



THE MARYLAND-NATIONAL CAPITAL
Park and Planning Commission

COMMISSION MEETING

September 18, 2024

10:00 a.m. – 12:00 p.m.

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

Auditorium

6600 Kenilworth Avenue
Riverdale, Maryland 20737

and via teleconference

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MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Wednesday, September 18, 2024

10:00 am to 12:00 noon

Prince George’s County Parks and Recreation Administration Building Auditorium and via Teleconference

| | | <u>ACTION</u> | |
|---|--|---------------|---------|
| | | Motion | Second |
| 1. | Consent Agenda (10:00 a.m.) | (*) | |
| | a) Approval of September 18 Commission Meeting Agenda | | Page 1 |
| | b) Resolution 24-20 Adoption of the Great Seneca Plan: Connecting Life and Science (Hill) | | Page 3 |
| | c) Controlled Substance Policy Definition Change (Harvin/Beckham) | | Page 19 |
| 2. | Approval of Commission Minutes (10:05 a.m.) | | |
| | a) Open Session – July 17, 2024 | (*) | Page 25 |
| 3. | General Announcements (10:05 a.m.) | | |
| | a) Upcoming Hispanic Heritage Month (September 15-October 15) | | |
| | b) National Prostate Cancer Awareness Month | | |
| 4. | Committee and Board Reports (10:10 a.m.) | | |
| | a) Employees’ Retirement System Board of Trustees Regular Meeting Minutes from July 2, 2024 | | Page 31 |
| <p><i>Pursuant to the Maryland General Provisions Article of the Annotated Code of Maryland, Section 3-305(b), (1), (9) and (14) a closed session is proposed to discuss a confidential personnel matter; to discuss before a contract is awarded or bids are opened, a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process; and to consider matters relating to collective bargaining negotiations with the Fraternal Order of Police bargaining units to preserve the Commission’s negotiating position.</i></p> | | | |
| 5. | Closed Session (10:15 a.m.) | | |
| 6. | Action and Presentation Items (11:15 a.m.) | | |
| | a) Wage Resolutions | (*) | |
| | i. Resolution 24-15 FY25 Wage Reopener Agreement for Employees Represented by the Fraternal Order of Police (FOP) (Spencer/Harvin) | | Page 35 |
| | ii. Resolution 24-16 FY25 Wage Reopener Agreement Passthrough for M-NCPPC Park Police Cadets and Command Officers (Spencer/Harvin) | | Page 39 |
| | b) Benefits Programs Rate Changes (Allen/McDonald) | (*) | Page 41 |
| | c) Central Administrative Services Cost Allocation (Charles) | (*) | Page 53 |
| 7. | Officers’ Reports (11:30 a.m.) | | |
| | <u>Executive Director’s Report</u> | | |
| | a) MFD Quarterly Purchasing Statistics (For Information Only) | | Page 59 |
| | b) Quarterly Budget Transfers Report (For Information Only) | | Page 73 |
| | <u>Secretary Treasurer</u> | | |
| | No report scheduled | | |
| | <u>General Counsel</u> | | |
| | c) Litigation Report (For Information Only) | | Page 75 |

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GREAT SENECA PLAN: CONNECTING LIFE AND SCIENCE RESOLUTION OF ADOPTION



The Great Seneca Plan

CONNECTING LIFE AND SCIENCE

Description

The Great Seneca Plan: Connecting Life and Science focuses on strengthening the economic competitiveness of the Life Sciences Center through mixed-use development, public realm improvements, equitable access, and implementation strategies. In addition, it envisions a thriving residential neighborhood with local serving amenities and services in the Londonderry and Hoyle's Addition area and offers limited recommendations for the Quince Orchard, Rosemont, Oakmont, Walnut Hill, Washingtonian Light Industrial, Washingtonian Residential, and Hi Wood areas.

MH

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SUMMARY

- Attached for review and approval is the M-NCPPC Resolution No. 24-20 to adopt the *Great Seneca Plan: Connecting Life and Science*. The Montgomery County Council, sitting as the District Council, approved the *Great Seneca Plan: Connecting Life and Science* by Resolution Number 20-598 on July 30, 2024. The Montgomery County Planning Board approved the adoption of the *Great Seneca Plan: Connecting Life and Science* by Resolution Number 24-079 on September 5, 2024.

MASTER PLAN INFORMATION

Plan Name

Great Seneca Plan: Connecting Life and Science

Date

September 6, 2024

Lead Planner

Maren Hill

Planning Division

Midcounty Planning

Staff Contact

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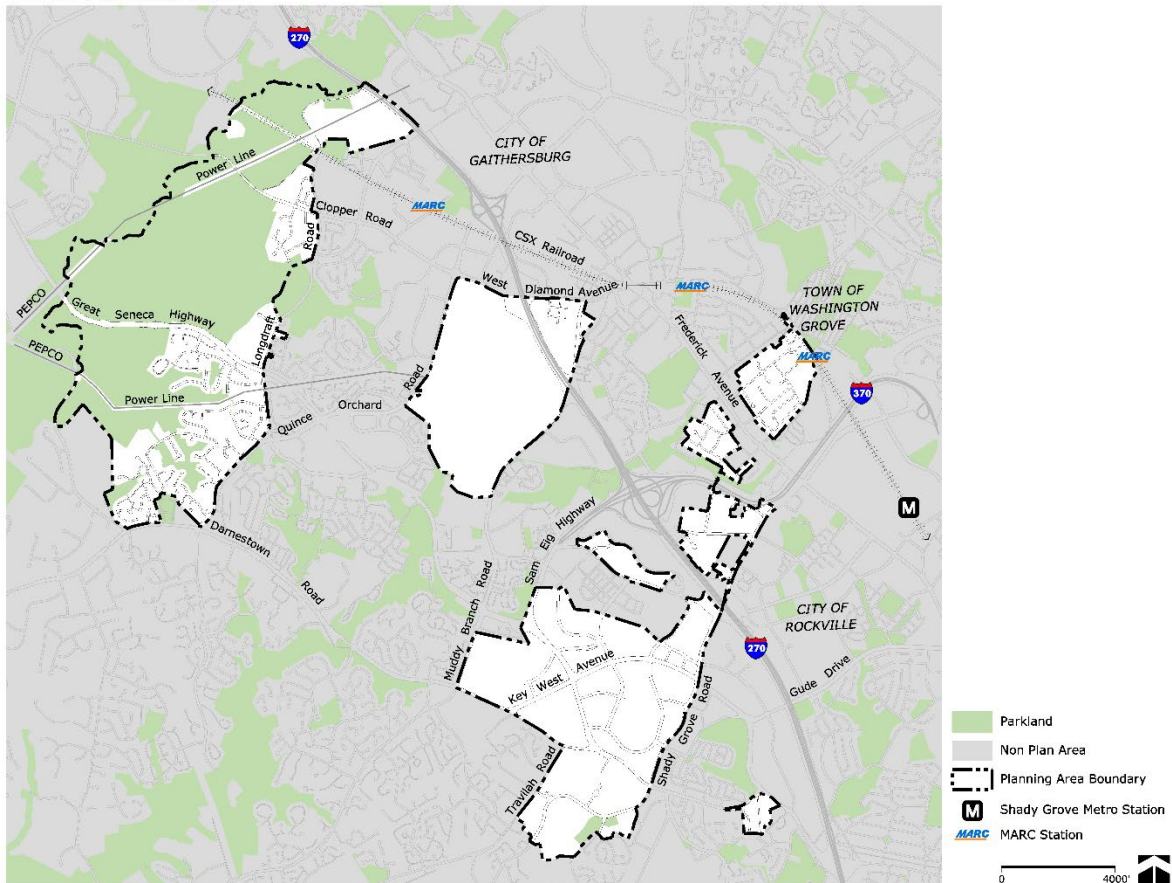
301-650-5613

M-NCPPC Full Commission Meeting

September 18, 2024

Item No. 1b

Great Seneca Plan



SUMMARY

The Montgomery County Council, sitting as the District Council, approved the *Great Seneca Plan: Connecting Life and Science* by Resolution No. 20-598 on July 30, 2024, following a public hearing and six work sessions throughout June and July. The Montgomery County Planning Board approved the adoption of the *Great Seneca Plan: Connecting Life and Science* by Resolution No. 24-079 on September 5, 2024.

ATTACHMENTS

- M-NCPPC Resolution No. 24-20 and MCPB Resolution No. 24-079
- Montgomery County Council Resolution No. 20-598
- Certificate of Approval and Adoption
- Planning Board Draft of the *Great Seneca Plan: Connecting Life and Science*
(<https://montgomeryplanning.org/wp-content/uploads/2024/05/Great-Seneca-Plan-Phase-2-FINAL-5-7-2024.pdf>)



MCPB NO. 24-079
M-NCPPC NO. 24-20

RESOLUTION

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

WHEREAS, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, pursuant to procedures set forth in the Montgomery County Code, Chapter 33A, held a duly advertised public hearing on March 14, 2024 on the Public Hearing Draft of the *Great Seneca Plan: Connecting Life and Science*, being also an amendment to *Thrive Montgomery 2050*, the County's General Plan, as amended; the *2010 Great Seneca Science Corridor Master Plan*, as amended; the *2018 Master Plan of Highways and Transitways*, as amended; the *2018 Bicycle Master Plan*, as amended; the *2022 Corridor Forward: The I-270 Transit Plan*, as amended; and the *2023 Pedestrian Master Plan*, as amended; and

WHEREAS, the Montgomery County Planning Board, after said public hearing and due deliberation and consideration, on April 25, 2024 approved the Planning Board Draft of the *Great Seneca Plan: Connecting Life and Science*, recommended that it be approved by the County Council for Montgomery County, sitting as the District Council for that portion of the Maryland-Washington Regional District lying situate in Montgomery County (the "District Council"), and forwarded it to the Montgomery County Executive for recommendations and analysis; and

WHEREAS, the District Council held a public hearing on June 12, 2024, wherein testimony was received concerning the Planning Board Draft of the *Great Seneca Plan: Connecting Life and Science*; and

WHEREAS, the Montgomery County Executive reviewed and made recommendations on the Planning Board Draft of the *Great Seneca Plan: Connecting Life and Science* and forwarded those recommendations and analysis to the District Council on June 24, 2024; and

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


WHEREAS, the District Council, on July 30, 2024 approved the Planning Board Draft of the *Great Seneca Plan: Connecting Life and Science* subject to the modifications and revisions set forth in the attached District Council Resolution No. 20-598.

