352,429	0.00	38.25
Total Expenditures	7,352,429	-	7,352,429		
Revenues Over/(Under) Expenditures	-	-	-		
TOTAL OPERATING BUDGET LESS RESERVES AND ALARF	229,283,272	(22,046,141)	207,237,131	1,042.75	1,111.94

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
FY21 ADOPTED BUDGET

MONTGOMERY COUNTY

	FY21 Proposed Budget	Council Adjustments	FY21 Adopted Budget	Positions	Workyears
<u>CAPITAL EQUIPMENT INTERNAL SERVICE FUND</u>					
REVENUES					
Charges for Service	1,323,900	(29,257)	1,294,643		
Debt Proceeds	1,800,000	-	1,800,000		
Interest Income	10,000	-	10,000		
Current Revenue	3,133,900	(29,257)	3,104,643		
Transfer in	562,194	-	562,194		
Use of Fund Balance	-	-	-		
Total Sources	3,696,094	(29,257)	3,666,837		
EXPENDITURES					
Operations	2,951,413	-	2,951,413		
Debt Service	705,000	-	705,000		
Total Expenditures	3,656,413	-	3,656,413		
Transfer to Park Fund	-	-	-		
Total Expenditures and Uses	3,656,413	-	3,656,413		
Revenues Over/(Under) Expenditures	39,681	(29,257)	10,424		
Capital Equipment - Financed for the Parks & Planning Depts	1,800,000	-	1,800,000		
Capital Equipment - Financed for the IT Initiatives	-	-	-		
<u>CIO/CWIT INTERNAL SERVICE FUND</u>					
REVENUES					
Charges for Service	1,998,333	(71,960)	1,926,373		
Debt Proceeds	-	-	-		
Interest Income	-	-	-		
Current Revenue	1,998,333	(71,960)	1,926,373		
Use of Fund Balance	-	-	-		
Total Sources	1,998,333	(71,960)	1,926,373		
EXPENDITURES					
Operations	1,987,970	(36,135)	1,951,835		
Debt Service	-	-	-		
Total Expenditures	1,987,970	(36,135)	1,951,835	3.50	3.50
Transfer to Park Fund	-	-	-		
Total Expenditures and Uses	1,987,970	(36,135)	1,951,835		
Revenues Over/(Under) Expenditures	10,363	(35,825)	(25,462)		
<u>RISK MANAGEMENT INTERNAL SERVICE FUND</u>					
REVENUES					
Charges for Service	3,211,900	-	3,211,900		
Interest Income	200,000	-	200,000		
Current Revenue	3,411,900	-	3,411,900		
Use of Fund Balance	201,375	(9,951)	191,424		
Total Sources	3,613,275	(9,951)	3,603,324		
EXPENDITURES					
Operations	3,613,275	(9,951)	3,603,324	3.00	3.40
Total Expenditures	3,613,275	(9,951)	3,603,324		
Revenues Over/(Under) Expenditures	-	-	-		
<u>WHEATON HEADQUARTERS BUILDING INTERNAL SERVICE FUND</u>					
REVENUES					
Intergovernmental	1,592,808	-	1,592,808		
Charges for Service	1,201,592	-	1,201,592		
Current Revenue	2,794,400	-	2,794,400		
Use of Fund Balance	-	-	-		
Total Sources	2,794,400	-	2,794,400		
EXPENDITURES					
Operations	2,794,400	-	2,794,400		
Total Expenditures	2,794,400	-	2,794,400		
Revenues Over/(Under) Expenditures	-	-	-		
Total Montgomery County (including reserves, transfers)	258,051,736	(22,303,965)	235,747,771	1,049.25	1,118.84

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
FY21 ADOPTED BUDGET

PRINCE GEORGE'S COUNTY

	FY21 Proposed Budget	Council Adjustments	FY21 Adopted Budget	Positions	Workyears
ADMINISTRATION FUND					
REVENUES					
Tax Revenue (Tax rates: Real = 5.660 Cents, Personal = 14.150 Cents) Assessable Base in Billions (Real/Personal): 98.411 / 2.887	58,738,100	757,900	59,496,000		
Taxes - Interest and Penalties	150,000	-	150,000		
Intergovernmental	247,517	-	247,517		
Service Charges	650,000	-	650,000		
Interest Income	2,000,000	(1,000,000)	1,000,000		
Miscellaneous Revenue	-	-	-		
Current Revenue	61,785,617	(242,100)	61,543,517		
Use of Fund Balance	-	-	-		
Total Sources	61,785,617	(242,100)	61,543,517		
EXPENDITURES					
Commissioners' Office	3,426,221	-	3,426,221	16.50	14.50
Planning Department					
Director's Office	4,839,697	-	4,839,697		
Development Review	6,611,496	-	6,611,496		
Community Planning	4,820,047	-	4,820,047		
Information Management	6,894,925	-	6,894,925		
Countywide Planning	8,464,755	114,303	8,579,058		
Support Services	6,570,104	-	6,570,104		
Grants	-	-	-		
Planning Total	38,201,024	114,303	38,315,327	186.50	186.25
Department of Human Resources and Management	3,234,655	(2,390)	3,232,265	24.51	23.36
Department of Finance	2,847,237	(39,238)	2,807,999	26.08	24.98
Legal Department	1,365,584	(9,840)	1,355,744	12.00	12.00
Merit System Board	87,200	-	87,200	0.50	0.25
Office of Inspector General	493,660	(100,764)	392,896	3.00	3.30
Corporate IT	1,269,835	(49,105)	1,220,730	9.16	9.16
Support Services	816,020	-	816,020	0.00	0.00
CAS Total	10,114,191	(201,337)	9,912,854	75.25	73.05
NonDepartmental	3,032,751	(756,450)	2,276,301		
Total Expenditures	54,774,187	(843,484)	53,930,703	278.25	273.80
Transfer to Park Fund	3,000,000	-	3,000,000		
Transfer to Capital Projects Fund	30,000	-	30,000		
Contingency Reserve @ 5%	2,738,700	(42,200)	2,696,500		
Total Expenditures and Uses	60,542,887	(885,684)	59,657,203		

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
FY21 ADOPTED BUDGET

PRINCE GEORGE'S COUNTY

<u>PARK FUND</u>	<u>FY21 Proposed Budget</u>	<u>Council Adjustments</u>	<u>FY21 Adopted Budget</u>	<u>Positions</u>	<u>Workyears</u>
REVENUES					
Tax Revenue (Tax Rate: Real = 15.940 cents, Personal = 39.850 cents) Assessable Base in Billions (Real/Personal): 95.305 / 2.796	160,201,400	2,066,700	162,268,100		
Taxes - Interest and Penalties	450,000	-	450,000		
Intergovernmental	542,177	-	542,177		
Service Charges	81,800	-	81,800		
Interest Income	3,000,000	(1,500,000)	1,500,000		
Rentals/Concessions	2,734,765	-	2,734,765		
Miscellaneous Revenues	623,500	-	623,500		
Current Revenue	167,633,642	566,700	168,200,342		
Transfer from Admin Fund	3,000,000	-	3,000,000		
Transfer from CIP	500,000	-	500,000		
Use of Fund Balance	20,686,038	(3,223,315)	17,462,723		
Total Sources	191,819,680	(2,656,615)	189,163,065		
EXPENDITURES					
Operating Divisions					
Office of the Director	22,640,774	(97,046)	22,543,728		
Administration and Development	36,708,523	(589,772)	36,118,751		
Facility Operations	42,427,254	(514,463)	41,912,791		
Area Operations	21,320,740	(123,130)	21,197,610		
NonDepartmental	8,836,070	(1,777,104)	7,058,966		
Total Expenditures	131,933,361	(3,101,515)	128,831,846		
Transfer to Debt Service	14,839,619	-	14,839,619		
Transfer to CIP	38,450,000	600,000	39,050,000		
Contingency Reserve @ 5%	6,596,700	(155,100)	6,441,600		
Total Expenditures and Uses	191,819,680	(2,656,615)	189,163,065	815.00	1,028.11

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
FY21 ADOPTED BUDGET

PRINCE GEORGE'S COUNTY

	FY21 Proposed Budget	Council Adjustments	FY21 Adopted Budget	Positions	Workyears
RECREATION FUND					
REVENUES					
Tax Revenue (Tax Rate: Real = 7.800 cents, Personal = 19.500 cents)	83,752,400	1,080,400	84,832,800		
Assessable Base in Billions (Real/Personal): 101.822 / 2.987					
Taxes - Interest and Penalties	200,000	-	200,000		
Intergovernmental	265,306	-	265,306		
Service Charges	9,302,983	-	9,302,983		
Rentals/Concessions	1,248,910	-	1,248,910		
Interest Income	1,500,000	(750,000)	750,000		
Miscellaneous Revenues	95,800	-	95,800		
Current Revenue	96,365,399	330,400	96,695,799		
Use of Fund Balance	4,245,017	(1,301,615)	2,943,402		
Total Sources	100,610,416	(971,215)	99,639,201		
EXPENDITURES					
Operating Divisions					
Administration and Development	11,650,358	420,906	12,071,264		
Facility Operations	23,662,784	(336,509)	23,326,275		
Area Operations	36,880,021	(174,572)	36,705,449		
Non-Departmental	5,791,429	(673,808)	5,117,621		
Total Expenditures	77,984,592	(763,983)	77,220,609		
Transfer to Enterprise Fund	8,311,024	(160,932)	8,150,092		
Transfer to Capital Projects Fund	10,000,000	-	10,000,000		
Contingency Reserve @ 5%	4,314,800	(46,300)	4,268,500		
Total Expenditures and Uses	100,610,416	(971,215)	99,639,201	315.00	1,177.17
ADVANCE LAND ACQUISITION DEBT SERVICE FUND					
REVENUES					
Tax Revenue (Tax Rate: Real = 0.00 cents, Personal = 0.00 cents)	-	-	-		
Assessable Base in Billions (Real/Personal): 101.822 / 2.987					
Use of Fund Balance	-	-	-		
Total Sources	-	-	-		
EXPENDITURES					
Debt Service	-	-	-		
Total Expenditures	-	-	-		
Transfer to ALA Revolving Fund	-	-	-		
Total Expenditures and Uses	-	-	-		
TOTAL TAX-SUPPORTED FUNDS, LESS RESERVES & ALA TRANSFER	339,322,783	(4,269,914)	335,052,869	1,408.25	2,479.08

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
FY21 ADOPTED BUDGET

PRINCE GEORGE'S COUNTY

	FY21 Proposed Budget	Council Adjustments	FY21 Adopted Budget	Positions	Workyears
<u>ADVANCE LAND ACQUISITION REVOLVING FUND</u>					
REVENUES					
Interest Income	-	-	-		
	Current Revenue				
Transfer from ALA Debt Service Fund	-	-	-		
Use of Fund Balance	299,279	-	299,279		
Total Sources	299,279	-	299,279		
EXPENDITURES					
Land	299,279	-	299,279		
Total Expenditures and Uses	299,279	-	299,279		
<u>PARK DEBT SERVICE FUND</u>					
REVENUES					
Premiums on Bonds Issued	225,000	-	225,000		
Transfer from Park Fund	14,839,619	-	14,839,619		
Total Sources	15,064,619	-	15,064,619		
EXPENDITURES					
Debt Service	15,064,619	-	15,064,619		
Total Expenditures	15,064,619	-	15,064,619		
<u>CAPITAL PROJECTS FUND</u>					
REVENUES					
Intergovernmental	3,000,000	9,054,810	12,054,810		
Interest/Contribution	2,500,000	-	2,500,000		
Bond Proceeds	10,250,000	-	10,250,000		
Miscellaneous	-	-	-		
	Current Revenue				
Transfer from Park Fund	38,450,000	600,000	39,050,000		
Transfer from Recreation Fund	10,000,000	-	10,000,000		
Transfer from Administration Fund	30,000	-	30,000		
Use of Fund Balance	-	-	-		
Total Sources	64,230,000	9,654,810	73,884,810		
EXPENDITURES					
Park Acquisition & Development	63,730,000	9,654,810	73,384,810		
Total Expenditures	63,730,000	9,654,810	73,384,810		
Transfer to Park Fund	500,000	-	500,000		
Total Expenditures and Uses	64,230,000	9,654,810	73,884,810		
<u>ENTERPRISE FUND</u>					
REVENUES					
Charges for Service	10,748,200	-	10,748,200		
Interest Income	250,000	-	250,000		
	Current Revenue				
Transfers from Recreation Fund	8,311,024	(160,932)	8,150,092		
Total Sources	19,309,224	(160,932)	19,148,292		
EXPENDITURES					
Operations	19,309,224	(160,932)	19,148,292		
Total Expenditures and Uses	19,309,224	(160,932)	19,148,292	69.00	258.60
Revenues Over/(Under) Expenditures	-	-	-		
<u>SPECIAL REVENUE FUND</u>					
REVENUES					
Intergovernmental	950,000	-	950,000		
Charges for Service	6,946,734	-	6,946,734		
Interest Income	50,000	-	50,000		
Miscellaneous	182,628	-	182,628		
	Current Revenue				
Transfer from Administration Fund	-	-	-		
Use of Fund Balance	28,700	-	28,700		
Total Sources	8,158,062	-	8,158,062		
EXPENDITURES					
Operations	8,158,062	-	8,158,062		
Total Expenditures	8,158,062	-	8,158,062		
Transfer to CIP	-	-	-		
Total Expenditures and Uses	8,158,062	-	8,158,062	0.00	189.10
Revenues Over/(Under) Expenditures	-	-	-		
TOTAL OPERATING BUDGET LESS RESERVES AND ALARF	446,084,688	5,223,964	451,308,652	1,477.25	2,926.78

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
FY21 ADOPTED BUDGET

PRINCE GEORGE'S COUNTY

	FY21 Proposed Budget	Council Adjustments	FY21 Adopted Budget	Positions	Workyears
<u>CAPITAL EQUIPMENT INTERNAL SERVICE FUND</u>					
REVENUES					
Charges for Service	789,127	-	789,127		
Debt Proceeds	-	-	-		
Interest Income	-	-	-		
Current Revenue	789,127	-	789,127		
Use of Fund Balance	-	-	-		
Total Sources	789,127	-	789,127		
EXPENDITURES					
Operations	-	-	-		
Debt Service	-	-	-		
Total Expenditures	-	-	-		
Revenues Over/(Under) Expenditures	789,127	-	789,127		
Capital Equipment - Financed for Park & Rec	-	-	-		
Capital Equipment - Financed for IT Initiatives	-	-	-		
<u>CIO/CWIT INTERNAL SERVICE FUND</u>					
REVENUES					
Charges for Service	3,098,599	(25,490)	3,073,109		
Debt Proceeds	-	-	-		
Interest Income	-	-	-		
Current Revenue	3,098,599	(25,490)	3,073,109		
Use of Fund Balance	-	-	-		
Total Sources	3,098,599	(25,490)	3,073,109		
EXPENDITURES					
Operations	3,007,717	(38,617)	2,969,100		
Debt Service	-	-	-		
Total Expenditures	3,007,717	(38,617)	2,969,100	3.50	3.50
Revenues Over/(Under) Expenditures	90,882	13,127	104,009		
Capital Equipment - Financed for IT Initiatives	-	-	-		
<u>RISK MANAGEMENT INTERNAL SERVICE FUND</u>					
REVENUES					
Charges for Service	4,056,100	-	4,056,100		
Claims Recovery	-	-	-		
Interest Income	400,000	-	400,000		
Current Revenue	4,456,100	-	4,456,100		
Use of Fund Balance	626,175	(9,951)	616,224		
Total Sources	5,082,275	(9,951)	5,072,324		
EXPENDITURES					
Operations	5,082,275	(9,951)	5,072,324	3.00	3.40
Total Expenditures	5,082,275	(9,951)	5,072,324		
Revenues Over/(Under) Expenditures	-	-	-		
Total Prince George's County (including reserves, transfers)	468,124,159	4,931,796	473,055,955	1,483.75	2,933.68

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
FY21 ADOPTED BUDGET

COMMISSION-WIDE FUNDS

	FY21 Proposed Budget	Council Adjustments	FY21 Adopted Budget	Positions	Workyears
EXECUTIVE OFFICE INTERNAL SERVICE FUND					
REVENUES					
Charges For Service	1,352,000	-	1,352,000		
Interest Income	50,000	-	50,000		
Current Revenue	1,402,000	-	1,402,000		
Use of Fund Balance	77,338	(4,766)	72,572		
Total Sources	1,479,338	(4,766)	1,474,572		
EXPENDITURES					
Operating Expenses	1,479,338	(4,766)	1,474,572	2.00	2.00
Revenues Over/(Under) Expenditures	-	-	-		
GROUP HEALTH INSURANCE FUND					
REVENUES					
Intergovernmental	2,000,000	-	2,000,000		
Charges For Service	68,889,849	-	68,889,849		
Interest Income	300,000	-	300,000		
Total Sources	71,189,849	-	71,189,849		
EXPENDITURES					
Operating Expenditures	71,302,154	(20,112)	71,282,042		
Total Expenditure	71,302,154	(20,112)	71,282,042	6.00	6.20
Transfer to OPEB Trust Fund	562,194	-	562,194		
Total Expenditure and Uses	71,864,348	(20,112)	71,844,236		
Revenues Over/(Under) Expenditures	(674,499)	20,112	(654,387)		
Total Commission-wide Funds	73,343,686	(24,878)	73,318,808	8.00	8.20
Montgomery County Funds	258,051,736	(22,303,965)	235,747,771	1,049.25	1,118.84
Prince George's County Funds	468,124,159	4,931,796	473,055,955	1,483.75	2,933.68
Commission-wide Funds	73,343,686	(24,878)	73,318,808	8.00	8.20
TOTAL ALL FUNDS (includes reserves)	799,519,581	(17,397,047)	782,122,534	2,541.00	4,060.72

M-NCPPC
OPERATING BUDGET ADJUSTMENT REQUEST

TRANSFER FROM						
Fund #	Dept Name	Division Name	AU #	Account #	Account Name	Amount
TOTAL						-

TRANSFER TO						
Fund #	Dept Name	Division Name	AU #	Account #	Account Name	Amount
535	CIO	CWIT	53700	7325	Professional Services	(46,470)
TOTAL						(46,470)

DESCRIPTION:
To reduce the expenditure side of the Commission-wide IT Project budget for FY21, to match the reduction on the revenue side.