NOW, THEREFORE BE IT RESOLVED, that the Montgomery County Planning Board and The Maryland-National Capital Park and Planning Commission do hereby adopt the said *Great Seneca Plan: Connecting Life and Science*, being also an amendment to *Thrive Montgomery 2050*, the County's General Plan, as amended; the *2010 Great Seneca Science Corridor Master Plan*, as amended; the *2018 Master Plan of Highways and Transitways*, as amended; the *2018 Bicycle Master Plan*, as amended; the *2022 Corridor Forward: The I-270 Transit Plan*, as amended; the *2023 Pedestrian Master Plan*, as amended; and as approved by the District Council in Resolution No. 20-598; and

BE IT FURTHER RESOLVED, that copies of said *Great Seneca Plan* must be certified by The Maryland-National Capital Park and Planning Commission and filed with the Clerk of the Circuit Court for both Montgomery and Prince George's Counties, as required by law.

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of Resolution No. 24-079 adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission at its regular meeting held on Thursday, September 5, 2024 in Wheaton, Maryland and via video conference on motion of Commissioner Hedrick, seconded by Vice Chair Pedoeem, with a vote of 4-0, Chair Harris, Vice Chair Pedoeem, and Commissioners Hedrick, and Linden, voting in favor of the motion, Commissioner Bartley necessarily absent.



Artie L. Harris, Chair
Montgomery County Planning Board

This is to certify that the foregoing is a true and correct copy of Resolution No.24-20 adopted by The Maryland-National Capital Park and Planning Commission on motion of Commissioner _____ seconded by Commissioner _____ with Commissioners _____, _____, voting in favor of the motion, at its meeting held on Wednesday, September 18, 2024, at the Department of Parks and Recreation Administration Building, Prince George's County, in Riverdale, Maryland.

William Spencer, Acting Executive Director

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT
WITHIN MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: County Council

SUBJECT: Approval of *The Great Seneca Plan: Connecting Life and Science*

1. On May 9, 2024 the Montgomery County Planning Board transmitted to the County Executive and the County Council the Spring 2024 Planning Board Draft of *The Great Seneca Plan: Connecting Life and Science*.
2. The Spring 2024 Planning Board Draft of *The Great Seneca Plan: Connecting Life and Science* contains the text and supporting maps for a comprehensive amendment to the approved and adopted *2010 Great Seneca Science Corridor Master Plan*, as amended. It also amends *Thrive Montgomery 2050*, as amended; the *2018 Master Plan of Highways and Transitways*, as amended; the *2018 Bicycle Master Plan*, as amended, the *2022 Corridor Forward: The I-270 Transit Plan*; and the *2023 Pedestrian Master Plan*.
3. On June 12, 2024, the County Council held a public hearing on the Spring 2024 Planning Board Draft of *The Great Seneca Plan: Connecting Life and Science*, which was referred to the Council’s Planning, Housing, and Parks Committee for review and recommendations.
4. On June 17, June 24, June 27, and July 8, 2024 the Planning, Housing, and Parks Committee held a worksession to review the Spring 2024 Planning Board Draft of *The Great Seneca Plan: Connecting Life and Science*.
5. On July 16, and July 23, 2024, the County Council reviewed the Spring 2024 Planning Board Draft of *The Great Seneca Plan: Connecting Life and Science* and the recommendations of the Planning, Housing, and Parks Committee.

Action

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District lying situate in Montgomery County, Maryland, states as follows:

The Planning Board Draft of *The Great Seneca Plan: Connecting Life and Science*, dated Spring 2024, is hereby approved with revisions. District Council revisions to the Planning Board Draft of *The Great Seneca Plan: Connecting Life and Science* are identified below. Deletions to

the text of the Plan are indicated by [brackets], additions by underscoring. Montgomery County Planning Department staff may make additional, non-substantive revisions and/or corrections to the Master Plan Amendment before its adoption by The Maryland-National Capital Park & Planning Commission.

All page references in this section are consistent with the page numbering in the print version of the Planning Board Draft of *The Great Seneca Plan: Connecting Life and Science*.

Page 11 Add the following bulleted text between the first and second bullets under *H. Guiding Plans and Policies* as follows:

- 2018: The Bicycle Master Plan sets forth a vision for Montgomery County as a world-class bicycling community, where people in all areas of the County have access to a comfortable, safe and connected bicycle network, and where bicycling is a viable transportation option that improves our quality of life. It also provides a Bicycle Network Map for the construction of future bicycle facilities.

Page 11 Add the following bulleted text after the last bullet under *H. Guiding Plans and Policies* as follows:

- 2022: The Comprehensive Water and Sewer Plan (CWSP) guides the provision of water supply and wastewater disposal service within the master plan area. The CWSP identifies properties within the master plan area as approved for community (public) water and sewer service. The master plan areas, except for the Hi Wood area, receive community water and sewer service from the Washington Suburban Sanitary Commission (WSSC Water). Anticipated increase in development density within the master plan area may require additional water supply and wastewater disposal capacity in WSSC Water’s community systems serving this area.
- 2023: The Pedestrian Master Plan provides detailed, actionable recommendations in line with national and international best practices to improve the pedestrian experience, from more and better places to cross the street to a data-driven, equity-focused approach for the county’s future pedestrian/bicycle capital investments.

Page 22 Delete the Annexation text in the light blue “call out” box.

Page 29 Modify Recommendation 7 under *Land Use, Zoning, and Urban Design Recommendations* as follows:

7. Consolidate parking facilities in garages that are not visible from pedestrian areas, preferably lined with building uses or screened when visible from streets and public open spaces. An interim surface parking lot, that is not located

between the building and the street, may be approved by the Planning Board under Site Plan review for a phased development project.

Accomplishing this recommendation may involve expanding the mission of the existing MCDOT Great Seneca Science Corridor Parking Lot District (PLD) to provide structured parking.

Page 33 Update *Figure 17: Life Sciences Center Recommended Zoning* in line with changes to *Table 1: Life Sciences Center Zoning*.

Page 34 Modify *Table 1: Life Sciences Center Zoning* as follows:

TABLE 1: LIFE SCIENCES CENTER ZONING

| Map # | Existing Zoning | Proposed Zoning | Justification |
|--------|-------------------------------|--|--|
| 1 CR | CR-0.5 C-0.5, R-0.5, H-80 | CR-0.5 C-0.5, R-0.5, H-150 | Allow for mixed-use development and increased height |
| 2 CR | CR-0.75 C-0.5, R-0.75, H-80 | CR-0.75 C-[0.5]0.75, R-0.75, H-150 | Allow for mixed-use development and increased height; <u>allow for either commercial or residential development to maximize density</u> |
| 3a CR | CR-1.0 C-0.5, R-1.0, H-80 | CR-1.0 C-[0.5]1.0, R-1.0, H-150 | Allow for mixed-use development and increased height; <u>allow for either commercial or residential development to maximize density</u> |
| 3b CR | CR-1.0, C-0.5, R-1.0, H-150 | CR-1.0, C-[0.5]1.0, R-1.0, H-150 | Confirm existing overall density; <u>allow for either commercial or residential development to maximize density</u> |
| 3c CR | CRN 0.5, C-0.5, R-0.25, H-35 | CR-1.0 C-[0.5]1.0, R-1.0, H-150 | Allow for higher density, mixed-use development, and increased height; <u>allow for either commercial or residential development to maximize density</u> |
| 3d CR | RT - 8.0 | CR-1.0 C-[0.5]1.0, R-1.0, H-150 | Allow for higher density, mixed-use development, and increased height; <u>allow for either commercial or residential development to maximize density</u> |
| 3e CR | CR-1.0, C-0.5, R-1.0, H-150 | CR-1.0, C-[0.5]1.0, R-1.0, H-150 | Allow more flexibility of uses; <u>allow for either commercial or residential development to maximize density</u> |
| 4 CR | CR-1.0, C-1.0, R-0.5, H-160 | CR-[1.0]1.5, C-[1.0]1.5, R-[1.0]1.5, H-160 | Allow more flexibility of uses; <u>allow for either commercial or residential development to maximize density</u> |
| [5 CR] | [CR-1.5, C-1.5, R-1.5, H-100] | [CR-1.5, C-1.5, R-1.5, H-150] | [Allow for mixed-use development and increased height] |
| 5a CR | EOF - 1.5, H-75 | CR-1.5, C-1.5, R-1.5, H-150 | Allow for mixed-use development and increased height; <u>allow for either commercial or residential development to maximize density</u> |
| 5b CR | CR-1.5, C-1.5, R-1.5, H-100 | CR-1.5, C-1.5, R-1.5, H-150 | Allow for mixed-use development and increased height; <u>allow for either commercial or residential development to maximize density</u> |

| | | | |
|-------|---------------------------------|---|--|
| 6 CR | CR-2.0, C-1.5, R-1.5, H-150 | CR-2.0, C-[1.5] <u>2.0</u> , R-[1.5] <u>2.0</u> , H-150 | Confirm existing zoning; <u>allow for either commercial or residential development to maximize density</u> |
| 7 CR | EOF – 1.5, H-75 | CR-3.0, C-3.0, R-3.0, H-150 | Allow for higher density, mixed-use development, and increased height |
| 1 CRT | CRT-0.5 C-0.25, R-0.25, H-100 T | CRT-1.0, C-[0.5] <u>1.0</u> , R-1.0, H-150 | Allow for higher density, mixed-use development, and increased height; <u>allow for either commercial or residential development to maximize density</u> |
| 2 CRT | R-60/TDR 8.0 ; R-60/TDR 10.0 | CRT-1.0 C-[0.25] <u>1.0</u> , R-1.0, H-150 | Allow for higher density, mixed-use development, and increased height; <u>allow for either commercial or residential development to maximize density</u> |
| 3 CRT | CRT-0.5 C-0.5, R-0.25, H-100 T | CRT-1.0, C-1.0, R-1.0, H-150 | Allow for higher density, mixed-use development, and increased height; <u>allow for either commercial or residential development to maximize density</u> |
| 1 LSC | LSC- 1.0, H-110T | LSC- 1.0, H-150 | Confirm existing zoning and accept the translation from old zoning code to new. Provide more height to accommodate different types of buildings. |
| 2 LSC | LSC-1.0, H-150T | LSC- 1.0, H-150 | Confirm existing zoning and accept the translation from old zoning code to new |
| 3 LSC | LSC-1.5, H-150T | LSC-[1.5] <u>2.0</u> , H-150 | [Confirm existing zoning and accept the translation from old zoning code to new]; <u>Allow for higher density</u> |
| 4 LSC | LSC-2.0, H-200T | LSC-2.0, H-200 | Confirm existing zoning and accept the translation from old zoning code to new |

Page 35 Revise Recommendation 1 under *Housing Recommendations* as follows:

1. Require new developments to provide at least [12.5]15% Moderately Priced Dwelling Units (MPDUs), or other MPDU obligation as established by Code, aligned with current county policy.

Page 35 Revise Recommendation 3 under *Housing Recommendations* as follows:

3. Preserve existing naturally occurring affordable housing where [possible] feasible, striving for no net loss of naturally occurring affordable housing in the event of redevelopment.

Page 36 Revise Recommendation 1 under *Transportation Recommendations* as follows:

1. Create a recognizable and finer grain street grid network to promote walkability and connectivity. Final road alignment and design will be determined with new development or redevelopment of the site at regulatory review. Streets should be public unless they are intended to provide direct access to a site. Final determination of ownership should occur during the regulatory review process.

- Where development occurs within master-planned blocks that are more than twice as large as the sizes recommended in the Complete Streets Design Guide, proposed developments must provide additional non-master planned street connections to reduce block size. If providing a complete street connection is not [possible]feasible, developments must dedicate right-of-way to advance the eventual construction of the non-master planned street connection.

Page 37 Delete Recommendation 6 under transportation recommendations as follows:

[6. Designate the Downtown Area Type within the Life Sciences Center as a Red Transportation Policy Area.]

Page 43 Revise the second and third rows of *Table 2: Life Sciences Center Street Classifications, Target Speed, Right of Way, Transit Lane, and Bike Facility Recommendations* as follows:

| | | | | | | | | | | |
|--------|------------------|-------------------|---------------------------|----|--------|-----|---|---|---------------------------|---------------------------|
| Road Z | Great Seneca Hwy | Road G | Downtown Street (Planned) | 20 | [80]74 | n/a | 2 | 2 | 1-Way Separated Bike Lane | 1-Way Separated Bike Lane |
| Road Z | Road G | Medical Center Dr | Downtown Street (Planned) | 20 | [80]74 | n/a | 2 | 2 | 1-Way Separated Bike Lane | 2-Way Separated Bike Lane |

Page 43 Revise the tenth row of *Table 2: Life Sciences Center Street Classifications, Target Speed, Right of Way, Transit Lane, and Bike Facility Recommendations* as follows:

| | | | | | | | | | | |
|--------|--------------|-------------------------|---------------------------|----|--------|-----|---|---|---------------------------|---------------------------|
| Road I | Blackwell Rd | Corporate Blvd Extended | Downtown Street (Planned) | 20 | [80]74 | n/a | 2 | 0 | 1-Way Separated Bike Lane | 1-Way Separated Bike Lane |
|--------|--------------|-------------------------|---------------------------|----|--------|-----|---|---|---------------------------|---------------------------|

Page 56 Revise Recommendation 2 under *1. Belward* as follows:

[Require] Encourage adaptive reuse of the historic Belward Farm [buildings] dairy barn, milk house, large frame animal barn and farmhouse (that will remain) for recreational, educational, social, institutional or cultural uses that complement the community and new development.

Page 58 Modify the second paragraph under *8. Adventist HealthCare Shady Grove Medical Center* as follows:

The Great Seneca Plan acknowledges that the Shady Grove Medical Center campus has unique infrastructure requirements and constraints and seeks to balance the needs of the campus with the vision for the Life Sciences Center to become a complete community, characterized by a high-quality built environment and vibrant public realm. Rather than propose a fine-grained street grid and alley network throughout the campus, the Plan recommends one east-west street connections as

well as bicycle and pedestrian connections between Medical Center Drive and Broschart Road, north of the Medical Center's existing patient tower and anticipated service dock and south of the master planned extension of Blackwell Road. The final alignment, design and ownership of the street and bicycle/pedestrian connections shall be determined with new development or redevelopment of the site at the time such development is under regulatory review by the Planning Department. The final street alignment of Road Z should balance connectivity, healthcare facility needs, public safety needs, and maintaining the development potential of resulting adjacent parcels. The Plan further recommends a [publicly-owned] dedicated public urban park, a minimum of ½ acre in size, be provided [along Broschart Road,] near at least one of the future transit stops.

Page 59

Add text to the paragraph under *9. ProMark Partners (9711 and 9715 Medical Center Drive)* as follows:

These properties have redevelopment potential given their consolidated ownership, extensive surface parking lots and low intensity uses. This Plan recommends mixed-use redevelopment with residential, or life science uses. Redevelopment should seek synergies with surrounding Adventist HealthCare, improve frontages along Medical Center Drive that integrate the LSC Loop, provide one east west connection between Medical Center Way and Blackwell Drive, and provide publicly accessible open space within the property. The final alignment, design and ownership of Road Z shall be determined with new development or redevelopment of the site at the time such development is under regulatory review by the Planning Department. Final street alignment of Road Z should balance connectivity, healthcare, public safety needs, and maintaining the development potential of the resulting adjacent parcels north and south of Road Z.

Page 66

Delete the third implementation strategy under *F. Implementation* and replace it with new text as follows:

- [3. This Plan recommends that the county establish a place management organization in the Life Sciences Center to implement master plan recommendations and perform other supporting functions, including:
- Activate and program underutilized sites and open spaces.
 - Develop a brand for the area and a plan for marketing it.
 - Coordinate and implement placemaking, public realm, and infrastructure improvements.
 - Advocate for, directly fund, or apply for grants for key capital projects in the LSC.]
3. As recommended in the Life Sciences Real Estate Study, this Plan recommends that the county establish an organizing entity to help implement master plan recommendations and perform other supporting functions for the Life Science Center. These other functions may include:

- assistance with the activation and programming of underutilized sites and open spaces;
- development of a brand for the area and assistance in marketing it;
- assistance with the coordination and implementation of placemaking, public realm, and infrastructure improvements; and
- efforts to secure funding for the operation of the organizing entity.

Page 66 Revise the fourth implementation strategy under *F. Implementation* as follows:

This Plan recommends that county agencies explore the full range of funding mechanisms available to implement Plan recommendations, including parks, public open space, and multimodal transportation infrastructure improvements, which are critical to supporting a competitive and attractive Life Sciences Center, [within 18 months of Plan adoption].

Page 67 Delete the ninth implementation strategy under *F. Implementation* as follows:

[9. Oppose annexation of any portion of the Life Sciences Center by the municipalities.]

Page 70 Revise Recommendation 1 under *Land Use, Zoning and Urban Design* as follows:

1. Rezone properties currently zoned R-20 to CRT-[2.0]2.5, C-[1.5]2.0, R-[2.0]2.5, H-150 to achieve a mixture of uses, including additional residential and local serving retail uses. (Figures [34]37 and [35]38)

Page 70 Revise Recommendation 3 under *Land Use, Zoning and Urban Design* as follows:

3. Support a future application for a Commercial Residential Town (CRT) Floating Zone, CRTF-[2.0]2.5, C-[1.5]2.0, R-[2.0]2.5, H-150 on R-200 properties in Hoyle's Addition.

Page 71 Update Figure 38 in line with the change to Recommendation 1 under *Land Use, Zoning and Urban Design*

Page 72 Revise Recommendation 1 under *Housing* as follows:

1. Require new developments to provide at least [12.5]15 percent MPDUs, aligned with current county policy.

Page 72 Revise Recommendation 5 under *Housing* as follows:

5. [Preserve existing naturally occurring affordable housing where possible, striving] Strive for no net loss of naturally occurring affordable housing in the event of redevelopment.

Page 77 Revise Recommendation 1 under *Economic Environment* as follows:

- 1. Allow up to [1.5]~~2.0~~ floor area ratio of commercial development to be reflected on the zoning map, as stated in the Built Environment section.

Page 88 Revise text under *F. Implementation* as follows:

[1. Annexation of the Rosemont area into the City of Gaithersburg is logical and consistent with the City’s Maximum Expansion Limits.]

Following this Plan’s approval by the Montgomery County Council and adoption by the Maryland-National Capital Park and Planning Commission, a sectional map amendment will apply the Plan’s zoning recommendations to the official county zoning map.

Page 95 Delete Recommendation 2 under *F. Implementation* as follows:

[2. Annexation of the Oakmont and Walnut Hill area into the City of Gaithersburg is logical and consistent with the City’s Maximum Expansion Limits.]

Page 104 Revise Recommendation 1 under *Built Environment* as follows:

- 1. Rezone the Eaves Washingtonian Center and Sawyer Flats from CRT-1.0, C-0.25, R-1.0, H-110 T to CRT-[1.0]~~1.25~~, C-0.25, R-[1.0]~~1.25~~, H-110, as shown in Figure 57. Commercial/Residential "T" zones were translated from certain zones existing before October 30, 2014.

Page 104 Revise Recommendation 5 under *Built Environment* as follows:

- 5. Require new developments to provide at least [12.5]~~15~~ percent MPDUs, aligned with current county policy.

Page 107 Revise text under *F. Implementation* as follows:

The Washingtonian Residential area is completely surrounded by the City of Gaithersburg. [Future planning for infrastructure and amenities to serve the area may be improved through annexation.]

[6]1. Following this Plan’s approval by the Montgomery County Council and adoption by the Maryland-National Capital Park and Planning Commission, a sectional map amendment will apply the Plan’s zoning recommendations to the official county zoning map.

[7. Annexation of the Washingtonian area into the City of Gaithersburg is logical and consistent with the City’s Maximum Expansion Limits.]

Page 110 Revise text under *F. Implementation* as follows:

[Hi Wood is completely surrounded by the City of Rockville. Future planning for infrastructure and amenities to serve the area may be improved through annexation.

1. Annexation of the Hi Wood area into the City of Rockville is logical and consistent with the City’s Maximum Expansion Limits.]

Following this Plan’s approval by the Montgomery County Council and adoption by the Maryland-National Capital Park and Planning Commission, a sectional map amendment will apply the Plan’s zoning recommendations to the official county zoning map.

General

All illustrations and tables included in the Plan will be revised to reflect the District Council changes to the Planning Board Draft of the *Great Seneca Plan: Connecting Life and Science*, dated Spring 2024. The text and graphics will be revised as necessary to achieve and improve clarity and consistency, to update factual information, and to convey the actions of the District Council. Graphics and tables will be revised and re-numbered, where necessary, to be consistent with the text and titles.

This is a correct copy of Council action.