JUSTIFICATION:
The MC side of the budget, as adopted by the MC Council, was in error on the expenditure side of the internal service fund. Revenue side is not noted in the MC adoption process, so this was corrected in the Commission budget adoption. This budget adjustment will correct the expenditure side.

Originator & Date:	John Kroll	6/5/2020
Department Director Approval & Date:		
Corporate Budget Director Approval & Date:	John Kroll	6/5/2020
Secretary-Treasurer Approval & Date:		
Planning Board Approval & Date		

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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

M-NCPPC RESOLUTION NO. 20-10

APPROVAL OF FISCAL YEAR 2021 EMPLOYER CONTRIBUTION
FOR RETIREE GROUP HEALTH INSURANCE

WHEREAS, the Maryland-National Capital Park and Planning Commission (the “Commission”) as “Plan Sponsor” entered into an Amended and Restated Post-Retirement Insurance Benefits Program Trust Agreement as of July 1, 2007 (“the Agreement”); and

WHEREAS, Section 1.1 of the Agreement states that the Plan Sponsor shall contribute such amounts as it deems necessary, in its sole discretion, from time to time, to meet its benefit obligations under the Group Health Insurance Plan (“Plan”). Contributions shall be made to the Trust Fund (“Section 115 Trust Fund”) on a periodic basis or in a lump-sum in the discretion of the Plan Sponsor. The Plan Sponsor shall not be required to make contributions unless (and only to the extent) it has obligated itself to do so by resolution; and

WHEREAS, although the Commission expects to continue the Group Health Insurance Plan (the “Plan”), it is the Commission’s position that there is no implied contract between employees and the Commission to do so and that the creation of a retiree health benefit was not the product of collective bargaining negotiations. Therefore, the Commission reserves the right at any time and for any reason to amend or terminate the Plan, subject to the needs of the Commission and subject to any applicable collective bargaining; and

WHEREAS, the Plan Sponsor engaged Bolton Partners, Inc. (“the Actuary”) to prepare a Retiree Healthcare Programs Actuarial Valuation as of July 1, 2019; and

WHEREAS, after consideration of the Retiree Healthcare Programs Actuarial Valuation as of July 1, 2019 projected a Fiscal Year 2021 Plan Sponsor contribution consisting of \$7,627,000 for prefunding the Section 115 Trust Fund; and

WHEREAS, funding of the current portion will come from the Commission and the Maryland-National Capital Park and Planning Commission Employees’ Retirement System (for its retirees) in the amounts of \$7,602,277 and \$24,723, respectively.

NOW THEREFORE, BE IT RESOLVED, that the Commission as Plan Sponsor approves a \$7,627,000 payment to the Section 115 Trust Fund; and

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:

William Dickerson,
M-NCPPC Legal Department,
June 5, 2020

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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

June 9, 2020

TO: The Commission

VIA: Asuntha Chiang-Smith, Executive Director

FROM: Anju A. Bennett, Director, Corporate Policy and Management Operations (CPMO)
Brian Coburn, Senior Management Analyst
Michael Beckham, Policy Manager

SUBJECT: Evaluation of Pilot Standby Program for Agency Critical Operations

Requested Action

The Commission is asked to support a 1-year extension of a pilot program on Standby Compensation through Resolution 20-11 (Attachment A). This Standby Program was adopted by the Commission in 2019 through M-NCPPC Resolution 19-01 and accompanying Administrative Procedures (Attachment B), to establish a compensation component for non-represented positions that must provide regular after-hours coverage to support agency operations. More specifically, the Program recognizes that certain IT Support and Trades Supervisor functions need to remain on “Standby” status to address unplanned, critical needs that arise outside of regular day time work hours. In return for remaining on Standby status for 7 days of evening and weekend coverage, eligible positions receive 8 hours of compensation each week (as either Compensatory Leave or straight pay).

During the initial approval of the Program, Commissioners requested the Pilot Program be evaluated at the end of one year to determine its success. This evaluation was completed recently and Department Heads requested continuation of the Pilot Program, especially with additional needs arising from the agency’s COVID-19 response. The Executive Committee supports a one year extension of the Pilot Program to address immediate operational needs while allowing the agency to continue evaluating the future continuation or modification of the Program, in light of evolving fiscal conditions.

Background

The need for a Standby Program for non-represented employees was identified by the operating departments who indicated:

- Prior to the implementation of the pilot program, the agency did not have an effective mechanism to recognize Standby compensation for non-represented employees. Standby compensation programs only existed for positions represented by the FOP (such as Police) and MCGEO Unions (Maintenance/Trades).
- The agency determined that certain non-represented IT support and Trades positions must provide regular after-hours coverage for critical functions throughout the 7-day week. For example, IT support is expected to provide round-the-clock support to public-facing programs and police operations. Similarly, each county utilizes Trades Supervisors who remain on call to address after-hours emergency repairs at agency facilities.

- Typically, Prince George’s Parks and Recreation and Montgomery Parks/Planning departments must have 1 Trade Supervisor and 1 IT support professional on Standby each week for their respective departments.
- Departments expressed difficulty in getting employees to provide regular Standby coverage without appropriate compensation for the additional effort.
- The agency reviewed other positions which might qualify for Standby compensation such as public affairs and safety/risk positions. However, it was determined that for many of these positions, work outside normal business hours was less frequent and readily addressed through flexing out of extra hours or through standard overtime policies.

Following extensive research of existing agency compensation policies, collective bargaining agreements, and policies adopted by County and State agencies, the agency adopted a pilot Standby program that which provides for:

- Department Heads designate employees to serve in Standby status for 7 consecutive calendar days, during which the employee must respond to all after-hours needs. Employees are designated to Standby status on a rotating basis. Generally, each county has one IT staff person and one Trades supervisor on call for any given week.
- The employee receives 8 hours of compensation either as Compensatory Leave or straight pay for each week of Standby assignment. The form of compensation is determined by the Department Head and subject to budget availability.
- Standby compensation is granted for remaining in a ready to respond status and addressing issues that can be readily handled under 30 minutes, per service call. Service calls that take more than 30 minutes, either on-site or remotely, are tracked for appropriate compensation consistent agency policies on overtime.

Departmental Feedback on Use of Standby

The Policy Team requested input from Departmental IT and Trades Division Chiefs to assess the Program’s use over the pilot period. The following information was provided:

<i>Average standby response during 7-calendar day assignment</i>	Prince George’s County IT	Montgomery County IT	Prince George’s County Trades	Montgomery County Trades
The number of employees on assignment.	1 per week	1 per week	1 per week	1 per week
Average number of after-hour calls which require an immediate response	12-18 calls per week	10-16 calls per week	12-16 calls per week	10-14 calls per week
Average time spent responding on after-hour calls each week.	Approximately 6-10 hours	Approximately 6-10 hours	Approximately 8-12 hours	Approximately 8-12 hours
Percentage of service calls successfully resolved through Standby response.	100%	100%	100%	100%

Attachments on Existing Adopted Program for background information only:

- A. Commission Resolution 20-11, (Copy included for Action by Commission June 17, 2020) Approval Extension of Existing Standby Compensation Pilot Program for Designated IT Specialist and Trades Supervisor Positions Below the Division Chief Level.

- B. Commission Resolution 19-01 (Approved May 2019), Approval of Standby Compensation Pilot Program for Designated IT Specialist and Trades Supervisor Positions Below the Division Chief Level and Administrative Procedures 19-01, Standby Program for Agency Critical Operations.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

M-NCPPC Resolution 20-11

**Extension of Existing Standby Compensation Pilot Program for
Designated IT Specialists and Trades Supervisor Positions Below the Division Chief Level**

WHEREAS, the Maryland-National Capital Park and Planning Commission (“M-NCPPC”) has the authority to set the compensation of employees and contractors pursuant to § 15-110 of the Land Use Article of the Annotated Code of Maryland; and

WHEREAS, there is a regular operational need for certain positions to provide after-hours support for critical functions throughout the 7-day week; and

WHEREAS, departments have expressed difficulty in getting employees to provide the needed coverage on a volunteer basis within the established compensation system for non-represented employees; and

WHEREAS, the Standby Compensation Pilot Program has been in effect for one (1) year and has successfully met these operational needs by recognizing the placement of designated IT specialist and Trades supervisor positions, at Grade J, 30, 32 (or their equivalency), and below, in a “ready to respond” status to address after-hours needs; and

WHEREAS, the Pilot Program provides for compensation to such employees with eight (8) hours of straight time compensation for providing after-hours coverage over a 7-consecutive day period, in the form of compensatory leave or straight pay, as determined by the Department Head and subject to budget availability; and

WHEREAS, the agency finds it beneficial to extend the current Pilot Program for one (1) year to further evaluate and address any changes in operational needs for Standby.

NOW, THEREFORE BE IT RESOLVED, that the Maryland-National Capital Park and Planning Commission approves, and does hereby authorize, a one (1) year extension of the Standby Compensation Pilot Program for designated IT specialist and Trades supervisor positions, at Grade J, 30, 32 (or their equivalency), and below; and

BE IT FURTHER RESOLVED, that such employees shall be compensated with eight (8) hours of straight time compensation for providing after-hours coverage over a 7-consecutive day period, in the form of either compensatory leave or straight pay, as determined by the Department Head and subject to budget availability; and

BE IT FURTHER RESOLVED, the Executive Director is authorized to promulgate operating procedures in the form of Administrative Procedures to implement the pilot program.

BE IT FURTHER RESOLVED, in conjunction with the Department Heads, the Executive Director shall re-evaluate the program in June 2021, and provide a recommendation to the Executive Committee.

Be it FURTHER RESOLVED, that the Commission authorizes the Executive Committee to make a determination at the end of the extension period, whether to continue, modify, or terminate the program.

APPROVED FOR LEGAL SUFFICIENCY:

William Dickerson,
M-NCPPC Legal Department,
June 8, 2020



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

M-NCPPC 19-01

**Approval of Standby Compensation Pilot Program for
Designated IT Specialist and Trades Supervisor Positions Below the Division Chief Level**

WHEREAS, the Maryland-National Capital Park and Planning Commission (“M-NCPPC”) has the authority to set the compensation of employees and contractors pursuant to § 15-110 of the Land Use Article of the Annotated Code of Maryland; and

WHEREAS, there is a regular operational need for certain positions to provide after-hours support for critical functions throughout the 7-day week; and

WHEREAS, departments have expressed difficulty in getting employees to provide the needed coverage on a volunteer basis within the established compensation system for non-represented employees; and

WHEREAS, a one (1) year Standby compensation pilot program has been proposed in an effort to meet these operational needs and recognize the placement of designated IT specialist and Trades supervisor positions, at Grade J, 30, 32 (or their equivalency), and below, in a “ready to respond” status to address after-hours needs, to be effective April 7, 2019; and

WHEREAS, the proposed pilot program would provide for compensating such employees with eight (8) hours of straight time compensation for providing after-hours coverage over a 7-consecutive day period, in the form of compensatory leave or straight pay, as determined by the Department Head and subject to budget availability; and

NOW THEREFORE, BE IT RESOLVED, that the Maryland-National Capital Park and Planning Commission approves, and does hereby authorize, the establishment of a Standby compensation pilot program for designated IT specialist and Trades supervisor positions, at Grade J, 30, 32 (or their equivalency), and below; and

BE IT FURTHER RESOLVED, that such employees shall be compensated with eight (8) hours of straight time compensation for providing after-hours coverage over a 7-consecutive day period, in the form of either compensatory leave or straight pay, as determined by the Department Head and subject to budget availability; and


BE IT FURTHER RESOLVED, the Executive Director is authorized to promulgate operating procedures in the form of Administrative Procedures to implement the pilot program.

BE IT FURTHER RESOLVED, in conjunction with the Department Heads, the Executive Director shall re-evaluate and report back to the Commission regarding this pilot program at the end of one year.

This is to certify that the foregoing is a true and correct copy of Resolution No. 19-01, adopted by the Maryland-National Capital Park and Planning Commission on motion of Commissioner Patterson, seconded by Commissioner Doerner, with Chair Hewlett, Vice-Chair Anderson, Commissioners Bailey, Cichy, Doerner, Patterson and Washington voting in favor of the motion at the meeting held on Wednesday, March 13, 2019 at the Prince George's County Parks and Recreation Administration Building Auditorium at 6600 Kenilworth Avenue in Riverdale, Maryland. Commissioners Dreyfuss, Fani-Gonzalez and Geraldo were absent from the vote.



Anju A. Bennett
Acting Executive Director

APPROVED AS TO LEGAL SUFFICIENCY

M-NCPPC Legal Department
Date 5/2/19



ADMINISTRATIVE PROCEDURES

Authorized by:

No. 19-01

Anju A. Bennett
Acting Executive Director

Original issue: 05/03/2019

Last amended: 05/03/2019

Last reviewed: 05/03/2019

STANDBY PROGRAM FOR AGENCY CRITICAL OPERATIONS

AUTHORITY

These Administrative Procedures were issued by the Executive Director on May 3, 2019 to implement Resolution 19-01, Approval of Standby Compensation Pilot Program for Designated IT Specialist and Trades Supervisor Positions Below the Division Chief Level.

REFERENCES

- M-NCPPC Resolution 19-01, Approval of Standby Compensation Pilot Program for Designated IT Specialist and Trades Supervisor Positions Below the Division Chief Level
- M-NCPPC Merit System Rules and Regulations, Chapter 1200, Employee Compensation

OVERVIEW/BACKGROUND

These Procedures have been issued to implement the one-year Standby Pilot Program, effective April 7, 2019, which permits the assignment of certain positions in a “ready to respond” status to address critical agency concerns outside of normal business hours. The Pilot Program is management driven, as Department Heads expressed difficulty in getting regular after-hours coverage for critical functions.

ELIGIBLE POSITIONS

Consistent with Commission Resolution 19-01, Standby assignments may be made for non-represented Merit System employees who are in the position of a Trade Supervisor or Information Technology Specialist below the Division Chief level (Below Grade K or 34).

PROCEDURES

I. Department Head Determination of Need for Program

Each Department Head shall determine, based on critical agency concerns, whether there is a need to assign an eligible position in a “ready to respond” status (Standby assignment) to address after-hours needs. A Department Head may terminate use of the program when it is determined that it is no longer needed. A Standby assignment is not grievable.

II. Standby Assignment Conditions

When an employee is placed in a Standby assignment, they must be readily available to respond to issues that arise outside of his/her regularly scheduled work hours. An employee placed in a Standby assignment shall:

- A. Not travel beyond 1 hour from his/her designated primary work-site, unless an exception is approved in advance, in writing, by the respective Division Chief.
- B. Ensure he/she is accessible to be reached at all times via an agreed upon mode of communication (e.g., cell phone or email).
- C. Not be impaired.

An employee on a Standby assignment should be able to respond immediately; however, if unable to, then no later than 30 minutes from when the service request is made. If needed, the employee must be able to respond to the location where the issue has occurred within one (1) hour, or longer as deemed appropriate by the Division Chief managing the assignment.

III. Length of Standby Assignment

A Standby assignment is 7 calendar days in duration, from Sunday to Saturday. An individual placed on a Standby assignment is responsible for remaining in a “ready to respond” status during all hours which fall outside of their normal work schedule.

IV. Schedule Rotation

To the extent practicable, employees shall be placed on Standby assignments on a rotating basis. The rotation is to be administered by the Division Chief who supervises the assigned employee(s), with the Department Head’s or his/her designee’s approval. The Division Chief shall also make available to relevant staff the schedule of employees assigned to Standby assignments, along with the designated employee’s contact information.

In the event an employee on a Standby assignment has an unexpected absence and is unable to fulfill duties, then the Division Chief may request an alternate eligible employee to provide Standby coverage. The Division Chief may then assign the employee who had an unexpected absence to substitute an equivalent amount of time for the alternate employee during the alternate employee’s subsequent assignment.

V. Compensation

- A. Employees shall receive 8 hours of compensation for each 7-consecutive day Standby assignment, in a manner determined by their respective Department Head. The 8 hours given for a one-week standby assignment shall not be counted toward overtime calculations.
- B. The Department Head may select one of the following options, based upon availability of funding:
 - 1. 8 hours of compensatory leave earned; or
 - 2. 8 hours of pay at straight time.

The grant of compensatory leave allows a Department Head to require the use of the earned compensatory leave in subsequent pay periods, as appropriate, for managing earned compensatory leave balances.

- C. Holiday Assignments: No additional Standby compensation shall be granted for assignments which fall during weeks containing authorized or official M-NCPPC holidays.

VI. Active Duty Assignment During Standby Assignment

In addition to Standby compensation as outlined in Section V (Compensation), above, an employee who responds to a service call, either on-site or remotely, that last 30 or more minutes shall be compensated in half-hour increments for time spent on active duty, subject to appropriate pay (e.g. regular pay or overtime).

Employees must track all hours while on active duty, including response time and type of response.

VII. Completing Timecard for Standby Assignment

An employee assigned to a 7-consecutive day Standby assignment shall complete his/her timecards as follows:

- 1. Depending on which form of compensation is approved by the respective employee's Department Head, the employee will select either of the following pay codes:
 - NU Standby Pay
 - NU Standby Comp Ern 1.0

2. To add “NU Standby Pay” or “NU Standby Comp Ern 1.0” pay code and hours to the timecard.
 - On the Kronos Timecard grid, locate <Enter Pay Code> in the **Pay Code** column.
 - Click the <Enter Pay Code> drop-down list (to display list of codes).
 - Use the smart search box by typing the letters “NU” or scroll through the list to find codes.
 - Select the “NU Standby Pay” or “NU Standby Comp Ern 1.0”.
 - Enter 8 hours for the applicable day on that row, then **Save** the timecard.
3. If the assigned employee responded to after-hours calls during their Standby assignment, they shall enter the appropriate time spent on active duty, in half-hour increments based on either on-site or remote response outlined in Section VII, Response During Standby Assignment, above.

RESPONSIBILITIES

Employees shall:

- Record placement on a Standby assignment in the agency’s timekeeping system.
- Track time appropriately when actually responding to service requests, subject to Section VI (Response During Standby Assignment).

Division Chiefs shall:

- Implement the Department Head’s decision on which compensation option is to be used by employees placed on a Standby assignment.
- Manage Standby assignments (for example, rotating assigned employees, communicating expectations, and ensuring employees appropriately code timecards for the compensation option designated by the Department Head).
- Inform relevant departments, divisions, or individuals of the schedule of employees on Standby assignment.

Department Heads shall:

- Determine whether the use of employees in a Standby assignment is needed, based on the department’s need for coverage and critical service delivery requirements.

- Determine which Standby compensation option is to be paid (compensatory leave vs. pay).
- Ensure the Standby compensation is applied uniformly for all eligible employees throughout the department.
- Review, for approval, the basic Standby assignment rotation plan proposed by the Division Chief.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

M-N CPPC Resolution No. 20-12

**COVID-19 Differential Pay and Social Distancing Leave
(for Term Contract Employees)**

WHEREAS, the Coronavirus (“COVID-19”) has presented an unforeseen set of events without any precedent in the agency’s history; and

WHEREAS, on March 5, 2020, Governor Larry Hogan declared that a “state of emergency and catastrophic health emergency exists within the State of Maryland”; and

WHEREAS, the M-NCPPC has not declared an emergency closing and its departments continue to operate; and

WHEREAS, the M-NCPPC has implemented a number of social distancing strategies during the COVID-19 response including telework, schedule rotations, and safety protocols, while continuing to carry out its operations.

WHEREAS, the agency recognizes our employees diligently continue to carry out their duties, some of which require onsite presence without the ability for telework.

NOW THEREFORE, BE IT RESOLVED that the Commission hereby adopts the following COVID-19 differential pay and social distancing leave provisions:

- 1) For the period of May 17, 2020, through June 30, 2020, or until the earlier lifting of the Maryland State of Emergency, a COVID-19 differential will be paid to Term Contract employees who hold positions below the level of Division Chief.
 - a) \$2.75 per hour will be paid for each hour of required onsite work which is back-facing. Back-facing is onsite work that does not involve regular physical interaction with the public.
 - b) \$4.50 per hour will be paid for each hour of required front-facing work. Front-facing is onsite work that requires regular physical interaction with the public without the ability for social distancing.
 - c) The COVID differential is only applied to hours which **MUST** be worked on-site and does not apply to any period during which an employee is on leave, or for any work

hours that can be performed by telework. The differential is not paid for onsite presence that is elected, but not required.

- d) The Commission authorizes the Executive Committee to extend the period of COVID-19 differential compensation to comply with any modifications in relevant Federal/State or local directives or public health practices or mandates.
- 2) The Commission recognizes the efforts of its employees and leadership, including the need for many to carry out additional responsibilities to assist the agency in its response to COVID-19. Term Contract employees who were employed as of May 17, 2020, will be credited up to 37.5 hours of social distancing leave which may be used until December 31, 2020. Term Contract employees who are assigned to regular work schedules of less than 37.5 hours, will receive a prorated amount.

BE IT FURTHER RESOLVED that the M-NCPPC does hereby authorize the Executive Director to take action as may be necessary to implement this Resolution.

APPROVED FOR LEGAL SUFFICIENCY:

William Dickerson,
M-NCPPC Legal Department,
June 5, 2020



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

June 10, 2020

TO: The Commission

VIA: Asuntha Chiang-Smith, Executive Director

FROM: Anju Bennett, Corporate Policy and Management Operations Director
Michael Beckham, Corporate Policy Manager

SUBJECT: Proposed Amendments to the Agency's Employment Policies to Incorporate Maryland Law on Organ Donation Leave

Requested Action and Overview

The Commission is asked to approve proposed amendments to the agency's personnel regulations, as contained in the Merit System Rules and Regulations (Attachments A and B). The drafted amendments recognize mandated leave allowances for employees from the passing of the Maryland Organ Donation Leave Act. Proposed amendments are supported by the Executive Committee and the Merit System Board.

The Maryland Organ Donation Leave Act allows employees, who have at least one year of completed service, to take unpaid leave to donate an organ or bone marrow. Employees may request:

- Up to 60 days (480 hours) to serve as an organ donor; and
- Up to 30 days (240 hours) to serve as a bone marrow donor.

The agency's current leave programs already go beyond the Act in two aspects. The M-NCPPC permits employees to take leave beyond the durations mandated by the law. Additionally, while the Act only requires permitting an unpaid leave of absence, the M-NCPPC provides several paid leave categories (such as Sick, Annual, Personal, and Compensatory) that can be used to substitute the unpaid leave allowance.

The primary impact of this Act relates to its coordination with the federal Family and Medical Leave Act (FMLA). Leave taken under the limits of the Maryland Organ Donation Leave Act (60 and 30 days) cannot be counted against the 12-weeks of FMLA leave rights available to employees for other medical/illness reasons. However, it should be noted, that after the employee exhausts the organ or bone marrow donation leave lengths permitted under the Maryland law, longer periods needed for organ or bone marrow donation can be applied to the FMLA entitlement.

Background on Specific Amendments

The impact of the Maryland Organ Donation Leave Act, as well as proposed policy changes to implement the law, are outlined below.

1. **Eligibility:** To be eligible for up to 60 or 30 days (480 or 240 hours) leave to donate an organ or bone marrow, employees must have been employed with the agency for at least:
 - a. A 12-month period, and
 - b. 1,250 hours during the preceding 12 months.

Policy Implications: Employees may already be approved for leave beyond the amounts mandated by the law. For example, leave-without-pay may be approved for up to one year. Additionally, employees may use their paid leave (in lieu of leave-without-pay) for medical reasons. Therefore, only minor amendments are proposed to the agency's policies to recognize the new leave benefit for employees. See: Proposed amendments in Attachment A, Merit Rules, Section 1660, Organ or Bone Marrow Donation Leave Status.

2. **Medical Documentation:** To receive Organ or Bone Marrow Donation Leave, the employee is required provide written medical verification that:
 - a. The employee is an organ or bone marrow donor; and
 - b. There is a medical necessity for the donation of the organ or bone marrow.

Policy Implications: Employees already are required to provide medical documentation to support medical-related leave requests. Clarifying language has been added. See: Proposed amendments in Attachment A, Merit Rules, Section 1622, Application for Use of Leave-Without-Pay.

3. **Coordination with Accrued Paid Leave:** The law permits employees to take unpaid leave without first exhausting paid leave balances.

Policy Implications: M-NCPPC currently requires Merit System and Contract employees to first exhaust certain types of paid leave categories prior to requesting leave-without-pay status. Therefore, amendments clarify that the first 30 or 60 days taken under the Act do not require accrued paid leave to be used first. The choice to take unpaid leave or substitute with accrued paid leave remains solely with the employee. See: Proposed amendments in Attachment A, Merit Rules, Section 1624, Prior Use of Accrued Annual and Compensatory Leave.

4. **Continuity of Service:** An employer may not consider any period of time during which an employee takes Organ or Bone Marrow Donation Leave to be a break in continuous service, for the purpose of the employee's right to salary adjustments, sick leave, vacation, paid time off, annual leave, or seniority.

Policy Implications: The Merit Rules currently provide the time an employee is on authorized leave-without-pay shall be credited toward the years of service; however, an employee does not earn annual, sick, or other types of paid leave. Therefore, amendments clarify an employee shall earn annual, sick, and other types of paid leave while on authorized leave-without-pay to donate an organ or bone marrow.

The Merit Rules also provide an employee will have their anniversary date reassigned due to extended leave of 6 months or more in any 1 anniversary year, so a period of 12-months in active employment has occurred.

Amendments clarify the time an employee is in an approved leave status to donate an organ or bone marrow, or for military duty, shall not be considered in this determination. See: Proposed amendments in Attachment A, Merit Rules, Section 1625, Limitations on Accrual of Other Leave and Attachment B, Merit Rules Chapter 1000, Performance Management.

5. **Job Protections:** An employee who returns to work after taking leave-without-pay to donate an organ or bone marrow is entitled to be restored:
 - a. To the position the employee held when the unpaid leave began; or
 - b. To an equivalent position with equivalent benefits, pay, and other terms and conditions of employment.

The Act states, however, that an employer may deny restoration of the employee's position because of conditions unrelated to Organ or Bone Marrow Donation Leave.

Policy Implications: The Merit Rules currently provide that, excluding military furloughs, when grants of leave-without-pay exceed 60 days in a 12-month period, the Human Resources Director may require an employee to waive reinstatement rights and privileges to the employee's former position. Clarifying language is proposed to the Merit Rules, Section 1626, Reinstatement Rights from Leave-Without-Pay Status, to state that a waiver of the employee's reinstatement rights shall not be implemented while the employee is in an approved Organ or Bone Marrow Donation Leave status. This approach is similar to job protections currently extended to employees in an approved FMLA Leave status.

6. **Continuity of Health Care Coverage:** Employees are entitled to continued coverage under any group health plan while in an approved Organ or Bone Marrow Donation Leave status, in the same manner that coverage would have been provided if the employee had been working.

Policy Implications: M-NCPPC policies currently provide that employees are entitled to continued health care for up to 6 months in any consecutive 12-month period in which leave-without-pay is granted. Agency policy further provides that for health benefits to continue, the employee must contribute the employee portion of benefits costs. Therefore, no changes are recommended. See also: Merit Rules, Section 1628, Continuation of Health Benefits During Leave-Without-Pay.

7. **Continuity of Life and Disability Insurance** Finally, the Act prohibits life and disability insurers from denying or canceling a policy, refusing to pay a claim, or increasing rates based solely on the status of an individual as an organ or bone marrow donor.

Policy Implications: The Health and Benefits Office informs that the agency's life insurance carrier (Securian) and its disability insurance carrier (MetLife) are in compliance with the Act.

Attachment:

- A. Proposed Amendments to Personnel Policies for Adoption by the Commission: Updates to Merit System Rules and Regulations:
 - Chapter 1600, Leave Status Programs: Leave-Without-Pay, Parental Leave, Family and Medical Leave, Absence-Without-Leave, and Organ/Bone Marrow Donation Leave
 - Chapter 1000, Performance Management

**Proposed Amendments to Personnel Policies for Adoption by the Commission
Updates to Merit System Rules and Regulations**

Chapter 1600

Leave Status Programs: Leave-Without-Pay, Parental Leave, Family and Medical Leave, ~~and~~ Absence-Without-Leave, and Organ/Bone Marrow Donation Leave

Key to Drafted Amendments:

Grey Highlighted: Recommended additions

Strikeout: Recommended deletions

Italics: Comments to Draft Reviewer

1610 Basic Concepts

Authorized leave status programs overlay some forms of Employee and Commission leave. Leave Status Programs cover periods of approved absences during which employees may use sick, annual, personal, compensatory leave, or leave-without- pay under the circumstances described below. Leave Status Programs include leave-without- pay, parental leave and Family and Medical Leave. Employees are approved for leave subject to meeting eligibility requirements and prior approval from the Department Head.

Employees who are absent from work without authorization are considered to be in an absence-without-leave (AWOL) status. Any employee who is AWOL shall be placed in a non-pay status and shall be subject to disciplinary action (see Section 1650, Absence- Without-Leave).

1611 Administration of the Leave Status Programs

The Executive Director shall issue administrative procedures, as appropriate, to ensure consistent application and use of the Leave Status Programs. The Department of Finance shall develop pay period leave tables and assure that each employee's leave is tracked correctly. The Department of Finance shall issue and provide to departments, periodic statements of employees' leave balances.

Department Heads shall establish procedures for the administration of the leave within the department consistent with Commission Practices. The departmental policy shall include reference to the delegation of authority for the approval of leave usage and time cards.

Authorized individuals who certify time cards and leave reports are responsible for their accuracy.

*** 1620 Leave-Without-Pay**

Leave-without-pay is an approved absence from duty in a non-pay status. A Merit System employee may be granted leave-without-pay for reasons described in Section 1621, Granting of Leave-Without-Pay, with prior approval of both the Department Head and Human Resources Director. Leave-without-pay may be taken for events which qualify under the Family and Medical Leave Act (FMLA). As such, the leave-without- pay shall be considered FMLA leave and count against the 12-week FMLA leave period entitlement. Events that may qualify for FMLA are designated in Section 1621, Granting of Leave- Without-Pay and Section 1640, Family and Medical Leave Status.

1
2 * 1621 **Granting of Leave-Without-Pay**
3

4 Leave-without-pay can be granted under the following conditions:
5

6 1621.1 When the employee is seriously ill, injured, or disabled (see also Section 1640, Family and
7 Medical Leave Status).
8

9 1621.2 The employee is required to be absent for the extended care of a seriously ill or injured
10 dependent which may include a spouse; a domestic partner; a child up to the age of 18,
11 older if disabled; or the employee's father or mother (see also Section 1640, Family and
12 Medical Leave Status).
13

14 1621.3 For the birth, adoption, or foster care of the employee's child (see also Sections 1630,
15 Parental Leave Status and 1640, Family and Medical Leave Status).
16

17 1621.4 For education purposes, if successful completion of the course shall contribute to the work
18 of the Commission.
19

20 1621.5 Military furloughs: Leave-without-pay may be granted to a member of the Armed Forces
21 of the United States, National Guard, or Reserves, when ordered to active duty. Leave-
22 without-pay may be used when an employee has exhausted benefits available under
23 Administrative Leave for Military Duty and Military Duty Supplemental Pay (see Chapter
24 1200, Employee Compensation, Section 1255, Supplemental Pay for Active Military Duty;
25 Chapter 1500, Commission Leave, Section 1538, Military Duty; Chapter 1600, Leave Status
26 Programs, Sections 1624, Prior Use of Accrued Annual and Compensatory Leave; 1626,
27 Reinstatement Rights from Leave-Without-Pay Status; and 1627, Leave- Without-Pay for
28 Active Military Service).
29

30 1621.6 For cases in which the employee is subpoenaed to appear as a witness.
31

32 1621.7 Witness Leave: In cases that do not qualify for administrative leave, leave-without-pay
33 shall be granted if the employee does not have sufficient accrued leave to cover such
34 absence (see also Chapter 1500, Commission Leave, Section 1537, Witness Duty).
35

36 1621.8 All other reasons for leave-without-pay require review and approval of both the
37 Department Head and the Human Resources Director before leave can be granted to an
38 employee.
39

40 * 1621.9 Organ or Bone Marrow Donation Leave: For the employee to serve as an organ or bone
41 marrow donor consistent with the Maryland Organ Donation Leave Act (see also Section
42 1660, Organ Donation Leave).
43

44 *1622 **Application for Use of Leave-Without-Pay**
45

46 Whenever leave is foreseeable, application for leave-without-pay shall be submitted in writing thirty
47 (30) calendar days in advance, specifying the employee's reason for requesting such leave and stating
48 his/her intent to return to Commission service upon expiration of such leave.
49

50 A Department Head may waive this requirement and approve leave-without- pay for a period not to
51 exceed five (5) consecutive work days, or forty (40) work hours, when an unusual or emergency

1 situation exists. In such cases, grants of leave- without-pay are approved by the Department Head,
2 with the concurrence of the Human Resources Director.

3
4 Medical documentation may be required for leave-without-pay requests that are based on medical
5 need.