Sara R. Tenenbaum
Clerk of the Council

**CERTIFICATION OF APPROVAL AND ADOPTION
GREAT SENECA PLAN: CONNECTING LIFE AND SCIENCE**

This Comprehensive Amendment to portions of the Approved and Adopted 2010 *Great Seneca Science Corridor Master Plan*, being also an amendment to *Thrive Montgomery 2050*, as amended; the 2018 *Master Plan of Highways and Transitways*, as amended; the 2018 *Bicycle Master Plan*, as amended; the 2022 *Corridor Forward: The I-270 Transit Plan*; and the 2023 *Pedestrian Master Plan*, has been approved by the Montgomery County Council, sitting as the District Council, by Resolution Number 20-598 on July 30, 2024, and has been adopted by The Maryland-National Capital Park and Planning Commission by Resolution Number 24-20 on September 18, 2024, after duly advertised public hearings pursuant to the Land Use Article – Division II, of the Annotated Code of Maryland.

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Artie L. Harris
Chair

Peter A. Shapiro
Vice-Chair

Gavin Cohen
Secretary-Treasurer



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

August 11, 2024

To: The Commission

Via: William Spencer, Acting Executive Director

From: Tracey Harvin, Corporate Policy and Management Operations Director
Michael Beckham, Corporate Policy & Archives Manager

Subject: Recommended Amendment to Administrative Practice 2-26, *Controlled Substance and Alcohol-Free Workplace*

REQUESTED ACTION

The Commission is asked to review and approve a proposed amendment to Administrative Practice 2-26, *Controlled Substance and Alcohol-Free Workplace* (Attachment A), to modify the definition of “impairment” for legal sufficiency.

With the Commission’ approval, the proposed amendment will be finalized and promulgated.

BACKGROUND

As part of their ongoing review of the agency’s policy system, the Legal Department has identified a need to modify the definition of “impairment” found in Practice 2-26, *Controlled Substance and Alcohol-Free Workplace*. It is recommended to remove reference to drug abuse, dependency, or addiction, as well as neuropsychological or physical disorder or disability, as follows:

“Impairment” An inability of an employee to perform their job functions to practice with reasonable safety and skill as a result of alcohol or drug use, ~~abuse, dependency, or addiction, or any neuropsychological or physical disorder or disability.~~

Under the Americans with Disabilities Act (ADA), alcohol and drug addiction are considered a disability when an individual is in recovery. Individuals with alcohol or drug dependency, or any neurophysiological or physical disorder or disability will be evaluated on the same basis as to whether they meet the minimum standards and qualifications for the position, with or without a reasonable accommodation.

Attachment A: Draft Amendments to Administrative Practice 2-26, *Controlled Substance and Alcohol-Free Workplace*.

**DRAFT AMENDMENTS TO
ADMINISTRATIVE PRACTICE 2-26, CONTROLLED SUBSTANCES AND ALCOHOL-FREE
WORKPLACE**

Key to Revisions:

Grey Highlighted text: Recommended additions.

Stricken text: Recommended deletions.

Bold Italics: Notes to Draft Reviewer.

CONTROLLED SUBSTANCE AND ALCOHOL-FREE WORKPLACE

AUTHORITY This Practice was initially approved by the Commission effective September 25, 1995. Amendments were last approved by the Commission on June 21, 2023. Minor edits were made on [date TDA], 2024.

APPLICATION This policy applies to all Commissioners and employees, including Merit System and Contract employees, volunteers, and appointed positions on duty. Employees who hold a Commercial Driver’s License (CDL) must comply with all additional federal and state drug and alcohol mandates including CDL drug/alcohol requirements as issued by the U.S. Department of Transportation (DOT) and the Federal Highway Administration. Employees should refer to their respective bargaining agreements for specific requirements.

**PURPOSE/
BACKGROUND** Controlled substance and alcohol abuse by employees is a serious problem that endangers the health and safety of users, their co-workers, M-NCPPC patrons, and other members of the public. It can adversely affect an employee’s overall job performance by impairing decisions and actions, lowering efficiency, and eroding attention to safety and quality. The Practice, as initially issued, has been amended as follows:

- July 15, 2004: Policy was reviewed, and references updated to reflect applicable policies and federal/state regulations pertaining to drug/alcohol use.
- June 6, 2013: Minor edits were made to reflect updated references, and amendments were made to the accompanying Administrative Procedures to incorporate Federal testing protocols mandated by the Department of Transportation (DOT) and the Department of Health and Human Services (HHS) for DOT regulated employees; clarify existing provisions and amend provisions for improved program effectiveness.

- 1 • February 17, 2016: Amendments were made to the accompanying
2 Administrative Procedures to reflect changes in the agency’s Employee
3 Assistance Program (EAP) Provider. February 1, 2017: Minor amendments
4 were made to the accompanying Administrative Procedures to update
5 definitions and reflect a change in the agency’s medical provider.
- 6 • June 21, 2023: Amended to clarify the agency’s policy regarding cannabis
7 pursuant to its legalization in the State of Maryland; and recognize that alcohol
8 is permitted on Commission property at official functions and outside
9 Commission property when on official business when approved by the
10 Department Head or Planning Board Chair.
- 11 • December 6, 2023: Amended to clarify that for Merit System employees only
12 return-to-duty testing will be conducted following successful completion of any
13 Employee Assistance Program and/or approved treatment program; as well as,
14 to clarify the definition of “controlled substances” includes drugs or chemicals
15 that have the potential to be intoxicating.
- 16 • [Date TBA]: 2024: Minor amendments to the definition of “impairment” for
17 legal sufficiency.

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21 **REFERENCES**

- 22 • Accompanying Administrative Procedures 00-02, Controlled Substance and
23 Alcohol-Free Workplace Program
- 24 • Merit System Rules and Regulations including, but not limited to, Workplace
25 Conduct and Discipline
- 26 • M-NCPPC Notice 16-02, Getting Assistance for Drug and Alcohol Concerns
- 27 • Commission Administrative Procedure 04-04, Risk Management and Safety
28 Manual
- 29 • Federal Drug Free Workplace Act, as amended in 1996, 41 U.S.C. 81
- 30 • The Federal Omnibus Transportation Employee Testing Act of 1991
- 31 • Procedures for Transportation Workplace Drug and Alcohol Testing
32 Programs, Code of Federal Regulations Title 49, Part 40
- 33 • Controlled Substances and Alcohol Use and Testing, Code of Federal
34 Regulations Title 49, Part 382
- 35 • Americans with Disabilities Act, 1990 (amended in 2009)
- 36 • Federal Department of Transportation Federal Motor Carrier Safety
Administration, Rules and Regulations, Drug and Alcohol Program

- The Maryland Cannabis Reform Act of 2023; 2023 Md. Laws. Ch. 254
- Job-Related Alcohol and Controlled Dangerous Substances Testing, §17 214, Health-General Article, Annotated Code of Maryland
- Maryland Executive Order 01.01.1989.18, Drug and Alcohol-Free Workplace (Non-State Entities)

DEFINITIONS

“Controlled substance” means drugs or chemicals that have the potential to be addictive, habit-forming, or intoxicating. The United States Drug Enforcement Agency (DEA) categorizes controlled substances into groups ranging from Schedule I through Schedule V, based on the substances’ potential for abuse and addictiveness, and medical usefulness. Information on controlled substance Scheduling can be found on the DEA’s website.

“Impairment” An inability of an employee to perform their job functions to practice with reasonable safety and skill as a result of alcohol or drug use, ~~abuse, dependency, or addiction, or any neuropsychological or physical disorder or disability.~~

“Safety-sensitive position” means a position held by employees who:

- Possess a valid Commercial Driver’s License;
- Are required to drive, load, inspect, or service and condition commercial vehicles;
- Are specifically identified by Federal or State law, by Collective Bargaining Agreements (e.g., Park Police, Equipment Operators, Mechanics, and Welders), or other positions identified by the M-NCPPC as safety-sensitive personnel; or See: Procedures 96-01, *Controlled Substance and Alcohol-Free Workplace Program*, Appendix C for a list of safety-sensitive positions. This list may be modified, as necessary.

POLICY

Commission employees are required to report to work fit for duty and shall remain fit for duty throughout their working hours. Employees shall remain free of being under the influence of, or impaired by, controlled substances or alcohol during any period in which they are on duty. Commission employees are entitled to a workplace that is safe and drug-free. Furthermore, the Commission has a legitimate interest in assuring the public that none of the agency’s employees are under the influence of controlled substances or alcohol while on duty and that they are fully capable of performing their job duties. The Commission reserves the right to enforce this policy through controlled substance and alcohol testing.

The M-NCPPC prohibits the manufacture, distribution, sale, presence, or use of controlled substances and alcohol in the workplace, M-NCPPC vehicles, and other agency property, except as provided below:

- The consumption of alcohol is only permitted:
 - On Commission property, when authorized in advance in writing by the respective Department Head or Planning Board Chair for an official Commission function.
 - Outside of Commission property while on duty, when authorized in advance in writing by the respective Department Head or Planning Board Chair in connection with official business. In no event shall an employee exceed the permissible blood alcohol threshold described in Appendix A of Procedures 96-01, Controlled Substance and Alcohol-Free Workplace Program.
- The transportation of alcoholic beverages in Commission vehicles may be authorized in writing by the respective Department Head or Planning Board Chair for an official Commission function.
- The use of cannabis for a qualifying medical condition, in accordance with applicable laws, rules, and regulations, is to be treated as any other form of prescription medication as it relates to the Commission policy on a controlled-substance and alcohol-free workplace.
- Employees who hold **non-safety-sensitive positions** who use cannabis while off-duty must ensure that its use does not interfere with or diminish the employee’s ability to perform job functions.
- Employees who hold **non-safety-sensitive positions** and test positive for cannabis due to post-accident or reasonable suspicion testing will not be subject to discipline solely because of the positive test result.

In accordance with the Federal Drug-Free Workplace Act and Maryland Drug and Alcohol-Free Workplace mandates, employees must notify the agency of any drug or alcohol-related criminal conviction for violations that occur in the workplace. Employees must provide notification of their conviction no later than five (5) days after the date of the occurrence.

VIOLATIONS

Employees in violation of any part of this policy may be subject to disciplinary action up to, and including, termination of employment. At a minimum, employees shall receive a formal supervisory mandatory referral to the agency’s Employee Assistance Program. Employees will also be required to enroll in and successfully complete any necessary treatment through a certified rehabilitation program.

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All disciplinary actions shall be administered in accordance with Merit System Rules and Regulations and any other applicable laws and regulations. Violations of any part of this policy may also result in legal consequences up to and including criminal prosecution.