6
7
8 ***1623 Limitation of Grants of Leave-Without-Pay**

9
10 Leave-without-pay may be granted in increments of up to sixty (60) work days, or four hundred and
11 eighty (480) hours, not to exceed one (1) calendar year. Leave- without-pay amounts may be pro-rated
12 for part-time Merit System employees, as determined by the Human Resources Director, after
13 consideration of the employee's regular work hours and applicable laws pertaining to leave rights.

14
15 Employees who are receiving long-term disability benefits under the Commission's group insurance
16 plan or are on leave for purposes of military furlough shall be considered in leave-without-pay status
17 during the period of disability or military service. These employees are exempted from the one (1)
18 calendar year limitation on grants of leave-without-pay.

19
20 ***1624 Prior Use of Accrued Annual and Compensatory Leave**

21
22 ***1624.1** A Merit System employee is not required to first use accrued annual or compensatory
23 leave before being granted leave-without-pay in the following situations:

24
25 ***1624.1.a** When requesting leave-without-pay for military furloughs, pursuant to
26 Chapter 1600, Leave Status Programs, Section 1627, Leave- Without-Pay for
27 Active Military Service).

28
29 ***1624.1.b** When requesting leave-without-pay for up to 60 days (480 hours) to donate
30 an organ or up to 30 days (240 hours) to donate bone marrow, pursuant
31 Chapter 1600, Leave Status Programs, Section 1660, Organ or Bone Marrow
32 Donation Leave Status.

33
34 **1624.1.2** In other cases ~~Except in situations involving military furloughs,~~ a Merit System employee
35 shall first use all accrued annual or compensatory leave before being granted leave-
36 without-pay, except as noted in Sections 1624.1, and 1624.2, below.

37
38 **1624.1.2.a** An employee who requests leave-without-pay because of his/her own illness,
39 injury, or quarantine shall first use all accrued sick and compensatory leave
40 before leave-without-pay may be granted. The employee may elect to use
41 annual or personal leave prior to being placed on leave-without-pay, but is not
42 required to do so.

43
44 **1624.1.2.b** An employee who requests leave-without-pay for reasons related to parental
45 responsibilities such as maternity, paternity, or adoption shall first use thirty
46 (30) work days, or two hundred and forty (240) hours, of accrued sick or
47 compensatory leave before leave-without-pay may be granted. An employee
48 may elect to use any additional accrued annual, sick, compensatory, or personal
49 leave, but is not required to do so. An employee who does not have two
50 hundred and forty (240) hours of accrued sick or compensatory leave shall be
51 eligible for a grant of leave-without- pay when the employee's sick leave and/or
52 compensatory leave has been exhausted (see also Sections 1630, Parental

***1625 Limitations on Accrual of Other Leave**

***1625.1** The time an employee is on authorized leave-without-pay shall be credited toward the years of service, which are used in determining the changes in the leave accrual rate. However, except as provided in Section 1625.2, an employee shall not earn annual, sick, or other types of paid leave while in leave-without-pay status.

***1625.2** Consistent with the Maryland Organ Donation Leave Act, an employee shall earn annual, sick, and other types of paid leave for up to 60 days (480 hours) and/or up to 30 days (240 hours) while in an authorized leave-without-pay status to donate an organ or bone marrow, respectively.

***1626 Reinstatement Rights from Leave-Without-Pay Status**

When leave-without-pay is taken for reasons related to an employee's illness, injury or disability, the Human Resources Director shall have the authority, after consultation with the Department Head and proper investigations including medical examination, to determine the qualifications of any inactive employee to perform the duties and responsibilities of the position for which the employee is seeking reinstatement.

Except for military furloughs, when grants of leave-without-pay exceed sixty (60) work days, or four hundred and eighty (480) hours, within a twelve (12) month period, the Human Resources Director may require the employee to waive reinstatement rights and privileges to the employee's former position.

A waiver of reinstatement shall not be implemented while an employee is in an approved ~~for~~ Organ or Bone Marrow Donation Leave status (see Section 1660, Organ or Bone Marrow Donor Leave Status) or Family and Medical Leave status (see Section 1640, Family and Medical Leave Status). Reasonable efforts shall be made to facilitate an employee's return to a former position or to an available position determined comparable by the Department Head, after consultation with the Human Resources Director.

1627 Leave-Without-Pay for Active Military Service/ Military Furlough

A Merit System employee who is a member of the United States Armed Forces, National Guard or Reserves, shall be placed in leave-without-pay status if ordered to active duty, except as provided for in Chapter 1500, Commission Leave, Section 1538, Military Leave and Chapter 1200, Employee Compensation, Section 1255, Supplemental Pay for Active Military Duty. To be considered for leave-without-pay, the employee shall provide to his/her Department Head a copy of the orders for active service.

1627.1 Reinstatement Requirements After Military Service: After honorably completing the period of obligatory military service, the employee shall be entitled to reinstatement to the former position occupied, or other position comparable to it and shall not lose any rights accrued before activation, such as rate of pay, sick leave and annual leave, subject to the provisions hereinafter set forth in these regulations:

1 Employee is qualified to perform the duties of such position;

2
3 Employee makes application for reinstatement immediately following release from such
4 military service.

5
6 1627.2 Service Credits Upon Reinstatement: Upon reinstatement, the period of military service of
7 an employee shall be added to the time employed by the Commission prior to military
8 furlough to determine the overall length of service.

9
10 1627.3 Paid Leave Credits and Accrual Rates: Any annual and sick leave accumulated prior to the
11 employee's military duty which falls under leave-without-pay status, shall be carried over
12 upon the employee's return to active Commission duty. The time an employee is on
13 authorized leave-without-pay shall be credited for the purpose of determining changes
14 in the annual leave accrual rate. However, an employee does not earn annual leave, sick
15 leave, or other paid leave while on leave-without-pay.

16
17 **1628 Continuation of Health Benefits During Leave-Without-Pay**

18
19 Employees may be eligible to continue in Commission-offered health benefits for up to six (6) calendar
20 months in any consecutive twelve (12) month period in which leave-without-pay is granted. For
21 health benefits to continue, the employee must contribute the employee portion of benefit costs.
22 Employees are responsible for submitting contributions that could not be paid through payroll
23 deduction directly to the Commission.

24
25 The six (6) month maximum does not apply when leave-without-pay status has been approved under
26 the Commission's long-term disability program, military furlough, or Family and Medical Leave (see
27 Sections 1621.5, Military Furlough and 1640, Family and Medical Leave Status).

28
29 The Executive Director shall issue administrative procedures, as appropriate, to ensure consistent
30 application and use of health benefits for employees in leave- without-pay status.

31
32 1628.1 The Human Resources Director shall be responsible for notifying affected employees of
33 the benefit programs in which they are entitled to remain enrolled, employee
34 contributions due to the Commission, and the procedure for making such payments.

35
36 **1630 Parental Leave Status**

37
38 1631 Merit System employees may be placed on approved leave status for parental responsibilities
39 including maternity, paternity, adoption, or foster care as described below. During this leave status,
40 employees may request use of any portion of the up to four hundred and eighty (480) hours of sick
41 leave an employee may use each calendar year for reasons provided in §1470.3.b; or may
42 request use of leave-without-pay. *(as last amended September 26, 2018)*

43
44 Use of sick leave for parental responsibilities shall be applied toward any eligible FMLA leave status.
45 Additional paid leave or leave-without-pay can be granted if the Merit System employee applied for
46 and qualifies under the Family and Medical Leave Act (see Section 1640). A Department Head also
47 has discretion to approve, on a case-by-case basis, longer leave durations if the absence would not
48 cause unmanageable disruptions to the employee's work program or services.

49
50 1631.1 In all cases, leave for parental responsibilities shall be taken within twelve (12) calendar
51 months from the birth of the child, or from the placement of an adopted or foster child.

52
53 1631.2 Any leave taken for parental responsibilities will count against the twelve (12) work week
54 leave period allowable under the Family and Medical Leave Act.

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1632 Leave may be approved for the following events:

1632.1 Maternity: A Merit System employee may use parental leave for reasons of pregnancy, childbirth, miscarriage, abortion, or to care for her newborn child, including prenatal or postnatal care.

1632.2 Paternity: A Merit System employee who is the paternal parent may request parental leave to care for his newborn child, including prenatal and postnatal care. Parental leave may also be taken to care for the maternal parent's pregnancy-related disabilities or childbirth.

1632.3 Adoption or Foster Placement: An employee may request parental leave for the adoption or foster care placement of a child. The employee shall furnish proof of the placement for the intended adoption or foster care of a child up to the age of 18, or older if disabled, and demonstrate that s/he is the person primarily responsible for furnishing care to the child.

1633 Employees may apply to use the following types of paid leave and leave- without pay during Parental Leave status. Types of leave applied shall be administered in accordance with respective sections of the Merit System Rules and Regulations.

1633.1 Paid Leave:

1633.1.a Up to two hundred and forty (240) hours of sick leave.
Greater amounts may be approved when medically necessary;

1633.1.b Accumulated annual leave;

1633.1.c Accumulated compensatory leave;

1633.1.d Available personal leave; or

1633.1.e Leave available under the Employees' Sick Leave Bank Program, if eligible.

1633.2 Leave-Without-Pay: An eligible employee wishing to take authorized leave-without-pay, shall first use the following leave balances, if available:

1633.2.a Two hundred and forty (240) hours of sick leave; or

1633.2.b Two hundred and forty (240) hours of compensatory leave.

1634 Application for Parental Leave Status

When foreseeable, application for parental leave shall be submitted in writing thirty (30) calendar days prior to the commencement of leave. A request shall be accompanied by a verifying medical certification from a licensed medical practitioner. All leave requests shall be approved by the employee's Department Head.

1 * 1640 Family and Medical Leave Status

2
3 In accordance with the Family and Medical Leave Act (FMLA), employees may be eligible for up to
4 twelve (12) work weeks of unpaid leave in a twelve (12) month eligibility period for FMLA-qualifying
5 events.

6
7 Through December 31, 2015, a calendar year basis (January–December) is used to determine the
8 twelve (12) month eligibility period for available FMLA leave.

9
10
11 Effective January 1, 2016, a “rolling” twelve (12) month period is used to determine eligibility for
12 available FMLA leave. More specifically, the twelve (12) months are measured backward from the
13 date of the employee’s most recent FMLA leave request.

14
15 Each time an employee requests FMLA leave, the request is considered for the balance of the twelve
16 (12) week leave entitlement that was not used during the immediately preceding twelve (12) months.

17
18 Any part of the FMLA status may be substituted with paid leave or leave- without-pay as governed by
19 Chapter 1400, Employee Leave; Chapter 1500, Commission Leave; and Chapter 1600, Leave Status
20 Programs. As such, the FMLA leave runs concurrently with all leave programs offered by the
21 Commission for events that qualify under the FMLA.

22
23 Specific guidance on the administration of leave taken under the FMLA shall be set forth by the
24 Executive Director.

25
26 1641 **Eligibility for FMLA Leave Status**

27
28 The FMLA coverage is available to all employees who have met the following minimum service and
29 work hour requirements:

30
31 1641.1 Twelve (12) months of employment service with the Commission, not
32 necessarily consecutive; and

33
34 1641.2 Twelve hundred and fifty (1,250) hours worked during the twelve
35 (12) month period immediately preceding the start of the leave.

36
37 * 1642 **Qualified Events**

38
39 Except as provided in section 1642.5, FMLA may be granted for any of the following events. During
40 the leave status, employees may use eligible types of paid leave and leave-without- pay listed under
41 the respective events.

42
43 1642.1 Parental responsibilities including the birth, adoption, or foster care of a child of the
44 employee up to the age of 18, older if disabled: Employees may offset the 12-week FMLA
45 unpaid leave entitlement with eligible types of paid leave and leave-without- pay available
46 for parental responsibilities (see Section 1630).

47
48 *1642.2 Care of a seriously ill or injured dependent: Leave may be taken to care for a seriously ill
49 or injured dependent which includes the employee's spouse, domestic partner, parent, or
50 child up to the age of 18, older if disabled. Employees may apply the following types of
51 paid leave during the FMLA leave status: any portion of up to four hundred and eighty
52 (480) hours of sick leave per calendar year, and any accumulated annual leave,

1 compensatory leave, or personal leave. An employee wishing to take authorized leave-
2 without-pay shall first use accrued annual and compensatory leave. *(as last amended*
3 *9/26/18)*

4
5 1642.3 Care of the employee's own serious illness or injury: Employees may offset the unpaid
6 FMLA entitlement with paid accrued sick, annual, compensatory or personal leave.
7 Disability leave, Workers' Compensation, or the leave under the Sick Leave Bank Program
8 may also be used if eligible. Employees who wish to take leave-without-pay shall first use
9 all accrued sick and compensatory leave.

10
11 1642.4 Care or comfort of a military service member (qualifying exigency and military caregiver
12 leave): Employees may use the twelve (12) week leave entitlement to address certain
13 qualifying exigencies when a spouse, domestic partner, son, daughter or parent is on
14 covered active duty or is called to covered active duty status. Qualifying exigencies may
15 include attending certain military events, arranging for alternative childcare, addressing
16 certain financial and legal arrangements, attending certain counseling sessions, and
17 attending post-deployment reintegration briefings.

18
19 The FMLA also includes a special leave entitlement that permits eligible employees up to
20 26 weeks of leave during a single twelve (12) month period to care for a covered service
21 member with a serious injury or illness.

22
23 * 1642.5 Organ or Bone Marrow Donation Leave cannot be counted against an employee's FMLA
24 leave entitlement, consistent with the Maryland Organ Donation Leave Act. (See Section
25 1660.)

26
27 1643 **Application for FMLA Leave Status and Approval Authority**

28 Employees shall provide thirty (30) days' notice for placement on FMLA status when leave is
29 foreseeable. FMLA leave status may be requested on a continuous or intermittent basis when
30 medically necessary.

31
32 A Department Head may also initiate placement of an employee on FMLA status when it is known the
33 reasons why paid or unpaid leave is being used, if the situation qualifies as a covered event under the
34 FMLA and the employee has met FMLA eligibility requirements.

35
36 1643.1 All Family and Medical Leave requests shall be approved by the Department Head.

37
38 1643.2 Requests for leave shall be accompanied by a certificate of need from a licensed medical
39 practitioner. Verification of need shall be administered pursuant to Commission leave
40 policies and federal/state laws governing the FMLA.

1
2 1650 Absence-Without-Leave
3

4 Absence-without-leave (AWOL) is an unauthorized and unpaid status wherein the employee is absent from
5 duty without prior approved leave. An employee who is absent without authorization is subject to disciplinary
6 action and may be terminated for abandonment of position under the authority contained in Chapter 1900,
7 Discipline and Chapter 2300, Termination of Employment. Absence-without-leave may be converted to
8 annual, sick, compensatory, personal or leave-without-pay upon recommendation of a Department Head and
9 approval of the Human Resources Director with acceptable proof that the absence was due to circumstances
10 beyond the employee's control.
11

12 * 1660 Organ or Bone Marrow Donation Leave Status
13

14 * 1661 **Available Leave**

15 In accordance with the Maryland Organ Donation Leave Act (Prohibition on Discrimination by Insurer
16 and Unpaid Leave), employees may receive the following unpaid leave in any twelve (12) month
17 period:
18

19 *1661.1 Up to 60 days (480 hours) to serve as an organ donor, and

20 *1661.2 Up to 30 days (240 hours) to serve as a bone marrow donor
21
22

23 Any part of Organ or Bone Marrow Donation Leave status may be substituted with paid leave or
24 leave-without-pay, as governed by Chapter 1400, Employee Leave; Chapter 1500, Commission
25 Leave; and Chapter 1600, Leave Status Programs.
26

27 * 1662 A "rolling" twelve (12) month period is used to determine eligibility for available Organ or Bone
28 Marrow Donation Leave. More specifically, the twelve (12) months are measured backward from the
29 date of the employee's most recent Organ or Bone Marrow Donation Leave request.
30

31 Each time an employee requests Organ or Bone Marrow Donation Leave, the request is considered
32 for the balance of the 60 or 30 day leave entitlement that was not used during the immediately
33 preceding twelve (12) months.
34

35 * 1663 Organ or Bone Marrow Donation Leave is in addition to leave offered under the Family Medical Leave
36 Act (FMLA). Therefore, such leave cannot be counted against an employee's FMLA leave entitlement.
37

38 * 1664 **Eligibility**

39 Organ or Bone Marrow Donation Leave status is available to all employees who have met the
40 following minimum service and work hour requirements:
41

42 *1664.1 Twelve (12) months of employment service with the agency, not necessarily
43 consecutive; and
44

45 *1664.2 Twelve hundred and fifty (1,250) hours worked during the twelve (12) month period
46 immediately preceding the start of the leave.
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**Proposed Amendments to MSR&R, Chapter 1000
Performance Management**

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[...]

1070 Special Performance Evaluations and Assignment of Anniversary Dates

1071 **Special Performance Evaluations**

A performance evaluation shall be completed under the following circumstances:

- 1071.1 Employee Changes Positions: When a Career Merit System employee moves to another Merit position within the Commission, the new supervisor may request that the prior supervisor evaluate the employee's performance or provide a copy of the employee's evaluation if it has been completed within the last six (6) months.
- 1071.2 Supervisor Changes Positions: Prior to a supervisor's position change within the Commission or separation from the Commission, s/he shall evaluate all employees under his/her supervision who have not been evaluated within the last six (6) months.

1072 **Assignment of Anniversary Date**

A Merit System employee shall be assigned an anniversary date (month and day) which shall be one (1) year from the date of initial employment as a Merit employee. Attainment of career status shall be administered pursuant to Chapter 500, Merit System Employees: Probationary and Career Status.

Park Police officers shall be assigned anniversary dates as follows:

- 1072.1 A Park Police Officer appointed before June 24, 1979 shall be assigned an anniversary date (month and day) which shall be one (1) year from the date of initial employment as a Merit employee.
- 1072.2 A Park Police Officer appointed as a candidate after June 24, 1979, through February 1, 2002, shall be assigned an anniversary date (month and day) effective one (1) year from the date of successful completion of Maryland State-mandated entrance level training for police.
- 1072.3 A Park Police Officer hired on or after February 2, 2002, shall be assigned an anniversary date (month and day) which shall be one (1) year from the date of initial hire as a Merit employee.

* 1073 **Reassignment of Anniversary Date Due to Extended Leave *(as last amended [Date TBA])***

- 1073.1 An employee who has been in an approved leave status of six (6) months or more in any one (1) anniversary year shall have a new anniversary date established so that a period of twelve (12) months in active Merit System employment has occurred. The twelve (12) month period shall take into account:

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1073.1.a Any active duty prior to the employee's leave status.

1073.1.b Any military duty subsequent to the employee's leave status.

1073.1.c Consistent with the Maryland Organ Donation Leave Act, up to 60 days (480 hours) leave to donate an organ and up to 30 days (240 hours) leave to donate bone marrow, pursuant Chapter 1600, Leave Status Programs, Section 1660, Organ or Bone Marrow Donation Leave Status. *(as last amended [Date TBA])*

1073.2 Should an employee be in an approved leave status of twelve (12) months or more, a new anniversary date shall be established as one (1) year from the date of return to active Merit System employment status.

[...]



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

TO: Maryland-National Capital Park and Planning Commission

FROM: Mazen Chilet, Chief Information Officer

SUBJECT: Request to spend FY 2020 Personnel Services Savings

DATE: June 9, 2020

ACTION REQUESTED: Board approval to spend salary lapse

The Office of the Chief Information Officer manages several budgets as part of its efforts to support the delivery of Information Technology services to all Departments of the Commission. Approval is sought to allcate salary savings to other budget categories in preparation for FY 2021 as follows:

Corporate IT services: The Corporate IT Services budget is projected to realize savings of approximately \$69,000 in its Personnel Services budget due to vacancies. Approval is sought to allocate these savings to consulting services in support of the core business systems (ERP) help desk implementation.

Office of the Chief Information Officer: The OCIO budget is projected to realize savings of approximately \$299,000 in its Personnel Services budget due to vacancies. Approval is sought to use \$100,000 of those savings to pay licensing fees related to the help desk project. You will recall that this item was removed from the FY 21 budget to meet reductions requested by Montgomery County, and that the Board was advised that it could be covered from FY 20 funds.

Thank you for your consideration of this proposal. I look forward to discussing this with you next week.

CC: Asuntha Chiang-Smith

Joe Zimmerman

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

Andrea L. Rose
 Administrator

To: The Commission Date: June 2, 2020
 Via: Elizabeth M. Hewlett
 Chairman, ERS Board of Trustees
 From: Andrea L. Rose, Administrator *Andrea L. Rose*
 Subject: **Acknowledge Elaine Stookey as the Bi-County Open Trustee to the Board of Trustees for the term ending June 30, 2023**

RECOMMENDATION

On behalf of the Board of Trustees ("Board") of the Maryland-National Capital Park and Planning Commission ("Commission") Employees' Retirement System ("ERS"), I respectfully request the Commission acknowledge Elaine Stookey as the Bi-County Open Trustee to the ERS Board of Trustees for the term ending June 30, 2023.

BACKGROUND

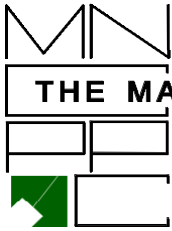
A Call for Nominations for the Bi-County Open Trustee seat on the Board was posted on the ERS' website and the Commission's Intranet site and a blast email was sent to all Bi-County Commission employees on May 18, 2020. Employees interested in the Bi-County Open Trustee seat for the remainder of the term ending June 30, 2023 were invited to submit an application by Friday, May 29, 2020.

Elaine Stookey submitted an application and no other applications were received. Ms. Stookey is determined to have won by acclamation.

Ms. Stookey has worked in the Accounting Division of the Finance Department since July 2014 providing accounting support to Montgomery County with the Capital Improvement Project Fund and the Parks and Administration Funds and is heavily involved in financial statement preparation for the Commission's Comprehensive Annual Financial Report. Ms. Stookey has served as a City Finance Director/Treasurer with prior employers and received certification as a Certified Public Finance Administrator by the Association of Public Treasurers of the U.S. and Canada. Ms. Stookey has served on the Board as the Bi-County Open Trustee since April 2019.

Thank you for your action.

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

TO: The Commission

FROM: Asuntha Chiang-Smith, Executive Director

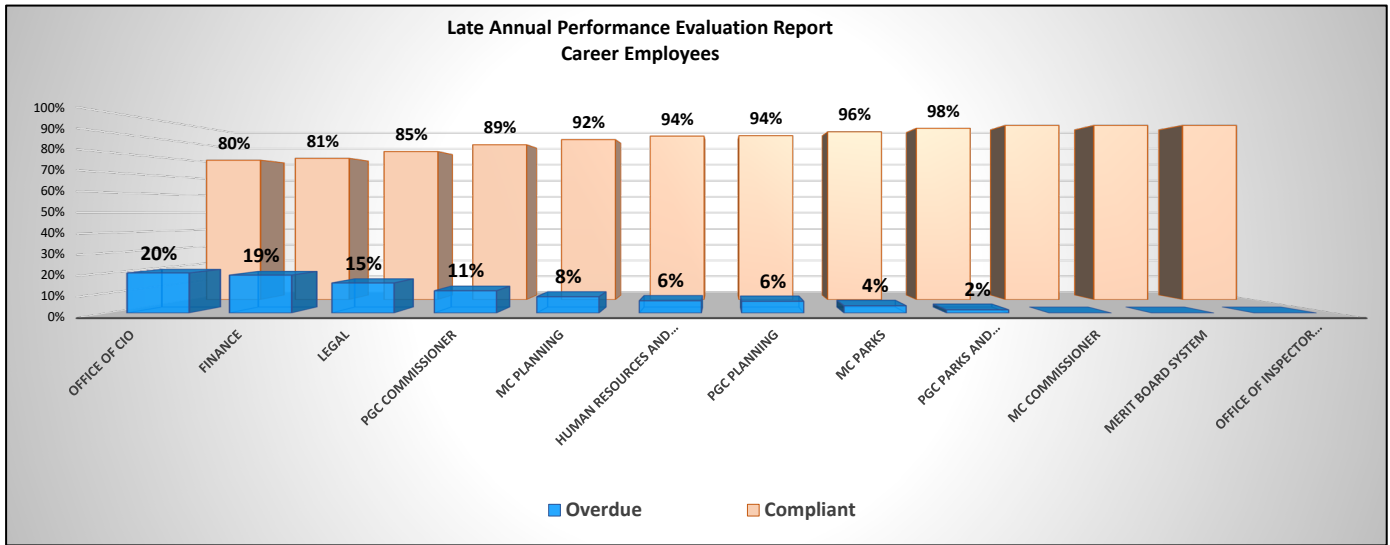
SUBJECT: Personnel Management Review (PMR), Fiscal Year 2019

I am pleased to submit the Commission's 26th edition of the Personnel Management Review (PMR) for fiscal year 2019. This document is a valuable tool for both workforce planning and budget work sessions with the County Councils. The PMR is organized into the following sections:

- ***M-NCPPC Workforce Snapshot*** section provides information on all career and non-permanent employees including gender, race/ethnicity, employment category, age and distribution of employees by department.
- ***Career Workforce Highlights*** section provides an overview on key information about our career workforce including gender, full and part time employees, race/ethnic identification, career workforce as compared to county workforce demographics, job category, age, length of service, union representation, and distribution of employees by department. Additionally, we have included details on our hires, promotions, average salary and top of grade statistics, tuition assistance program usage, language and literacy proficiency program participation, medical health plan participation by provider, retirement plan participation, cost of living adjustment comparisons, and turnover information.
- ***Trends in Career Employee Lifecycle*** section examines tendencies in our workplace and how we compare to external sources.
- ***Non-Permanent Workforce Profile*** section presents demographics on seasonal/ intermittent, temporary, and term contract employees.
- ***Department and Bi-County Corporate Operations Demographics*** sections include career employee composition and length of service statistics.
- ***Appendix*** section includes a listing of race/ethnic identifications and job categories.

The PMR is available for internal review on Insite, and the public can access it on the Internet at www.mncppc.org. The Commission remains committed to delivering an informative report. We welcome your feedback! Please address comments/questions to Boni.King@mncppc.org or Paulette.Stewart@mncppc.org.

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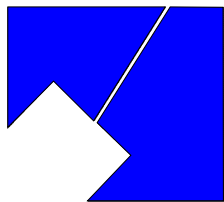
*Data As Of May 31, 2020

Employee Count	Evaluation Status		Total Employees
	Overdue	Compliant	
Department	Overdue	Compliant	Total Employees
Finance	7	30	37
Human Resources and Mgt	3	46	49
Legal	3	17	20
MC Commissioner	5	5	5
MC Parks	26	686	712
MC Planning	11	124	135
Merit Board System	1	1	1
Office of CIO	4	16	20
Office of Inspector General	4	4	4
PGC Commissioner	1	8	9
PGC Parks and Recreation	17	1,021	1,038
PGC Planning	9	144	153
Total Employees	81	2,102	2,183

**THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
EMPLOYEE PERFORMANCE EVALUATIONS NOT COMPLETED BY DUE DATE
BY DEPARTMENT AS OF MAY 2020**

	<u>31 - 60 DAYS</u>		<u>61 - 90 DAYS</u>		<u>91 + DAYS</u>		<u>DEPARTMENT TOTALS</u>	
	Apr-20	May-20	Apr-20	May-20	Apr-20	May-20	Apr-20	May-20
CHAIRMAN, MONTGOMERY COUNTY	0	0	0	0	0	0	0	0
CHARIMAN, PRINCE GEORGE'S COUNTY	1	1	0	0	0	0	1	1
OFFICE OF CIO	3	3	0	1	0	0	3	4
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.	0	3	0	0	0	0	0	3
LEGAL DEPARTMENT	1	0	1	1	1	2	3	3
FINANCE DEPARTMENT	5	4	1	3	0	0	6	7
PRINCE GEORGE'S PLANNING	8	5	0	2	3	1	11	9
PRINCE GEORGE'S PARKS & RECREATION	21	16	0	0	2	1	23	17
MONTGOMERY COUNTY PARKS	18	20	3	6	0	0	21	26
MONTGOMERY COUNTY PLANNING	4	11	0	0	1	0	5	11
DEPARTMENT TOTAL BY DAYS LATE	61	63	5	13	7	4		
COMMISSION-WIDE TOTAL							73	81

**DEPARTMENTS HAVE BEEN NOTIFIED OF LATE EVALUATIONS.



The Maryland-National Capital Park & Planning Commission
Department of Finance - Purchasing Division

6611 Kenilworth Avenue, Suite 300 • Riverdale, Maryland 20737 • 301-454-1600 Fax: 301-454-1606

June 10, 2020

TO: Commissioners

VIA: Asuntha Chiang-Smith, Executive Director

FROM: Joseph C. Zimmerman, Secretary/Treasurer

SUBJECT: MFD Purchasing Statistics— Third Quarter FY20

The Commission's procurement policy (Practice 4-10, Purchasing) includes an anti-discrimination component which assures that fair and equitable vendor opportunities are made available to minority, female or disabled owned firms (MFDs). This program is administered jointly by the Office of the Executive Director and the Purchasing Division and includes a price preference program and an MFD subcontracting component based on the Commission procurement practices and the available MFD vendors in the marketplace. The price preference program has been suspended until a MFD study is conducted to provide evidence that the price preference is/is not needed. This report is provided for your information and may be found on the Commission's intranet.

Some of the observations of this FY20 report include:

- Attachment A indicates that through the Third Quarter of FY20, the Commission procured approximately \$67.7 million in goods, professional services, construction and miscellaneous services. Approximately 14.7% or \$9.9 million was spent with minority, female and disabled (MFD) owned firms.
- Attachment B indicates that in the Third Quarter MFD utilization was 13.6%.
- Attachment C represents the MFD participation by type of procurement. The MFD participation for construction through the Third Quarter of FY20 was 23.8%. Attachment C also indicates that the largest consumers of goods and services in the Commission are the Prince George's County Department of Parks and Recreation and the Montgomery County Department of Parks. These programs significantly impact the Commission's utilization of MFD firms. The MFD cumulative utilization numbers for these departments through the Third Quarter are 17.4% and 9.3%, respectively.
- Attachment D presents the FY20 activity for the Purchase Card program totaling approximately \$11 million of which approximately 1.4% was spent with minority, female and disabled (MFD) firms. The amount of procurement card activity represents approximately 16.4% of the Commission's total procurement dollars. One reason for lower MFD participation on the purchase card is that the cards are used with national

retail corporations when a quick purchase for a maintenance job is needed. The purchase cards are also used for training registration in order to guarantee attendance.

- Attachment E portrays the historic MFD participation rates, and the total procurement from FY 1991 to Third Quarter FY20.
- Attachments F & G show the MFD participation in procurements at various bid levels to determine if MFD vendors are successful in obtaining opportunities in procurements that require informal bidding and formal bidding. Based on the department analysis, MFD vendors do appear to be participating, at an overall rate of 11.8% in informal (under \$30,000) and 16.6% in the formal (over \$30,000) procurements. For transactions under \$10k, MFD participation is 14.7%. MFD vendors are participating at an overall rate of 12.8% in transactions over \$250,000.
- Attachment H presents the total amount of procurements and the number of vendors by location. Of the \$67.6 million in total procurement, \$37.1 million or 55% was procured from Maryland vendors. Of the \$9.9 million in procurement from MFD vendors, \$8.4 million or 85.3% was procured from MFD vendors located in Maryland.
- Attachment I compares the utilization of MFD vendors by the Commission with the availability of MFD vendors. The results show under-utilization in the following categories: African American, Asian, Native American, Females and Disabled Owned. The amount and percentage of procurement from MFD vendors is broken out by categories as defined by the Commission's Anti-Discrimination Policy. The availability percentages are taken from the most recent State of Maryland disparity study dated June 25, 2018.

For further information on the MFD report, please contact the Office of Executive Director at (301) 454-1740.

Attachments

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MFD PROCUREMENT STATISTICS
FY 2020
FOR NINE MONTHS ENDED MARCH 31, 2020

Attachment A

	<u>Procurement</u>	<u>Procurement</u>	
	<u>Total \$</u>	<u>MFD \$</u>	<u>%</u>
<u>Prince George's County</u>			
Commissioners' Office	\$ 89,562	\$ 12,525	14.0%
Planning Department	1,417,943	284,919	20.1%
Parks and Recreation Department	38,705,866	6,721,594	17.4%
Total	<u>40,213,371</u>	<u>7,019,038</u>	<u>17.5%</u>
<u>Montgomery County</u>			
Commissioners' Office	18,439	-	0.0%
Planning Department	1,703,042	139,299	8.2%
Parks Department	23,312,942	2,159,938	9.3%
Total	<u>25,034,423</u>	<u>2,299,237</u>	<u>9.2%</u>
<u>Central Administrative Services</u>			
Dept. of Human Resources and Mgt.	339,740	109,500	32.2%
Finance Department	109,836	24,740	22.5%
Legal Department	26,409	1,128	4.3%
Merit Board	-	-	0.0%
Office of Chief Information Officer	1,923,190	459,051	23.9%
Office of Inspector General	13,814	182	1.3%
Total	<u>2,412,989</u>	<u>594,601</u>	<u>24.6%</u>
Grand Total	<u>\$ 67,660,783</u>	<u>\$ 9,912,876</u>	<u>14.7%</u>

Prepared by Finance Department
5/15/2020

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MFD PROCUREMENT STATISTICS

FY 2020

MFD STATISTICS - CUMULATIVE AND ACTIVITY BY QUARTER

Attachment B

CUMULATIVE BY QUARTER

	SEPTEMBER	DECEMBER	MARCH	JUNE
<u>Prince George's County</u>				
Commissioners' Office	9.6%	11.0%	14.0%	
Planning Department	7.2%	20.1%	20.1%	
Parks and Recreation Department	21.8%	17.5%	17.4%	
Total	21.5%	17.5%	17.5%	
<u>Montgomery County</u>				
Commissioners' Office	0.0%	0.0%	0.0%	
Planning Department	11.3%	6.9%	8.2%	
Parks Department	7.0%	10.3%	9.3%	
Total	7.2%	10.1%	9.2%	
<u>Central Administrative Services</u>				
Dept. of Human Resources and Mgt.	38.3%	37.4%	32.2%	
Finance Department	8.3%	18.1%	22.5%	
Legal Department	6.7%	5.3%	4.3%	
Merit Board	0.0%	0.0%	0.0%	
Office of Chief Information Officer	50.9%	25.5%	23.9%	
Office of Inspector General	3.0%	1.9%	1.3%	
Total	45.6%	26.4%	24.6%	
Grand Total	16.7%	15.2%	14.7%	