Commissioners are subject to discipline by their appointing authority (i.e., County Executive/County Council, as appropriate).

PROCEDURES

The Executive Director shall take necessary action for the implementation of this policy through the issuance of Administrative Procedures 96-01, "Controlled Substance and Alcohol-Free Workplace Program." These procedures shall inform employees and supervisors about the provisions of the policy and include directions for the prevention, reporting, and handling of controlled substances and alcohol in the workplace.



Commission Meeting
Open Session Minutes
July 17, 2024

The Maryland-National Capital Park and Planning Commission met in a hybrid format, from the Wheaton Headquarters Auditorium in Wheaton, and virtually via videoconference. The meeting was broadcast by the Montgomery Planning Department.

PRESENT

Montgomery County Commissioners

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

Prince George’s County Commissioners

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

NOT PRESENT

William Doerner

Chair Harris called the meeting to order at 10:06 a.m.

ITEM 1 ACKNOWLEDGEMENT OF ROTATION OF CHAIR

Vice Chair Shapiro thanked everyone for their support since he assumed the chairmanship of the M-NCPPC and thanked incoming Chair Artie Harris before handing over the gavel and floor to him.

Chair Harris thanked Vice Chair Shapiro for his leadership of the agency for nearly 2 years, along with the other Commissioners and their ongoing commitment to the people they serve in Prince George’s and Montgomery Counties. For nearly 100 years, the M-NCPPC has helped to improve residents’ quality of life through developing strategies which strengthen the economy, protect the environment, and create welcoming communities for all to live, work and thrive. He acknowledged new challenges facing the agency and the region – from the housing crisis to threats to natural environment, to ensuring safe and reliable transportation modes, we are at a crossroads to determine the future of the region. He said he is prepared to take bold action to ensure that our children and grandchildren can flourish and thrive. This is why this bi-county Commission matters, and we are uniquely positioned to develop innovative and effective strategies to accomplish the goal.

ITEM 2 CONSENT AGENDA

- a) Approval of 7/17/24 Commission Meeting Agenda – Chair Harris noted a numbering discrepancy in the resolution numbers as listed on the agenda. They are correct in the packet.
- b) Resolution 24-06 Mutual Aid Agreement between M-NCPPC and the University of Maryland College Park Police Department
- c) Resolution 24-17 Minor Master Plan Amendment and Concurrent Sectional Map Amendment to the 1989 Master Plan and Sectional map Amendment for Langley Park-College Park-Greenbelt-and Vicinity
- d) Resolution 24-18 Perpetual Access Easement to Washington Suburban Sanitary Commission at Beltsville Community Center

- e) Resolution 24-19 Perpetual Access Easement to Prince George’s County at Westphalia Central Park

ACTION: Motion of Commissioner Washington to approve items on the Consent Agenda
Seconded by Commissioner Geraldo
9 approved the items

ITEM 2 APPROVAL OF MINUTES

- a) Approval of Commission Minutes – Open Session 6/12/24
- ACTION: Motion of Commissioner Bailey to approve the 6/12/24 minutes
Seconded by Commissioner Geraldo
5 approved the items
Commissioners Bartley, Linden, Geraldo, Washington abstained
Commissioner Doerner absent

ITEM 4 GENERAL ANNOUNCEMENTS

- a) Bereaved Parents’ Month
- b) Upcoming Hispanic Heritage Month (September 15-October 15)
- c) Commission in recess for August. Next scheduled meeting is September 18
- d) Chair Harris noted the excellent performance *A Midsummer Night’s Dream*, presented by the Prince George’s County’s Shakespeare in the Parks series, which he attended last weekend.

ITEM 5 COMMITTEE/BOARD REPORTS

- a) Employees’ Retirement System Board of Trustees Regular Meeting Minutes from June 4, 2024 (for information only)

Pursuant to the Maryland General Provisions Article of the Annotated Code of Maryland, Section 3-305(b)(9), a closed session is proposed to consider matters relating to collective bargaining negotiations with the Municipal County and Government Employees’ Organization and Fraternal Order of Police bargaining units to preserve the Commission’s negotiation position.

ACTION: Motion of Commissioner Geraldo to enter Closed Session
Seconded by Commissioner Hedrick
9 approved

ITEM 6 CLOSED SESSION

Closed Session began at 10:20 am, where Commissioners approved the last closed session minutes and Acting Executive Director Spencer briefed Commissioners on the status of negotiations with MCGEO and the FOP Collective Bargaining Units.

Open Session resumed at 10:34 am

ITEM 7 ACTION/PRESENTATION ITEMS

- a) Combined M-NCPPC Wage Resolutions
 - i. Resolution 24-12 Wage Adjustments and 3-Year Contract for Employees Represented by the Municipal and County Government Employees Association (MCGEO) Collective Bargaining Unit
 - ii. Resolution 24-13 Wage Adjustments for Non-Represented Merit and Term Contract Employees
 - iii. Resolution 24-14 Wage Adjustments for Seasonal/Intermittent Employees

ACTION: Motion of Commissioner Geraldo to adopt the Wage Resolutions
Second by Commissioner Hedrick
9 in favor

b) Health and Benefits Changes and Updates

Corporate HR Director Todd Allen introduced Benefits Manager Jennifer McDonald, who provided a briefing of the outcome for recent insurance bids in cooperation with Montgomery County Public Schools and WSSC for the agency's Life Insurance, Dental, and Disabilities Benefits plans.

- Dental: No changes in premiums through December 2028
- Basic Life Insurance: Decrease in premiums through December 2029, resulting in saving \$53,000 annually.
- Other Insurance:
 - AD&D and Independent Life Insurance No changes in premium rates until December 2029, including various enhancements to the coverage.
 - Short-Term Disability Insurance: Decrease in premiums of 9.8% through December 2028, resulting in \$106,000 in annual savings.
 - Supplemental Life Insurance: Decrease in the premiums rates through the end of 2028, resulting in saving \$21,000 annually.

Other recommended changes included waiving contributions to the Employees' Sick Leave Bank for returning members and ending the Domestic Partner Benefits program (allowing current participants to be grandfathered).

These changes were supported by the Department Heads and will be approved and promulgated by the Executive Director's Office.

ITEM 8

OFFICERS' REPORTS

Executive Director's Report

- a) Late Evaluation Report, June 2024. Acting Executive Director Spencer noted a slight uptick in late evaluations, due to advice of DHRM to hold evaluations until the wage adjustment resolutions were adopted. They should now be ready to be processed and cleared.
- b) CIO's Quarterly Report (For Information Only)

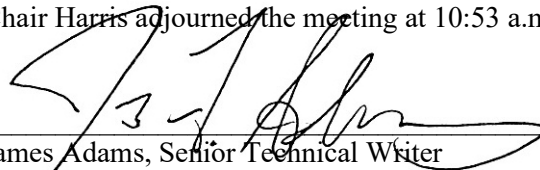
Secretary-Treasurer's Report

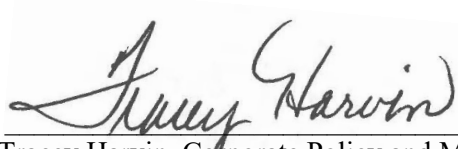
No report scheduled

General Counsel's Report

- c) Litigation Report (For information only)

Chair Harris adjourned the meeting at 10:53 a.m.


James Adams, Senior Technical Writer


Tracey Harvin, Corporate Policy and Management
Operations Director, for
Asuntha Chiang-Smith, Executive Director



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

**WRITTEN STATEMENT FOR CLOSING A MEETING
UNDER THE OPEN MEETINGS ACT**

Date: 07/17/2024 Time: 10:19 am
Location: Via Videoconference

Motion to close meeting made by Commissioner Geraldo. Seconded by Commissioner Hedrick.

Members voting in favor: Bailey, Bartley, Geraldo, Harris, Hedrick, Linden, Pedoeem, Shapiro, Washington

Opposed: N/A Abstaining: N/A Absent: Doerner

**STATUTORY AUTHORITY TO CLOSE SESSION, General Provisions Article, §3-305(b)
(check all that apply):**

- (1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals;
- (2) To protect the privacy or reputation of individuals concerning a matter not related to public business;
- (3) To consider the acquisition of real property for a public purpose and matters directly related thereto;
- (4) To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State;
- (5) To consider the investment of public funds;
- (6) To consider the marketing of public securities;
- (7) To consult with counsel to obtain legal advice on a legal matter;
- (8) To consult with staff, consultants, or other individuals about pending or potential litigation;
- (9) To conduct collective bargaining negotiations or consider matters that relate to the negotiations;
- (10) To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans;
- (11) To prepare, administer, or grade a scholastic, licensing, or qualifying examination;
- (12) To conduct or discuss an investigative proceeding on actual or possible criminal conduct;
- (13) To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter;
- (14) Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.
- (15) To discuss cybersecurity, if the public body determines that public discussion would constitute a risk to: (i) security assessments or deployments relating to information resources technology; (ii) network security information, such as information that is related to passwords, personal ID numbers, access codes, encryption, security devices, or vulnerability assessments or that a governmental entity collects or maintains to prevent, detect, or investigate criminal activity; or (iii) deployments or implementation of security personnel, critical infrastructure, or security devices.

FOR EACH CITATION CHECKED ABOVE, THE REASONS FOR CLOSING AND TOPICS TO BE DISCUSSED:

Pursuant to the Maryland General Provisions Article of the Annotated Code of Maryland, Section 3-305(b)(9), a closed session is proposed to consider matters relating to collective bargaining negotiations with the Municipal and County Government Employees' Organization and the Fraternal Order of Police bargaining units to preserve the Commission's negotiating position.

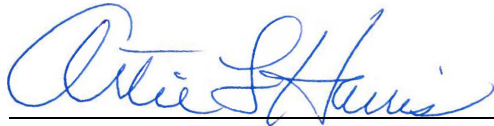
Topics to be discussed:

Collective Bargaining update of negotiations with Municipal and County Government Employees Organization (MCGEO) and Fraternal Order of Police (FOP) bargaining units.

This statement is made by:

Artie Harris, Chair, Presiding Officer.

PRINT NAME



8/8/2024

SIGNATURE & DATE

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

BOARD OF TRUSTEES MEETING MINUTES

Tuesday, July 2, 2024; 10:00 a.m.

Kenilworth Office Building, Riverdale, MD
(Virtual Meeting via Microsoft Teams)

The Maryland-National Capital Park and Planning Commission (“Commission”) Employees’ Retirement System (“ERS”) Board of Trustees (“Board”) met virtually with CHAIR SHAPIRO leading the meeting on Tuesday, July 2, 2024. The meeting was called to order at 10:03 a.m. by CHAIR SHAPIRO.