ACTIVITY BY QUARTER

	FIRST QUARTER	SECOND QUARTER	THIRD QUARTER	FOURTH QUARTER	TOTAL
<u>Prince George's County</u>					
Commissioners' Office	9.6%	11.4%	24.2%		14.0%
Planning Department	7.2%	32.4%	20.1%		20.1%
Parks and Recreation Department	21.8%	12.5%	17.1%		17.4%
Total	21.5%	12.9%	17.3%		17.5%
<u>Montgomery County</u>					
Commissioners' Office	0.0%	0.0%	0.0%		0.0%
Planning Department	11.3%	2.9%	9.9%		8.2%
Parks Department	7.0%	14.5%	7.5%		9.3%
Total	7.2%	13.7%	7.7%		9.2%
<u>Central Administrative Services</u>					
Dept. of Human Resources and Mgt.	38.3%	36.7%	19.9%		32.2%
Finance Department	8.3%	21.5%	28.1%		22.5%
Legal Department	6.7%	3.6%	0.0%		4.3%
Merit Board	0.0%	0.0%	0.0%		0.0%
Office of Chief Information Officer	50.9%	17.4%	16.7%		23.9%
Office of Inspector General	3.0%	0.0%	0.0%		1.3%
Total	45.6%	19.4%	18.1%		24.6%
Grand Total	16.7%	13.6%	13.6%		14.7%

Prepared by Finance Department
May 15, 2020

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MFD PROCUREMENT STATISTICS
BY MAJOR PROCUREMENT CATEGORY

FY 2020

FOR NINE MONTHS ENDED MARCH 31, 2020

ATTACHMENT C

	Grand Total	Montgomery Planning	Montgomery Parks	Pr. Geo. Parks & Recreation	Pr. Geo. Planning	Dept. of Human Resources	Finance Dept.	Legal Dept.	Office of Chief Information
Goods:									
Total \$	\$ 25,111,840	\$ 563,849	\$ 10,446,966	\$ 13,150,045	\$ 297,814	\$ 102,664	\$ 67,355	\$ 723	\$ 482,424
MFD \$	\$ 1,709,361	\$ 10,287	\$ 170,641	\$ 1,185,389	\$ 125,330	\$ 5,862	\$ 17,869	\$ 0	\$ 193,983
Percentage	6.8%	1.8%	1.6%	9.0%	42.1%	5.7%	26.5%	0.0%	40.2%
Miscellaneous Services:									
Total \$	\$ 14,232,835	\$ 941,624	\$ 4,298,051	\$ 6,760,286	\$ 990,856	\$ 116,479	\$ 29,131	\$ 24,701	\$ 1,071,707
MFD \$	\$ 2,306,078	\$ 74,852	\$ 320,647	\$ 1,638,068	\$ 114,688	\$ 29,404	\$ 6,871	\$ 598	\$ 120,950
Percentage	16.2%	7.9%	7.5%	24.2%	11.6%	25.2%	23.6%	2.4%	11.3%
Professional Services:									
Total \$	\$ 6,565,073	\$ 195,973	\$ 1,804,335	\$ 4,045,643	\$ 116,909	\$ 21,468	\$ 10,701	\$ 985	\$ 369,059
MFD \$	\$ 737,098	\$ 52,564	\$ 322,380	\$ 173,566	\$ 43,940	\$ 0	\$ 0	\$ 530	\$ 144,118
Percentage	11.2%	26.8%	17.9%	4.3%	37.6%	0.0%	0.0%	53.8%	39.1%
Construction:									
Total \$	\$ 21,629,220	\$ 1,596	\$ 6,763,590	\$ 14,749,892	\$ 12,364	\$ 99,129	\$ 2,649	\$ 0	\$ 0
MFD \$	\$ 5,147,632	\$ 1,596	\$ 1,346,270	\$ 3,724,571	\$ 961	\$ 74,234	\$ 0	\$ 0	\$ 0
Percentage	23.8%	0.0%	19.9%	25.3%	0.0%	74.9%	0.0%	0.0%	0.0%
SUBTOTAL									
Total \$	\$ 67,538,968	\$ 1,703,042	\$ 23,312,942	\$ 38,705,866	\$ 1,417,943	\$ 339,740	\$ 109,836	\$ 26,409	\$ 1,923,190
MFD \$	\$ 9,900,169	\$ 139,299	\$ 2,159,938	\$ 6,721,594	\$ 284,919	\$ 109,500	\$ 24,740	\$ 1,128	\$ 459,051
Percentage	14.7%	8.2%	9.3%	17.4%	20.1%	32.2%	22.5%	4.3%	23.9%
Pr. Geo. Commissioners' Office									
Total \$	\$ 89,562								
MFD \$	\$ 12,525								
Percentage	14.0%								
Mont. Commissioners' Office									
Total \$	\$ 18,439								
MFD \$	\$ 0								
Percentage	0.0%								
Merit Board									
Total \$	\$ 0								
MFD \$	\$ 0								
Percentage	0.0%								
Office of Inspector General									
Total \$	\$ 13,814								
MFD \$	\$ 182								
Percentage	1.3%								
GRAND TOTAL \$	\$ 67,660,783								
MFD \$	\$ 9,912,876								
Percentage	14.7%								

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MFD PROCUREMENT STATISTICS
Comparison of MFD % for Total Procurement and Purchase Card Procurement
FY 2020
FOR NINE MONTHS ENDED MARCH, 31, 2020

Attachment D

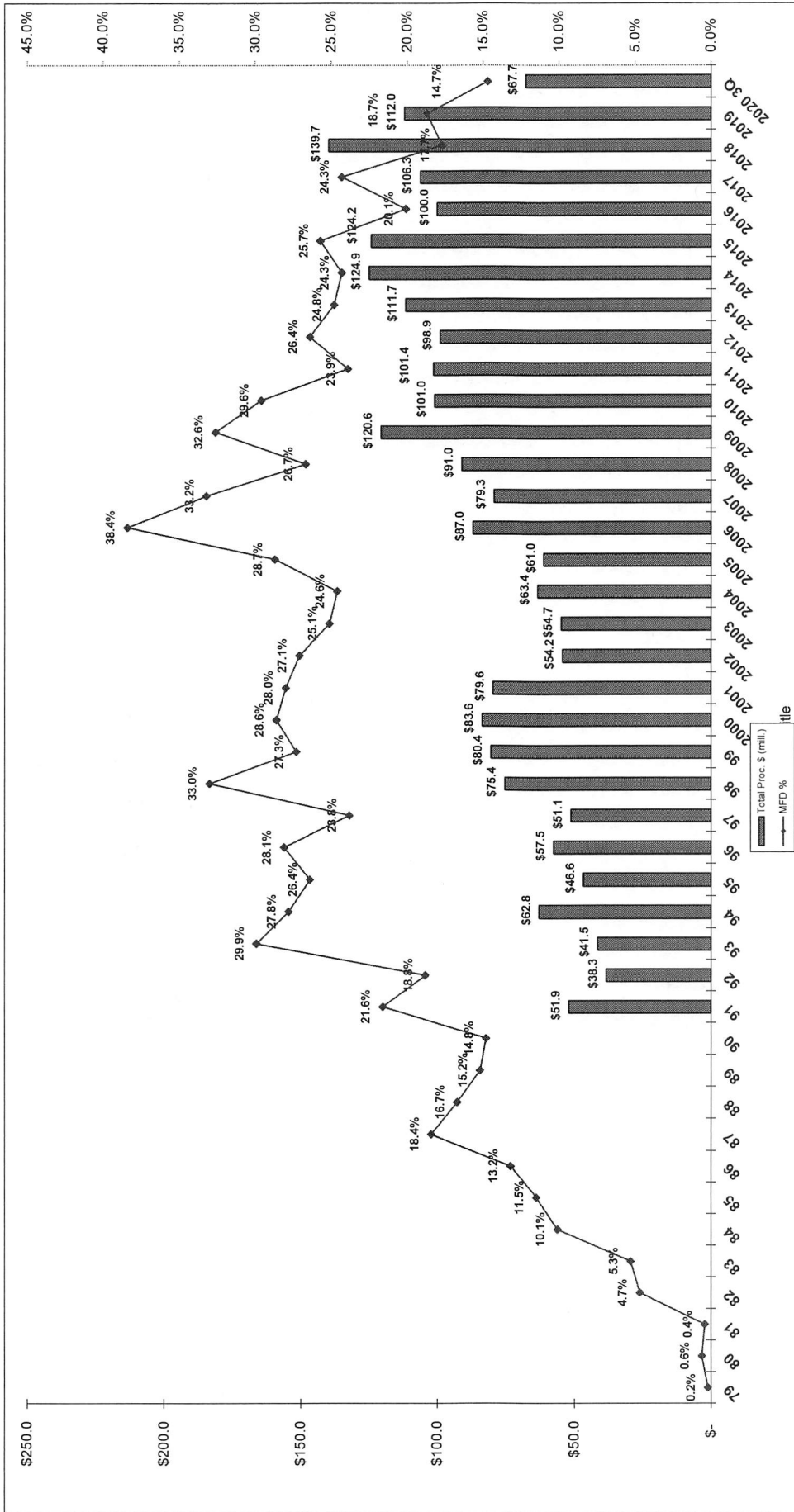
	Total Procurement		Purchase Card Procurement	
	Total \$	MFD %	Total \$	MFD %
<u>Prince George's County</u>				
Commissioners' Office	\$ 89,562	14.0%	\$ 44,775	17.6%
Planning Department	1,417,943	20.1%	189,869	0.0%
Parks and Recreation Department	38,705,866	17.4%	5,392,517	1.8%
Total	40,213,371	17.5%	5,627,161	1.8%
<u>Montgomery County</u>				
Commissioners' Office	18,439	0.0%	6,203	0.0%
Planning Department	1,703,042	8.2%	201,903	0.0%
Parks Department	23,312,942	9.3%	5,066,901	1.0%
Total	25,034,423	9.2%	5,275,007	0.9%
<u>Central Administrative Services</u>				
Dept. of Human Resources and Mgt.	339,740	32.2%	64,235	0.0%
Finance Department	109,836	22.5%	40,556	0.0%
Legal Department	26,409	4.3%	18,285	0.0%
Merit Board	-	0.0%	-	0.0%
Office of Chief Information Officer	1,923,190	23.9%	53,605	0.0%
Office of Inspector General	13,814	1.3%	9,305	2.0%
Total	2,412,989	24.6%	185,986	0.1%
Grand Total	\$ 67,660,783	14.7%	\$ 11,088,154	1.4%

Percentage of Purchase Card Procurement to Total Procurement 16.4%

Prepared by Finance Department
May 15, 2020

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MFD PROCUREMENT RESULTS and TOTAL PROCUREMENT (millions)

Attachment E

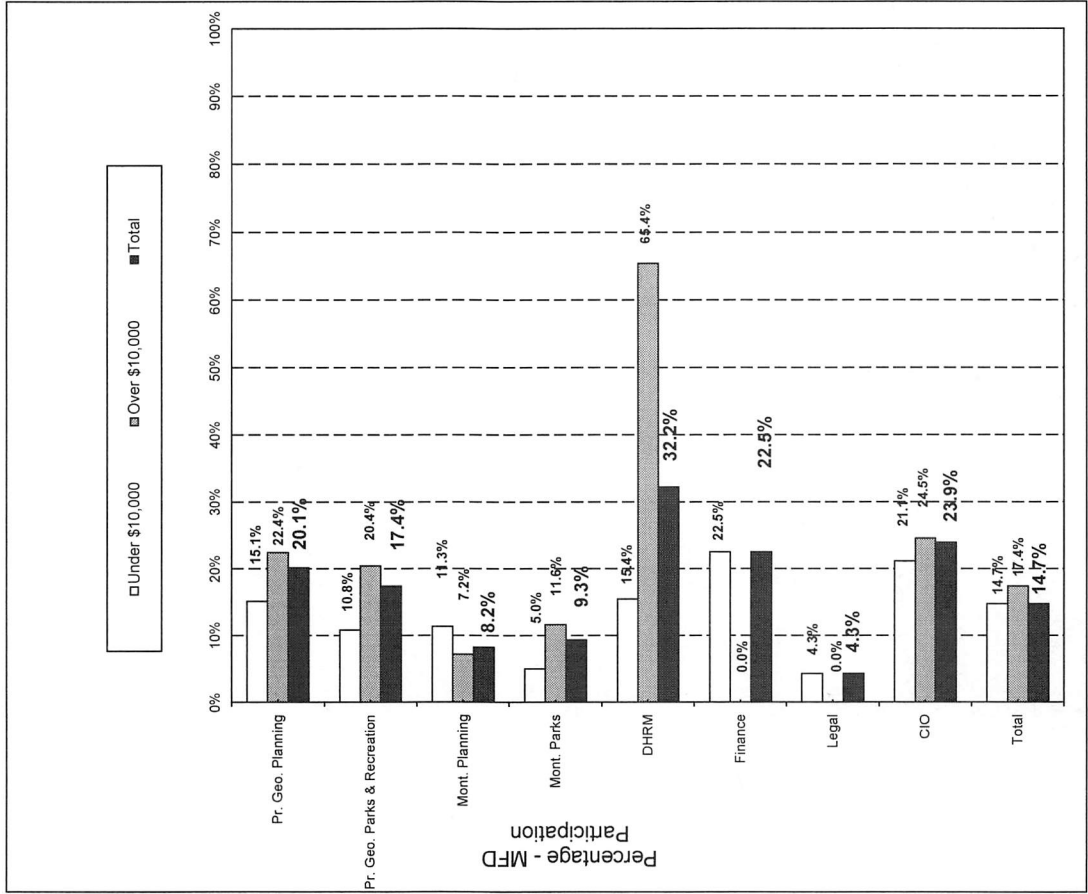


Prepared by Finance Department
May 15, 2020

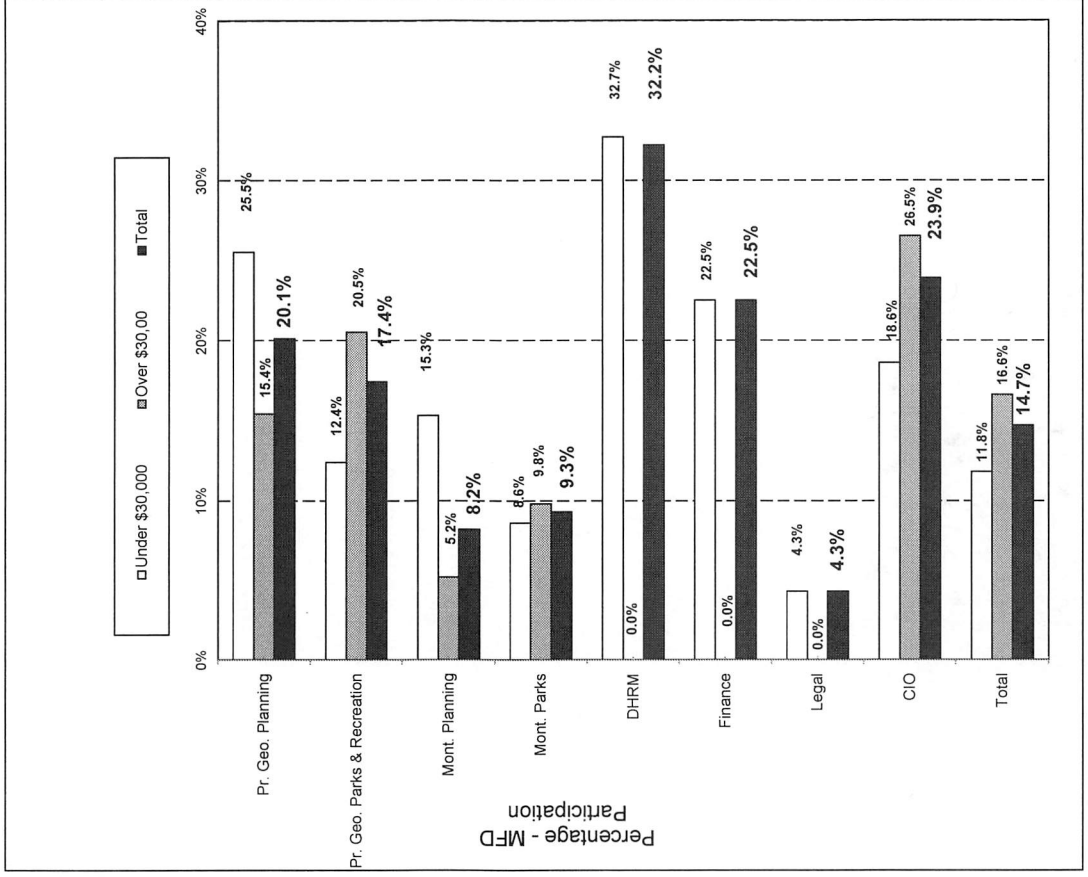
Attachment F

The Maryland-National Capital Park and Planning Commission
 MFD Procurement Statistics - Transactions Under/Over \$10,000 & \$30,000 plus Total %
 FY 2020 3Q