Board Members Present

Peter A. Shapiro, Board of Trustees Chair, Prince George’s County Commissioner
Gavin Cohen, CPA, M-NCPPC Secretary-Treasurer, Ex-Officio
Pamela F. Gogol, Montgomery County Public Member
Caroline McCarthy, Montgomery County Open Trustee
Sheila Morgan-Johnson, Prince George’s County Public Member
Theodore J. Russell III, Prince George’s County Open Trustee
Elaine A. Stookey, Bi-County Open Trustee
Anton White, FOP Represented Trustee
Lisa Blackwell-Brown, MCGEO Represented Trustee *Joined at 10:14 a.m.*

Board Members Absent

Asuntha Chiang-Smith, M-NCPPC Executive Director, Ex-Officio
James Hedrick, Board of Trustees Vice Chair, Montgomery County Commissioner

Others Present

Michael “Wes” Aniton, M-NCPPC Office of the General Counsel, Deputy General Counsel

ERS Staff Present

Andrea L. Rose, Executive Director
Jaclyn Harris, Deputy Executive Director
Alicia C. Stanford, Administrative Specialist
Ann McCosby, Software Manager

Presentations

Gabriel, Roeder, Smith & Company (GRS) - Jeffrey T. Tebeau, FSA, EA, FCA, MAAA
Gabriel, Roeder, Smith & Company (GRS) - Brad Lee Armstrong, ASA, EA, FCA, MAAA
Cheiron - Patrick Nelson, FSA, CERA, EA, MAAA, Consulting Actuary
Cheiron - Janet Cranna, FSA, FCA, EA, MAAA, Principal Consulting Actuary

ITEM 1. APPROVAL OF THE JULY 2, 2024 CONSENT AGENDA

ACTION: MS. GOGOL made a motion, seconded by MR. RUSSELL to Approve the Consent Agenda of July 2, 2024. The motion PASSED. (8-0). Ms. Blackwell-Brown was absent from this vote. (Motion # 24-23).

ITEM 2. CHAIR'S ITEMS**ITEM 2.A. Conference and Training Summary 2024** - No notable items discussed.**ITEM 3. MISCELLANEOUS** - No items to report.**ITEM 4. CONSULTANT/MANAGER PRESENTATIONS**

Ms. Harris provided background information concerning the purpose of conducting an actuarial audit and reminded the Board that according to the ERS Funding Policy, an actuarial audit must be conducted every 5 years to evaluate the methods, assumptions, accuracy of the pension valuation, and the ERS' ability to meet plan obligations. The ERS engaged Gabriel, Roeder, Smith and Company (GRS) to conduct an actuarial audit of the June 30, 2023 actuarial valuation. Ms. Harris introduced the GRS presentation team.

Mr. Armstrong described the key goals of the actuarial audit, which include: 1) Validate actuarial valuation results such as present value of benefits, actuarial liability, and normal cost, 2) Verify actuarially determined contributions, 3) Confirm that assumptions and methods are reasonable and consistently applied, 4) Confirm that projected benefits are consistent with plan provisions, administrative policies, and member communications and 5) Verify actuarial valuation reports conform with actuarial standards of practice and other applicable standards. Mr. Armstrong added that a full replication of the actuarial valuation was performed for the ERS with June 30, 2023 census data. GRS also reviewed the 2021 Experience Study, 2022 and 2023 Economic Assumptions, benefit provisions in the Plan Document, valuation results for all members, and valuation results for a sample of test lives. Mr. Armstrong stated that overall, GRS believes the ERS is receiving sound advice from Cheiron, and he confirmed that they found no critical issues. Mr. Tebeau discussed key replication results noting that results were within acceptable tolerances.

Ms. Blackwell-Brown joined the meeting at 10:14 a.m.

GRS calculated a second set of replication results based on calculating the present value of future salaries (PVFS) and the normal cost using the methodology that GRS would typically use for actuarial valuations that use the Entry Age Normal actuarial cost method. Mr. Tebeau mentioned that GRS noted slight differences in the calculation for Inactive Members, resulting in a variance of 5.8%. Mr. Tebeau added that GRS recommended that Cheiron change the assumption for calculating the present value of future salaries (PVFS) or disclose the rationale for using their current method, as it results in an understatement of normal costs.

Cheiron's calculation of the present value of future benefits (PVFB) for terminated vested members of Plan B and Plan E is lower than the PVFB calculated by GRS. Cheiron acknowledged that they are valuing the post-Social Security Normal Retirement Age (SSNRA) benefit earlier than it should be under the plan provisions, which Cheiron indicated they will correct in the upcoming actuarial valuation. Mr. Armstrong and Mr. Tebeau noted that GRS concurred with Cheiron's Actuarial Assumptions and Methods, which include Investment Return, Inflation, COLA, and Sick Leave Credit Assumptions. GRS noted that the Actuarial Valuation Report was clear and well organized and provided minor suggestions regarding the inclusion of disclosures regarding the retiree COLA and assumptions.

Ms. Cranna stated that Cheiron concurred with the differences noted in the Actuarial Audit for the calculation of PBFB for Terminated Vested Members and the PVFS and Normal Costs and agreed to make the recommended changes to future valuation reports and actuarial assumptions and methods.

No comments or questions from the Board. CHAIR SHAPIRO thanked GRS for the affirming results and Cheiron for agreeing to the recommended changes.

ITEM 5. COMMITTEE REPORTS/RECOMMENDATIONS

ITEM 5.A. Administration and Personnel Oversight Committee

Mr. Cohen reported that during the June 18, 2024 Administration & Personnel Oversight Committee Meeting, the Committee reviewed the March 31, 2024 ERS financial statements, discussed the promotion of Jaclyn Harris to Executive Director following Andrea Rose's retirement, and the latest updates to the Governance Manual. Ms. Harris summarized changes to the latest version of the Governance Manual noting the inclusion of key revisions to the Open Trustee Election Policy, Procurement Policy, updates to the Investment Monitoring Group and Administration & Personnel Oversight Committee Charters, and a recommendation from legal counsel to rescind the December 2002 Contracts Resolution given the changes to the Procurement Policy. The Committee recommended the Board the approve the updated Governance Manual and rescind the 2002 Contracts Resolution.

ACTION: MR. COHEN made a motion, seconded by MR. WHITE to approve the Governance Manual dated July 2024 and rescind the December 2002 Contracts Resolution. The motion PASSED. (9-0). (Motion # 24-24).

ITEM 6. EXECUTIVE DIRECTOR'S REPORT

Ms. Harris informed the Board that there will be no August 2024 Board meeting. The IMG is scheduled to meet on July 16, 2024, with the new investment consultant, Meketa Investment Group, in attendance. The next Administration & Personnel Oversight Committee meeting will be held on August 20, 2024. Ms. Harris notified the Board that on-site financial statement audit fieldwork is set to begin on August 12, 2024 with anticipated audit results to be provided at the September 24, 2024 Audit Committee meeting. Ms. Harris also reported that as of June 12, 2024, there are 601 active members enrolled in MemberDirect. On July 1, 2024 the ERS received a \$35,554,919 employer contribution from the Commission, as provided in the most recent actuarial valuation report. Staff consulted with Wilshire Advisors on the allocation of the employer contribution funds. Ms. Harris added that the ERS satisfied its first capital call in the amount of \$12.5 million for Audax Senior Loan Fund V. Lastly, the ERS received a premium quote for fiduciary liability insurance in the amount of \$46,166 for the policy period of 7/1/24 – 6/30/25, which represents a 3% increase from the prior year due to product enhancements. Ms. Gogol inquired about Montgomery County Parks Foundation employees being members of the M-NCPPC Employees' Retirement System. Ms. Rose confirmed that this would be a decision and would rest with the Commission as the Plan Sponsor.

The Board meeting of July 2, 2024, adjourned at 10:52 a.m.

Respectfully,

Alicia C. Stanford

Alicia C. Stanford
Administrative Specialist

Andrea L. Rose

Andrea L. Rose
Executive Director

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

M-NCPPC Resolution No. 24-15

**FISCAL YEAR 2025 REOPENER AGREEMENT ON WAGES
WITH FRATERNAL ORDER OF POLICE, LODGE NO. 30**

WHEREAS, §16-302 of the Land Use Article of the Annotated Code of Maryland requires the Maryland-National Capital Park and Planning Commission (the "Commission") to engage in collective bargaining for certain employees and under specified circumstances;

WHEREAS, eligible Commission employees are organized into the Park Police Bargaining Unit and have elected the Fraternal Order of Police, Lodge No. 30 ("FOP") to be their exclusive representative for the purpose of collective bargaining with the Commission;

WHEREAS, the FOP has a Collective Bargaining Agreement with the Commission, effective February 1, 2023, through January 31, 2026 ("Agreement"), covering wages, retirement, promotions, and other items of significant fiscal cost;

WHEREAS, Article V of the Agreement requires the parties to re-open negotiations regarding fiscal year 2025 wages and other matters;

WHEREAS, in January 2024 the Commission's designated management team began negotiations with FOP in good faith pursuant to Article V of the Agreement, regarding wages and other matters;

WHEREAS, the FOP declared impasse in March 2024 and invoked interest arbitration in accordance with §16-308 of the Land Use Article of the Annotated Code of Maryland;

WHEREAS, through the use of binding interest arbitration the respective bargaining teams have resolved the re-opener items ("Reopener Agreement");

WHEREAS, having submitted the more reasonable offer as determined by the Arbitrator, the Reopener Agreement consists of the Commission's last final offer to the FOP, dated March 15, 2024;

WHEREAS, the Reopener Agreement, which is incorporated in this Resolution as Exhibit A, provides for the following wage adjustments:

1. Effective the first full pay period after July 1, 2024, the minimum starting salary of a Park Police Officer (PO2 Step B) shall be increased to \$61,721.00 and all subsequent steps shall be increased accordingly;
2. Officers shall receive a regular Merit/Step increase;
3. Effective the first full pay period after July 1, 2024, Officers shall receive a cost-of-living increase of two and one-half percent (2.5%); and
4. Officers shall receive the current Additional Step Increase (“ASI”) if they would otherwise become eligible for an ASI during the fiscal year; and

WHEREAS, the Reopener Agreement will be effective July 1, 2024, unless expressly specified therein.