Under/Over \$10,000



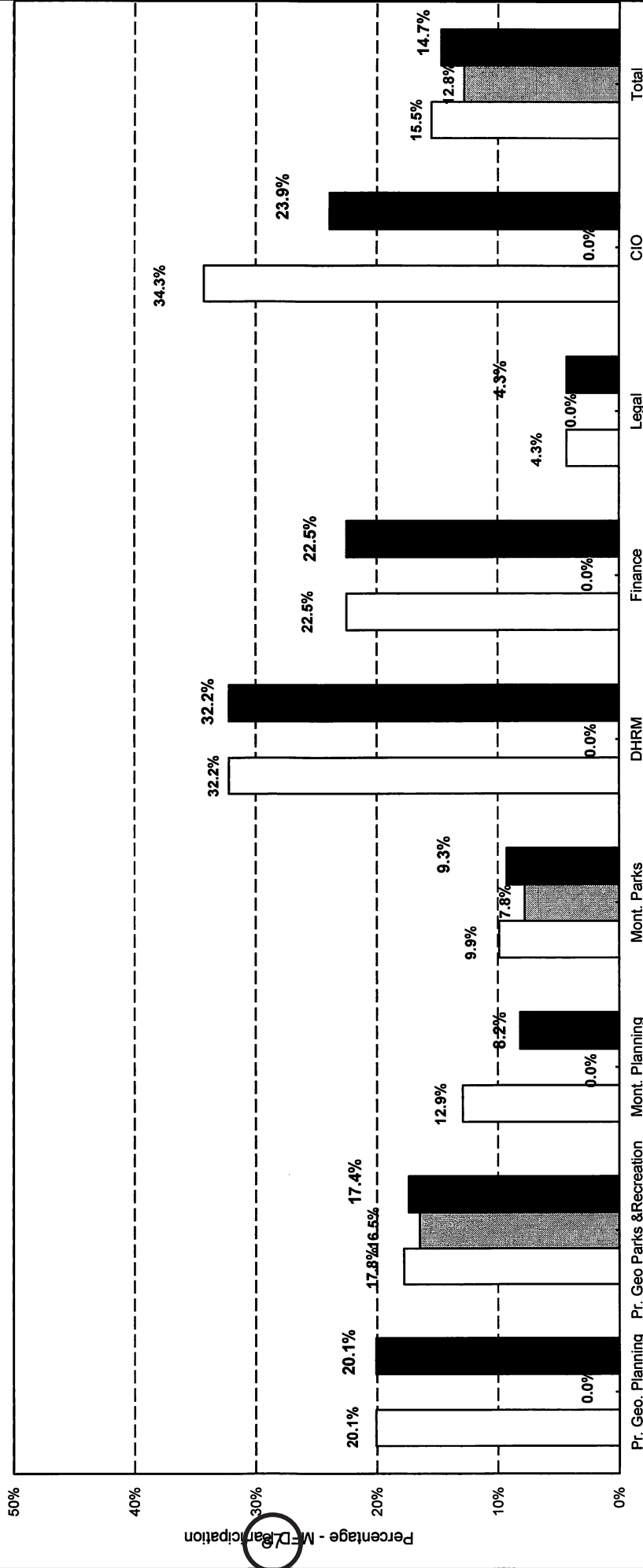
Under/Over \$30,000



Attachment G

The Maryland-National Capital Park and Planning Commission MFD Procurement Statistics - Transactions Under /Over \$250,000 and Total % FY 2020 3Q

Under \$250K
 Over \$250K
 Total



Prepared by Finance Department
May 15, 2020

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Amount of Procurement and Number of Vendors by Location
FY 2020
FOR NINE MONTHS ENDED MARCH 31, 2020

Attachment H

TOTAL of ALL VENDORS

<u>Location</u>	<u>Procurement</u>		<u>Number of Vendors</u>	
	<u>Amount</u>	<u>Percentage</u>	<u>Number</u>	<u>Percentage</u>
Montgomery County	\$ 10,769,399	15.9%	248	16.1%
Prince George's County	13,257,272	19.6%	401	26.1%
Subtotal	24,026,671	35.5%	649	42.2%
Maryland - other locations	13,164,047	19.5%	274	17.8%
Total Maryland	37,190,718	55.0%	923	60.0%
District of Columbia	1,613,272	2.4%	81	5.3%
Virginia	6,076,295	9.0%	137	8.9%
Other Locations	22,780,498	33.6%	397	25.8%
Total	\$ 67,660,783	100.0%	1,538	100.0%

TOTAL of Non-MFD Vendors

<u>Location</u>	<u>Procurement</u>		<u>Number of Vendors</u>	
	<u>Amount</u>	<u>Percentage</u>	<u>Number</u>	<u>Percentage</u>
Montgomery County	\$ 7,852,629	13.6%	176	14.8%
Prince George's County	10,136,697	17.6%	274	23.0%
Subtotal	17,989,326	31.2%	450	37.8%
Maryland - other locations	10,746,822	18.6%	229	19.2%
Total Maryland	28,736,148	49.8%	679	57.0%
District of Columbia	1,422,303	2.5%	52	4.4%
Virginia	5,723,908	9.9%	107	9.0%
Other Locations	21,865,548	37.8%	355	29.6%
Total	\$ 57,747,907	100.0%	1,193	100.0%

TOTAL of MFD Vendors

<u>Location</u>	<u>Procurement</u>		<u>Number of Vendors</u>	
	<u>Amount</u>	<u>Percentage</u>	<u>Number</u>	<u>Percentage</u>
Montgomery County	\$ 2,916,770	29.4%	72	20.9%
Prince George's County	3,120,575	31.5%	127	36.8%
Subtotal	6,037,345	60.9%	199	57.7%
Maryland - other locations	2,417,225	24.4%	45	13.0%
Total Maryland	8,454,570	85.3%	244	70.7%
District of Columbia	190,969	1.9%	29	8.4%
Virginia	352,387	3.6%	30	8.7%
Other Locations	914,950	9.2%	42	12.2%
Total	\$ 9,912,876	100.0%	345	100.0%

Note: The following shows the amounts and percentages of procurement by the location of the department. The bi-county departments' activity is divided equally between the two Counties.

	<u>Total Procurement</u>		<u>MFD Procurement</u>	
	<u>Amount</u>	<u>Percentage</u>	<u>Amount</u>	<u>Percentage</u>
Prince George's County	\$ 41,419,865	61.2%	\$ 7,316,338	73.8%
Montgomery County	26,240,918	38.8%	2,596,538	26.2%
Total	\$ 67,660,783	100.0%	\$ 9,912,876	100.0%

Prepared by Finance Department
May 15, 2020

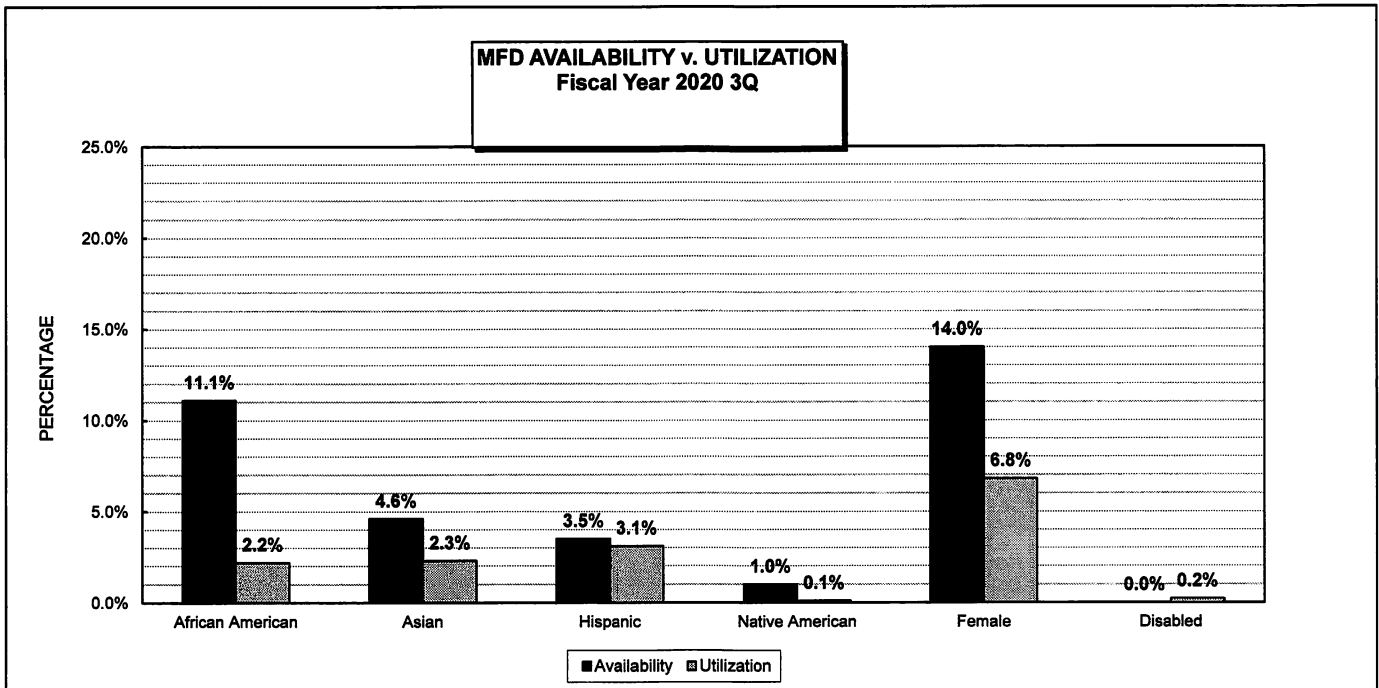
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MFD PROCUREMENT RESULTS
FY 2020
FOR NINE MONTHS ENDED MARCH 31, 2020

Attachment I

Total Amount of Procurement \$ 67,660,783

**Amount, Percentage of Procurement by Category, and
 Percentage of Availability by Category:**

	Procurement		Availability
	Amount	%	%
Minority Owned Firms			
African American	\$ 1,459,398	2.2%	11.1%
Asian	1,557,609	2.3%	4.6%
Hispanic	2,106,624	3.1%	3.5%
Native American	49,637	0.1%	1.0%
Total Minority Owned Firms	5,173,268	7.7%	20.2%
Female Owned Firms	4,599,337	6.8%	14.0%
Disabled Owned Firms	140,271	0.2%	n/a
Total Minority, Female, and Disabled Owned Firms	\$ 9,912,876	14.7%	34.2%



Note: (1) Availability percentages are taken from State of Maryland study titled "Disadvantaged Business Enterprise Disparity Study: Vol. 1", dated June 25, 2018, page 13.
 (2) n/a = not available

Prepared by Department of Finance
 May 15, 2020

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

Reply To

June 3, 2020

Adrian R. Gardner
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: Adrian R. Gardner
General Counsel
RE: Litigation Report for May 2020 – FY 2020

Please find the attached litigation report we have prepared for your meeting scheduled on Wednesday, June 17, 2020. 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.

Table of Contents – May 2020 – FY 2020 Report

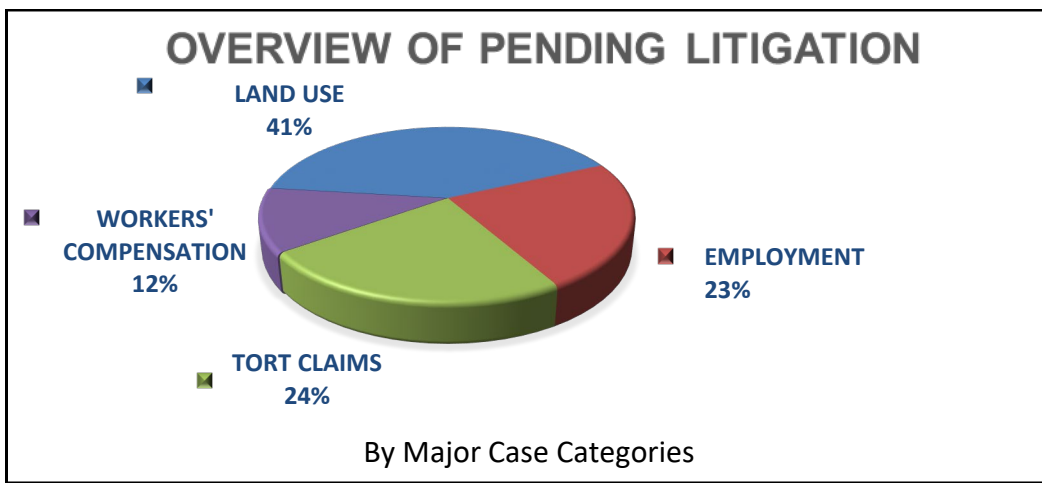
Composition of Pending Litigation.....Page 01
Overview of Pending Litigation (Chart).....Page 01
Litigation Activity SummaryPage 02
Index of New YTD Cases (FY20)Page 03
Index of Resolved YTD Cases (FY20)Page 04
Disposition of FY20 Closed Cases Sorted by DepartmentPage 05
Index of Reported Cases Sorted by Jurisdiction.....Page 08
Litigation Report Ordered by Court Jurisdiction.....Page 09

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May 2020 Composition of Pending Litigation

(Sorted by Subject Matter and Forum)

	STATE TRIAL COURT	MARYLAND COSA	MARYLAND COURT OF APPEALS	FEDERAL TRIAL COURT	FEDERAL APPEALS COURT	U.S. SUPREME COURT	SUBJECT MATTER TOTALS
ADMIN APPEAL: LAND USE	5	2					7
ADMIN APPEAL: OTHER							
LAND USE DISPUTE							
TORT CLAIM	4						4
EMPLOYMENT DISPUTE	3			1			4
CONTRACT DISPUTE							
PROPERTY DISPUTE							
CIVIL ENFORCEMENT							
WORKERS' COMPENSATION	3						3
DEBT COLLECTION							
BANKRUPTCY							
MISCELLANEOUS							
PER FORUM TOTALS	15	2		1			18



May 2020 Litigation Activity Summary

	COUNT FOR MONTH			COUNT FOR FISCAL YEAR 2020			
	Pending In April 2020	New Cases	Resolved Cases	Pending Prior F/Y	New Cases F/YTD**	Resolved Cases F/YTD**	Pending Current Month
Admin Appeal: Land Use (AALU)	7			6	9	8	7
Admin Appeal: Other (AAO)							
Land Use Disputes (LD)							
Tort Claims (T)	4			1	4	1	4
Employment Disputes (ED)	4				4		4
Contract Disputes (CD)							
Property Disputes (PD)							
Civil Enforcement (CE)							
Workers' Compensation (WC)	2	1		5	3	7	3
Debt Collection (D)							
Bankruptcy (B)							
Miscellaneous (M)				2		2	
Totals	17	1		14	11	12	18

**INDEX OF YTD NEW CASES
(7/1/2019 TO 6/30/20)**

A. <u>New Trial Court Cases.</u>	<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>
Milbourne v. Commission	PG	WC	July 19
Commission v. Batson	PG	WC	July 19
Commission v. Sommer	PG	WC	Aug 19
McCourt v. Commission	PG	ED	Aug 19
Neighbors for an Improved Kensington, et al. v. Montgomery County Planning Board	MC	AALU	Aug 19
King v. Commission	PG	WC	Sept 19
Estreicher v. Montgomery County Planning Board	MC	AALU	Sept 19
Evans v. Commission	MC	ED	Sept 19
Pumphrey v. Wilson	PG	Tort	Sept 19
Benton v. Woodmore Overlook Commercial, LLC	PG	AALU	Nov 19
Kosary v. Montgomery County Planning Board	MC	AALU	Dec 19
Brown v. City of Bowie	PG	Tort	Nov 19
Alexander v. Proctor	PG	Tort	Nov 19
Coe v. Commission	PG	ED	Dec 19
Jackson v. Commission	PG	Tort	Jan 20
Thompkins v. Commission	MC	ED	Jan 20
Jan A.J. Bove, et al. v. Montgomery County Planning Board	MC	AALU	Mar 20
Stewart v. Prince George's County Planning Board	PG	AALU	Apr 20
6525 Belcrest Road LLC v. Dewey, L.C., et al.	PG	AALU	Apr 20
In the Matter of Maryland-National Capital Park and Planning Commission	AA	WC	May 20
B. <u>New Appellate Court Cases.</u>	<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>
Pietsch, et al v. Commission	MC	AALU	Sept 19
Benton v. Woodmore Overlook Commercial, LLC	PG	AALU	Dec 19

**INDEX OF YTD RESOLVED CASES
(7/1/2019 TO 6/30/20)**

<u>A. Trial Court Cases Resolved.</u>	<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>
Commission v. Ferrante	PG	WC	July 19
Commission v. Ferrante	PG	WC	July 19
Bradley Boulevard Citizens Association Inc. v. Montgomery County Planning Board	MC	AALU	July 19
Critical Area Commission v. MNCPPC	PG	AALU	Aug 19
Commission v. Sommer	PG	WC	Oct 19
Milbourne v. Commission	PG	WC	Nov 19
Neighbors for an Improved Kensington, v. Montgomery County Planning Board	MC	AALU	Feb 20
<u>B. Appellate Court Cases Resolved.</u>	<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>
The Town of Forest Heights v. Commission	PG	Misc.	June 19
Pletsch, et al. v. Commission	PG	AALU	July 19
Ross v. Commission	PG	WC	Oct 19
Bradley Blvd. Citizens Assn., Inc v. Montgomery County Planning Board	MC	AALU	Dec 19
Pletsch, et al. v. Commission	PG	AALU	Dec 19
Green v. Commission	PG	AALU	Dec 19

Disposition of FY20 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 Planning		
Bradley Boulevard Citizens Association, Inc. v. Montgomery County Planning Board	Appeal of Planning Board approval of WMAL Site Plan 820170170.	07/17/19 – Joint Motion to Dismiss granted.
Bradley Boulevard Citizens Association, Inc. v. Montgomery County Planning Board	Appeal from Circuit Court affirming the Planning Board's approval of WMAL Preliminary Plan 120160290.	12/06/19 – Judgment of Circuit Court Affirmed
Montgomery County Department of Parks		
Montgomery County Park Police		
Montgomery County Planning Board		
Neighbors for an Improved Kensington, et al. v. Montgomery County Planning Board	Judicial Review of Montgomery County Planning Board's approval of Knowles Manor Site Plan 820190080.	02/19/20 – Court granted Petitioner's Motion to Withdraw Petition with prejudice to renewal and closed the matter.
Prince George's County Department of Parks and Recreation		
Commission v. Sommer	Claimant and Commission filed Joint Petitions for Judicial Review appealing the several denials of a proposed settlement agreement by the WCC.	10/30/19 – Court remanded back to WCC in line with settlement agreement between the parties. Commission to pay a lump sum payment.