NOW THEREFORE, BE IT RESOLVED, that the Maryland-National Capital Park and Planning Commission approves the provisions contained in the Reopener Agreement, as set forth in Exhibit A, and replicated above; and

BE IT FURTHER RESOLVED, that the Maryland-National Capital Park and Planning Commission does hereby authorize the Executive Director and other officers to make, enter into, and execute such other agreements, instruments and further assurances, as well as amend any pay schedules, as may be necessary to effectuate this Resolution to approve and ratify the Reopener Agreement attached hereto as Exhibit A.

Approved for legal sufficiency:

Ben Rupert 9/3/2024

Ben Rupert, Principal Counsel

MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION'S
PROPOSAL TO
FRATERNAL ORDER OF POLICE LODGE NO. 30

March 15, 2024

Wages.

For FY 2025:

- Effective the first full pay period after July 1, 2024, the minimum starting salary of a Park Police Officer (PO2 Step B) shall be increased to \$61,721.00, and all subsequent steps shall be increased accordingly;
- Officers shall receive a regular Merit/Step increase;
- Officers shall receive a two and one-half percent (2.5%) COLA effective the first full pay period following July 1, 2024;
- Officers shall receive the current ASIs if they would otherwise become eligible for an ASI during the fiscal year.

**FOP 30
FY2025 Reopener
March 12, 2024**

5.1 Wages

(A) Effective the first full pay period after July 1, 2024 ~~2022~~, the minimum starting salary of a Park Police Officer (PO2 Step B) shall be increased to \$62,911 ~~\$54,620~~, and all subsequent steps shall be increased accordingly. Effective the first full pay period after July 1, 2024 ~~February 1, 2023~~, the MNCPPC will implement the attached wage scale, which reflects 5% promotional increments and from PO-2 to PO-4 and 3.5% step increases. For PO-5, the pay scale also reflects 3.5% step increases from Step B through Step Q. Additional service increments ASI-1, ASI-2, and, ~~effective January 7, 2024~~, ASI-3 reflect an adjustment of 3.5% above the preceding step or ASI. There is a 5% step increase between PO3 through PO5, Steps A, and B.

[No change to Article 5.1(B)]

(C) Effective the first full pay period after November 1, 2022, all officers covered by this Agreement shall receive an across-the-board increase of one percent (1.0%). Effective the final full pay period of FY 2023, all officers covered by this Agreement shall receive an across-the-board increase of five percent (5.0%). Effective the pay period beginning January 7, 2024, all officers covered by this Agreement shall receive an across-the-board increase of five and one half percent (5.5 %). Effective the second full pay period after July 1, 2024, all officers covered by this Agreement shall receive an across-the-board increase of three percent (3.00%).

(D) The parties shall participate in a reopener for the ~~second and third year of the contract (Fiscal Year 2025 and Fiscal Year 2026)~~. During this ~~these~~ reopener, either party shall be able to present proposals relating to Section 5.1. ~~In addition, the FOP shall be entitled to make proposals regarding the timely completion of performance evaluations.~~ Negotiations for each reopener shall begin on January 1 of the prior fiscal year. Absent mutual agreement between the parties, negotiations shall be completed by March 15 of the prior fiscal year.

Effective the first full pay period after May 1, 2005 all officers holding the rank of Sergeant shall receive a wage increase of five percent (5.0%). All officers promoted to the rank of Sergeant after January 1, 2006 shall receive a wage increase of ten percent (10.0%).



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

M-NCPPC Resolution No. 24-16

**FISCAL YEAR 2025 REOPENER AGREEMENT ON WAGES
FOR PARK POLICE OFFICERS AT THE COMMAND RANKS OF
LIEUTENANT, CAPTAIN, AND COMMANDER, AND PARK POLICE CANDIDATES**

WHEREAS, §16-302 of the Land Use Article of the Annotated Code of Maryland requires the Maryland-National Capital Park and Planning Commission (the "Commission") to engage in collective bargaining for certain employees and under specified circumstances;

WHEREAS, eligible Commission employees are organized into the Park Police Bargaining Unit and have elected the Fraternal Order of Police, Lodge No. 30 ("FOP") to be their exclusive representative for the purpose of collective bargaining with the Commission;

WHEREAS, the FOP has a Collective Bargaining Agreement with the Commission, effective February 1, 2023, through January 31, 2026 ("Agreement"), covering wages, retirement, promotions, and other items of significant fiscal cost;

WHEREAS, Article V of the Agreement requires the Commission and FOP to re-open negotiations regarding fiscal year 2025 wages and other matters;

WHEREAS, the Maryland-National Capital Park and Planning Commission approved, by M-NCPPC Resolution 24-16 the provisions contained in the Reopener Agreement, as attached hereto as Exhibit A;

WHEREAS, Park Police Command Officers and Park Police Candidates are non-represented Merit System employees, not subject to the Agreement; and

WHEREAS, the Commission desires to maintain consistency in certain economic terms across all Park Police.

NOW, THEREFORE BE IT RESOLVED that the Commission hereby adopts a pass through for Command Rank Officers and Park Police Candidates of the specific economic terms included in the Reopener Agreement with the FOP dated March 15, 2024, and attached hereto as Exhibit A; and

BE IT FURTHER RESOLVED, that the Maryland-National Capital Park and Planning Commission does hereby authorize the Executive Director and other officers to make, enter into, and execute such other agreements, instruments and further assurances, as well as amend any pay schedules, as may be necessary to effectuate its decision to apply the terms of the Reopener Agreement to Command Rank Officers and Park Police Candidates.

Approved for legal sufficiency:

Ben Rupert 9/3/2024

Ben Rupert, Principal Counsel



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

For Information Purposes

September 3, 2024

TO: The Maryland-National Capital Park and Planning Commission
 FROM: Jennifer McDonald, Benefits Manager
 SUBJECT: Benefit Plans Rate Renewals for Calendar Year 2025

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

Rates for Medical and Prescription Plans

Medical plan rates are increasing, on average, by 14.3% for 2025. The individual health plan increases range from 5.4% for the UHC EPO medical plan to 21.7% for the Caremark prescription plan. The attached executive summary (Attachment A) provides high level details.

Rates for Other Benefit Plans Rates as Negotiated with Carriers

Other benefit plans are fully insured with rates determined by the carriers' respective actuaries.

- **Vision Plan (EyeMed)**
 - Rates will remain unchanged for 2025.
 - Rates are guaranteed through 2026.
- **Dental Plans (Delta Dental PPO and DeltaCare HMO)**
 - Rates will remain unchanged for 2025.
 - Rates are guaranteed through 2028.
- **Life Insurance Plans (Securian)**
 - Rates for the basic life plan will decrease by 7.6%, guaranteed through 2029.

- Rates for the supplemental, accidental death & dismemberment and dependent life will remain unchanged and guaranteed through 2029.
- **Long Term Disability Plan (MetLife)**
 - Rates for the basic long term disability plan will decrease by 9.8%, guaranteed through 2028.
 - Rates for the supplemental long term disability plan will decrease by 10%, guaranteed through 2028.
 - Rates for administration of the Sick Leave Bank will decrease from \$1.45 per member per month to \$1.40, guaranteed through 2028.

Adjustments to Rate Increases

Through discussions between the MCGEO union and the agency, an agreement was reached to mitigate the rate increase recommended by Aon for the prescription plan to reduce the recommended increase from twenty-one and seven-tenths percent (21.7%) to eleven and seven-tenths percent (11.7%) for the plan year set to begin January 1, 2025, and ending December 31, 2025. Forty-six percent (46%) of the funds in excess of the GIF Reserve balance, or an estimated \$1,654,020 will be used to absorb the ten percent (10%) reduction in the employee and employer portions of said prescription premium increases.

Rates for other plans will not be adjusted and implemented as calculated by Aon for self-insured plans and as negotiated with the carriers by Aon for the fully insured plans.

See attachment B for the final employee and employer rates for 2025 with adjustments to the prescription plan increase.



Maryland-National Capital Park and Planning Commission

2025 Preliminary Renewal Summary Results

July 2024

2025 Preliminary Renewal — Overview and Drivers

- » This report provides a high-level summary of the preliminary medical and prescription drug renewal analysis for Maryland-National Capital Park and Planning Commission's (M-NCPPC's) Active and Retiree employees for calendar year 2025.
 - ▶ Projected rate increases are *relative to current premiums*, and may not align with estimated budget increases
 - ▶ The self-funded UHC medical and CVS prescription drug plans are projected to increase by an aggregate blended increases of 14.9%.
 - Cost drivers include trend, utilization, increased number of large claimants, high stop loss increase (+28%), prescription drug specialty spend and GLP-1 impact, large Group Insurance Fund expense increase (+23% increase to aggregate amount), as well as premium “catch-up” from setting the 2024 rates lower than expected cost
 - Plan-specific increases are illustrated on slide 3
 - ▶ Kaiser insured medical/prescription drug rates for Active/U65 will increase 7.1% with the exclusion of the optional GLP-1 weight loss rider, or 8.5% if the GLP-1 weight loss rider is added
 - Original rate increases were 8.5% and 9.9% respectively prior to Aon negotiations
 - ▶ Kaiser insured for Over 65 will increase 2.0% with the exclusion of the optional GLP-1 weight loss rider
 - ▶ Overall plan utilization and claim cost continue to increase
 - ▶ Cash flow and budget fund balance may be factored in before setting final budget rates

2025 Preliminary Renewal Results — Summary of Medical & Rx Plans

| | UnitedHealthcare Select EPO | UnitedHealthcare Choice Plus POS | UHC Medicare Complement | Total Self-Insured Medical |
|------------------------------------|-----------------------------|----------------------------------|-------------------------|----------------------------|
| Total Enrollment | 1,060 | 1,226 | 759 | 3,045 |
| Projected 2025 Claims | \$13,230,959 | \$23,985,332 | \$3,186,695 | \$40,402,986 |
| Projected 2025 Expenses | \$1,919,361 | \$2,497,816 | \$1,052,190 | \$5,469,367 |
| Total Claims & Expenses | \$15,150,320 | \$26,483,147 | \$4,238,885 | \$45,872,353 |
| Current Premium Equivalent | \$14,380,303 | \$22,787,992 | \$3,753,550 | \$40,921,845 |
| Dollar Change | \$770,017 | \$3,695,156 | \$485,335 | \$4,950,508 |
| Percent Change | 5.4% | 16.2% | 12.9% | 12.1% |

| | Rx | Self-Insured Total | Kaiser Med & Rx | Grand Total |
|--|--------------|---------------------|-----------------|---------------------|
| Total Enrollment | 2,865 | | 424 | |
| Projected 2025 Claims | \$19,198,573 | \$59,601,559 | | \$59,601,559 |
| Projected 2025 Expenses | \$933,152 | \$6,402,520 | | \$6,402,520 |
| 2025 Premium | | | \$4,761,758 | \$4,761,758 |
| Total Claims & Expenses & Premium | \$20,131,726 | \$66,004,079 | \$4,761,758 | \$70,765,836 |
| Current Premium Equivalent | \$16,546,939 | \$57,468,784 | \$4,452,296 | \$61,921,080 |
| Dollar Change | \$3,584,787 | \$8,535,295 | \$309,462 | \$8,844,757 |
| Percent Change | 21.7% | 14.9% | 7.0% | 14.3% |