Ferrante v. Commission (two separate cases)	Appeal from WCC Order requiring Commission to pay indemnity benefits corresponding to medical treatment.	07/25/19- Court affirmed the decision of the orders dated April 11, 2018 and October 19, 2018 issued by the Workers' Compensation Commission
Green v. Commission	Appeal from Circuit Court's Dismissal of Petition for Judicial Review. Underlying decision required Appellant to use Corvel's mail-in services for her prescription needs, effective 12/1/18. Commission filed a Motion to Dismiss arguing that the Claimant/Plaintiff was not aggrieved by the decision of the WCC because there was no change to her medications, only the delivery apparatus and thus she had no standing to appeal.	12/10/19 - Appeal voluntarily dismissed.
Milbourne v. Commission	Claimant alleged Commission owed him for amounts withheld from annual leave upon leaving employment	11/13/19 Settlement for overpayment of wages and case dismissed.
Ross v. Commission	Defense of appeal from order granting a credit for overpayment of temporary total disability from June 26, 2013 to March 23, 2016.	10/22/19 – Appeal dismissed by Ross.
Prince George's County Planning Department		
Critical Area Commission v. MNCPPC	Petition for Judicial Review regarding the Prince George's County Planning Board's approval of the Indian Queen Overlook Conservation Plan CP-16002.	08/19/19 - matter voluntarily dismissed.
Pletsch, et al. v. Commission	Two separate appeals filed. Citizens filed an appeal of order affirming the underlying decision and resolution. The developer filed an appeal of the denial of the motion to dismiss for lack of standing. The Commission did not join in the appeal of the denial of the motion to dismiss.	07/22/19 – Court vacated the judgment of the Circuit Court and remanded with direction to dismiss the Petition for Judicial Review.
Pletsch, et al. v. Commission	Petition for Writ of Certiorari filed regarding Court of Special Appeals remand to Circuit Court to Dismiss Petition for Judicial Review for lack of standing.	12/23/19 – Certiorari denied.
Prince George's County Planning Board		
Prince George's Park Police		

Office of Internal Audit			
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INDEX OF CASES

DISTRICT COURT FOR MONTGOMERY COUNTY, MARYLAND 9

DISTRICT COURT FOR PRINCE GEORGE’S COUNTY, MARYLAND 9

CIRCUIT COURT FOR ANNE ARUNDEL COUNTY, MARYLAND 9

In the Matter of Maryland-National Capital Park and Planning Commission 9

CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND 9

Estreicher v. Montgomery County Planning Board 9

Jan A.J. Bove, et al. v. Montgomery County Planning Board 10

Kosary v. Montgomery County Planning Board 10

Thompkins v. Commission 11

CIRCUIT COURT FOR PRINCE GEORGE’S COUNTY, MARYLAND 11

6525 Belcrest Road, LLC v. Dewey, L.C., et al 11

Alexander v. Proctor 11

Brown v. City of Bowie 12

Coe v. Commission 12

Commission v. Batson 13

Jackson v. Prince George’s County Sports & Learning Complex 13

King v. Commission 14

McCourt v. Commission 14

Pumphrey v. Wilson 14

Stewart v. P.G. Planning Board 15

MARYLAND COURT OF SPECIAL APPEALS 15

Benton v. Woodmore Overlook Commercial, LLC 15

Gaspard v. Montgomery County Planning Board 16

MARYLAND COURT OF APPEALS 16

U.S. DISTRICT COURT OF MARYLAND 17

Evans v. Commission, et al 17

DISTRICT COURT FOR MONTGOMERY COUNTY, MARYLAND

No Pending Cases

DISTRICT COURT FOR PRINCE GEORGE’S COUNTY, MARYLAND

No Pending Cases

CIRCUIT COURT FOR ANNE ARUNDEL COUNTY, MARYLAND

In the Matter of Maryland-National Capital Park and Planning Commission

Case No. C-02-CV-20-001143 (WC)

Lead Counsel: Foster
Other Counsel:

Abstract: Judicial Review of WCC decision regarding mail order prescription medication.

Status: Appeal filed.

Docket:

05/01/2020	Petition for Judicial Review filed
05/27/2020	Response of Defendant filed

CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND

Estreicher v. Montgomery County Planning Board

Case No. 472672-V (AALU)

Lead Counsel: Mills
Other Counsel:

Abstract: Judicial Review of Montgomery County Planning Board’s approval of Sketch Plan 320190100 8015 Old Georgetown Road.

Status: Awaiting Oral Argument.

Docket:

09/24/2019	Petition for Judicial Review filed
10/08/2019	Commission’s Response filed
01/02/2020	Estreicher’s memorandum filed
02/03/2020	JLB Realty, LLC’s memorandum filed
02/05/2020	Commission’s Response to memorandum filed
02/21/2020	Plaintiff’s Reply memorandum filed
05/22/2020	Oral argument postponed due to pandemic

Jan A.J. Bove, et al. v. Montgomery County Planning Board

Case No. 480775-V (AALU)

Lead Counsel: Sorrento
Other Counsel:

Abstract: Judicial Review of Montgomery County Planning Board's approval of 7025 Longwood Drive subdivision no. 620190100.

Status: Petition filed.

Docket:

03/09/2020	Petition for Judicial Review filed
03/18/2020	Commission's Response filed

Kosary v. Montgomery County Planning Board

Case No. 476283-V (AALU)

Lead Counsel: Sorrento
Other Counsel:

Abstract: Judicial Review of Montgomery County Planning Board's approval of Primrose School Preliminary Forest Conservation Plan CU-18-08.

Status: Case stayed.

Docket:

12/06/2019	Petition for Judicial Review filed
12/11/2019	Planning Board's Motion to Dismiss filed
12/12/2019	Response to Petition for Judicial Review filed
12/19/2019	Petitioner's Supplemental Petition for Judicial Review filed
12/23/2019	Petitioner's Response to Motion to Dismiss filed.
01/21/2020	Motion to Dismiss denied as moot.
01/22/2020	Plaintiff's Motion for Stay and Request for Hearing.
02/06/2020	Primrose School Opposition to Motion to Stay.
02/28/2020	Motion for Stay Granted
03/03/2020	Case stayed pending conclusion of OCH hearing
03/26/2020	Plaintiff's interim report on status of administrative proceedings

Thompkins v. Commission

Case No. 477424-V (ED)

Lead Counsel: Foster
Other Counsel:

Abstract: Judicial Review of Merit Board Decision related to her reclassification under the Administrative Series.

Status: Case dismissed by Court.

Docket:

01/02/2020	Petition for Judicial Review filed
01/16/2020	Commission's Response to Petition
05/08//2020	Petition for Judicial Review dismissed by Court.

CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

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

Case No. CAE 20-11589 (AALU)

Lead Counsel: Goldsmith
Other Counsel:

Abstract: Declaratory Judgment Action

Status: Commission has yet to be served.

Docket:

04/14/2020	Complaint filed
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Alexander v. Proctor

Case No. CAL19-37187 (Tort)

Lead Counsel: Adams
Other Counsel:

Abstract: Alexander filed complaint against Park Police officer arising from arrest on Commission property.

Status: Complaint filed.

Docket:

11/20/2019	Complaint filed
12/06/2019	Proctor served
12/09/2019	Commission served
01/03/2020	Commission's Motion to Dismiss filed

01/23/2020	Motion to Dismiss denied. Plaintiff to file Amended Complaint on or before 02/07/2020.
02/08/2020	Amended Complaint filed
02/21/2020	Motion to Strike Amended Complaint or in the alternative to Dismiss
03/09/2020	Opposition to Motion to Strike
03/27/2020	Court orders matter to be set in for hearing on Motion
05/06/2020	Motion to Quash and for Protective Order
05/06/2020	Plaintiff's Opposition to Motion to Quash and for Protective Order
05/22/2020	Order of Court – Motion to Quash and for Protective Order held in abeyance
06/19/2020	Motions Hearing

Brown v. City of Bowie
Case No. CAL19-35931 (Tort)

Lead Counsel: Harvin
Other Counsel:

Abstract: Injuries resulting from an event at Trap and Skeet location owned by the Commission.

Status: Complaint filed.

Docket:

11/15/2019	Complaint filed
01/27/2020	Defendant City of Bowie's Motion to Dismiss or in the Alternative for Summary Judgment
02/05/2020	Summons reissued for Commission
02/13/2020	Opposition to City of Bowie's Motion to Dismiss
02/26/2020	Defendant Daughtery's answer filed
03/13/2020	Commission served
04/08/2020	Commission's Answer filed
05/15/2020	Motions Hearing on City's Motion to Dismiss – continued due to pandemic

Coe v. Commission
Case No. CAL19-39808 (ED)

Lead Counsel: Adams
Other Counsel:

Abstract: Coe filed for Judicial Review of decision to terminate employment following LEOBR police hearing.

Status: Petition for Judicial Review filed.

Docket:

12/13/2019	Petition for Judicial Review filed
01/03/2020	Commission's Response to Petition for Judicial Review

03/19/2020	Petitioner's Memo in Support of Judicial Review filed
04/15/2020	Commission's Memo filed
06/12/2020	Oral argument continued at Judge's request

Commission v. Batson
Case No. CAL19-24204 (WC)

Lead Counsel: Foster
Other Counsel:

Abstract: The Commission filed for Judicial Review on the record of WCC order regarding surgical authorization for leg causally related to accidental injury.

Status: In discovery.

Docket:

07/26/2019	Petition for Judicial Review filed
08/08/2019	Order of Court Permitting Omission of Record
08/19/2019	Batson's Notice of Intent to Participate, Jury Demand
08/22/2019	Commission's Motion to Strike Request for De Novo Review and Request for Jury Demand
09/03/2019	Opposition to Motion to Strike filed
09/06/2019	Memo in Support of on the record Judicial Review filed
10/02/2019	Order of Court- Commission's Motion to Strike Request for De Novo Review and Request for Jury Trial denied. Case to proceed De Novo before a jury.
11/21/2019	Motion to Bifurcate filed by Commission in an attempt to litigate the dispositive legal issue preliminarily before any de novo trial.
12/16/2019	Motion to Bifurcate denied.
10/07/2020	Trial

Jackson v. Prince George's County Sports & Learning Complex
Case No. CAL19-21516 (Tort)

Lead Counsel: Harvin
Other Counsel:

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

Status: Complaint filed.

Docket:

07/15/2019	Complaint filed
01/22/2020	Commission accepted service
01/27/2020	Complaint to be amended to reflect Commission as party.
02/04/2020	Amended Complaint filed
03/18/2020	Commission served
04/08/2020	Commission's answer filed.

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

Lead Counsel: Foster
Other Counsel:

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

Status: In discovery.

Docket:

09/23/2019	Petition for Judicial Review filed
10/03/2019	Commission filed response to Petition.
06/30/2020	Trial

McCourt v. Commission
Case No. CAL 19-27903 (ED)

Lead Counsel: Dickerson
Other Counsel: Foster

Abstract: Appeal filed.

Status: Awaiting oral argument.

Docket:

08/23/2019	Petition for Judicial Review filed
09/04/2019	Commission notified of filing of Petition
09/24/2019	Response to Petition for Judicial Review
06/12/2020	Oral argument.

Pumphrey v. Wilson
Case No. CAL 19-30161 (Tort)

Lead Counsel: Dickerson
Other Counsel: Foster

Abstract: Automobile accident with vehicle driven by Commission employee.

Status: Commission has yet to be served.

Docket:

09/16/2019	Complaint filed
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Stewart v. P.G. Planning Board

Case No. CAL 20-11215 (AALU)

Lead Counsel: Goldsmith
Other Counsel:

Abstract: Judicial Review of Prince George's County Planning Board's approval of GB Mall Limited Partnership/Quantum Company Preliminary Plan Case No.4-19023

Status: Petition for Judicial Review filed.

Docket:

04/01/2020	Petition for Judicial Review filed
04/13/2020	Amended Petition for Judicial Review filed.

MARYLAND COURT OF SPECIAL APPEALS

Benton v. Woodmore Overlook Commercial, LLC

September Term 2019, No. 2118 (AALU)

(Originally filed under CAL19-14488 in Prince George's County)

Lead Counsel: Borden
Other Counsel:

Abstract: Judicial Review of decision of the Prince George's County Planning Board.

Status: Appeal filed.

Docket:

12/19/2019	Appeal filed
02/11/2020	Show Cause issued by Court regarding non-lawyer representing corporate entities
02/25/2020	Response to Show Cause filed
03/04/2020	Order of Court. Show Cause satisfied, appeal to proceed.
03/10/2020	Scheduling Order issued
4/29/2020	Court granted Appellant's Motion for Extension of Time
05/07/2020	Motion for Emergency Ex Parte Temporary Restraining Order Pending Appeal and Order to Show Cause Why a Preliminary Injunction Should Not Be Issued
05/13/2020	Commission's Response to Motion filed.
05/18/2020	Appellant's Motion for Leave & Notice of Intent to Respond to Commission's Opposition to Temporary Restraining Order Pending Appeal
05/25/2020	Appellant's Rebuttal Response to Commission's Reply to Motion for Temporary Restraining Order

Gaspard v. Montgomery County Planning Board
September Term 2019 Case No. 0579 (AALU)

Lead Counsel: Mills
Other Counsel:

Abstract: Judicial review of decision affirming Planning Board's approval of Preliminary Plan 120160180 Glen Mill – Parcel 833

Status: Appeal filed.

Docket:

05/23/2019	Appeal filed
04/23/2020	Planning Board's Brief filed
04/27/2020	Brief of Appellee, Sara A. Vazer filed
05/14/2020	Reply Brief of Appellant West Montgomery County Citizens Association filed
06/03/2020	Oral Argument

MARYLAND COURT OF APPEALS

No Cases Pending

U.S. DISTRICT COURT OF MARYLAND

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

Lead Counsel: Dickerson
Other Counsel: Foster

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

Status: Complaint filed.

Docket:

09/11/2019	Complaint filed
10/23/2019	Notice of Intent to file Motion for More Definite Statement filed by Defendants Commission, McSwain, and Riley
10/24/2019	Notice of Intent to file Motion for More Definite Statement filed by J. Creed on behalf of Defendant Murphy
10/28/2019	Notice of Intent to File a Motion for More Definite Statement filed by attorney C. Bruce on behalf of Defendant Uhrig
11/19/2019	Case Management Conference held
11/20/2019	Order directing Plaintiff's Counsel to file Status Report by November 26, 2019
11/26/2019	Status Report filed by Plaintiff agreeing to file Amended Complaint specifying against whom each claim is asserted and dates of alleged events.
12/10/2019	Amended Complaint filed.
12/23/2019	Notice of Intent to file a Motion to Dismiss filed by all defendants
12/30/2019	Case Management conference held
01/09/2020	Order granting Plaintiff leave to file Amended Complaint
01/16/2020	Second Amended Complaint filed
02/14/2020	Joint Motion to Dismiss filed by all Defendants
03/20/2020	Opposition to Motion to Dismiss
03/20/2020	Motion for Leave to file Third Amended Complaint
03/20/2020	Third Amended Complaint
03/25/2020	Order of Court directing Defendants to file Opposition no later than April 3, 2020.
04/03/2020	Opposition to Leave to file Third Amended Complaint
04/17/2020	Motion for Extension of time to file reply to opposition
04/17/2020	Plaintiff's Reply to Defendants' joint Opposition to Plaintiff's Motion for Leave to file Third Amended Complaint.
05/06/2020	Order granting Motion for Extension of Time to File Response/Reply.

05/07/2020	Order granting Motion for Leave to File Third Amended Complaint; denying as moot Defendants' Joint Motion to Dismiss; granting defendants leave to renew their Joint Motion to Dismiss by May 22, 2020.
05/21/2020	Joint Motion for Extension of Time, Proposed Amended Briefing Schedule filed by Commission.
05/21/2020	Order granting Motion for Extension of Time.