Notes:

- » The Group Insurance Fund Expense has only been included in the self-insured rates, split between the plans based on 2024 premium
- » Estimated PrudentRx fees from program savings are included with the Rx claims

Preliminary 2025 Self-Funded Plan Rates

» The rates reflect the projected increase by plan. Alternate rate scenarios or GIF offset (i.e., premium holiday impact) can be provided at M-NCPPC's request:

- ▶ EPO Act/<65: increase of 5.4%
- ▶ POS Act/<65: increase of 16.2%
- ▶ Medicare EPO: increase of 4.9%
- ▶ Medicare Comp: increase of 12.9%
- ▶ Rx: increase of 21.7%

| | 2024 EE's | 2024 Rates | Option 1 | |
|--|--------------|------------|---|----------|
| | | | Blend UHC Act/U65 Increases 2025 Rates | % Change |
| UHC EPO Actives/Under 65 | | | | |
| Individual | 262 | \$697.70 | \$735.51 | 5.4% |
| Two-Party | 123 | \$1,395.40 | \$1,471.02 | 5.4% |
| Family | 241 | \$2,093.10 | \$2,206.53 | 5.4% |
| UHC EPO Over 65 | | | | |
| Individual | 187 | \$441.35 | \$463.20 | 4.9% |
| Two-Party | 92 | \$882.70 | \$926.40 | 5.0% |
| Family | 1 | \$1,324.05 | \$1,389.60 | 5.0% |
| UHC POS Actives/Under 65 | | | | |
| Individual | 383 | \$822.79 | \$956.21 | 16.2% |
| Two-Party | 224 | \$1,645.58 | \$1,912.42 | 16.2% |
| Family | 347 | \$2,468.37 | \$2,868.63 | 16.2% |
| UHC Medicare Complement Over 65 | | | | |
| Individual | 472 | \$299.04 | \$337.71 | 12.9% |
| Two-Party | 287 | \$598.08 | \$675.42 | 12.9% |
| Family | 0 | \$897.12 | \$1,013.13 | 12.9% |
| CVS Rx - Actives/Under 65/Over 65 | | | | |
| Individual | 626 | \$270.11 | \$328.63 | 21.7% |
| Two-Party | 338 | \$540.22 | \$657.26 | 21.7% |
| Family | 580 | \$810.33 | \$985.89 | 21.7% |

Plan Considerations

- » Marketing stop loss: consider adding Rx coverage and/or increasing the attachment point from \$450k to \$500k
 - ▶ Adding Rx coverage to stop loss would increase the fixed costs, but reduce the risk/liability for large claims
 - ▶ Plans are in place to market the stop loss in the fall of 2024 for a January 1, 2025, effective date
- » Plans are underway to implement Caremark's GLP-1 Smart Edit for drugs and weight management programs for 3rd quarter 2024
- » Consider cost containment options:
 - ▶ Changes to the UnitedHealthcare Choice POS and Caremark pharmacy plan design changes. (See following slides)
 - ▶ Employee cost share increases – Need to negotiate with MCGEO for future years beyond 2025
 - ▶ Medicare Advantage with Prescription Drugs – Plans are in place to conduct a study for a potential January 1, 2026, implementation
 - ▶ Smoking cessation programs – available under both UnitedHealthcare and Kaiser
 - ▶ Hello Heart – a Cardiovascular health monitoring program through Caremark
 - ▶ Diabetes management program through UnitedHealthcare and/or Caremark

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Attachment B.

| FRATERNAL ORDER OF POLICE (FOP) PREMIUM RATES EFFECTIVE 1/1/2025 | | | | | | | |
|--|--------------|------------------------|----------------|-------------------|--------------------|---------------------|--------------------|
| Plan | Cost Share % | Full 2025 Monthly Rate | Full Bi-Weekly | M-NCPPC Bi-Weekly | Employee Bi-Weekly | \$ Change from 2024 | Monthly COBRA Rate |
| SINGLE COVERAGE | | | | | | | |
| Caremark Prescription | 77%/23% | \$301.62 | \$ 139.21 | \$ 107.19 | \$ 32.02 | \$ 3.35 | \$307.65 |
| Kaiser Permanente HMO with Prescription | 77%/23% | \$655.51 | \$ 302.54 | \$ 232.96 | \$ 69.58 | \$ 6.96 | \$668.62 |
| Kaiser Permanente Medicare Complement | 77%/23% | \$312.59 | \$ 144.27 | \$ 111.09 | \$ 33.18 | \$ 1.86 | \$318.84 |
| UnitedHealthcare Choice Plus POS | 77%/23% | \$956.21 | \$ 441.33 | \$ 339.82 | \$ 101.51 | \$ 14.16 | \$975.33 |
| UHC Medicare Complement Plan | 77%/23% | \$337.71 | \$ 155.87 | \$ 120.02 | \$ 35.85 | \$ 4.11 | \$344.46 |
| UnitedHealthcare Select EPO | 77%/23% | \$735.51 | \$ 339.47 | \$ 261.39 | \$ 78.08 | \$ 4.01 | \$750.22 |
| UHC Select EPO Medicare Eligible | 77%/23% | \$463.20 | \$ 213.78 | \$ 164.61 | \$ 49.17 | \$ 2.32 | \$472.46 |
| Delta Dental PPO | 77%/23% | \$34.53 | \$ 15.94 | \$ 12.27 | \$ 3.67 | \$ - | \$35.22 |
| Delta Dental HMO | 77%/23% | \$18.59 | \$ 8.58 | \$ 6.61 | \$ 1.97 | \$ - | \$18.96 |
| EyeMed Vision Plan - Low | 80%/20% | \$3.75 | \$ 1.73 | \$ 1.38 | \$ 0.35 | \$ - | \$3.83 |
| EyeMed Vision Plan - Moderate | See Note* | \$6.50 | \$ 3.00 | \$ 1.38 | \$ 1.62 | \$ - | \$6.63 |
| EyeMed Vision Plan - High | See Note* | \$11.31 | \$ 5.22 | \$ 1.38 | \$ 3.84 | \$ - | \$11.54 |
| TWO MEMBER COVERAGE | | | | | | | |
| Caremark Prescription | 77%/23% | \$603.24 | \$ 278.42 | \$ 214.38 | \$ 64.04 | \$ 6.69 | \$615.30 |
| Kaiser Permanente HMO with Prescription | 77%/23% | \$1,311.01 | \$ 605.08 | \$ 465.91 | \$ 139.17 | \$ 13.92 | \$1,337.23 |
| Kaiser Permanente Medicare Complement | 77%/23% | \$625.18 | \$ 288.54 | \$ 222.18 | \$ 66.36 | \$ 3.72 | \$637.68 |
| UnitedHealthcare Choice Plus POS | 77%/23% | \$1,912.42 | \$ 882.66 | \$ 679.65 | \$ 203.01 | \$ 28.33 | \$1,950.67 |
| UHC Medicare Complement Plan | 77%/23% | \$675.42 | \$ 311.73 | \$ 240.03 | \$ 71.70 | \$ 8.21 | \$688.93 |
| UnitedHealthcare Select EPO | 77%/23% | \$1,471.02 | \$ 678.93 | \$ 522.78 | \$ 156.15 | \$ 8.03 | \$1,500.44 |
| UHC Select EPO Medicare Eligible | 77%/23% | \$926.40 | \$ 427.57 | \$ 329.23 | \$ 98.34 | \$ 4.64 | \$944.93 |
| Delta Dental PPO | 77%/23% | \$69.22 | \$ 31.95 | \$ 24.60 | \$ 7.35 | \$ - | \$70.60 |
| Delta Dental HMO | 77%/23% | \$36.15 | \$ 16.68 | \$ 12.85 | \$ 3.84 | \$ - | \$36.87 |
| EyeMed Vision Plan - Low | 80%/20% | \$7.55 | \$ 3.48 | \$ 2.79 | \$ 0.70 | \$ - | \$7.70 |
| EyeMed Vision Plan - Moderate | See Note* | \$13.03 | \$ 6.01 | \$ 2.79 | \$ 3.23 | \$ - | \$13.29 |
| EyeMed Vision Plan - High | See Note* | \$22.64 | \$ 10.45 | \$ 2.79 | \$ 7.66 | \$ - | \$23.09 |
| FAMILY COVERAGE | | | | | | | |
| Caremark Prescription | 77%/23% | \$904.86 | \$ 417.63 | \$ 321.58 | \$ 96.05 | \$ 10.03 | \$922.96 |
| Kaiser Permanente HMO with Prescription | 77%/23% | \$1,966.52 | \$ 907.62 | \$ 698.87 | \$ 208.75 | \$ 20.88 | \$2,005.85 |
| Kaiser Permanente Medicare Complement | 77%/23% | \$937.77 | \$ 432.82 | \$ 333.27 | \$ 99.55 | \$ 5.59 | \$956.53 |
| UnitedHealthcare Choice Plus POS | 77%/23% | \$2,868.63 | \$ 1,323.98 | \$ 1,019.46 | \$ 304.52 | \$ 42.49 | \$2,926.00 |
| UHC Medicare Complement Plan | 77%/23% | \$1,013.13 | \$ 467.60 | \$ 360.05 | \$ 107.55 | \$ 12.32 | \$1,033.39 |
| UnitedHealthcare Select EPO | 77%/23% | \$2,206.53 | \$ 1,018.40 | \$ 784.17 | \$ 234.23 | \$ 12.04 | \$2,250.66 |
| UHC Select EPO Medicare Eligible | 77%/23% | \$1,389.60 | \$ 641.35 | \$ 493.84 | \$ 147.51 | \$ 6.96 | \$1,417.39 |
| Delta Dental PPO | 77%/23% | \$128.01 | \$ 59.08 | \$ 45.49 | \$ 13.59 | \$ - | \$130.57 |
| Delta Dental HMO | 77%/23% | \$52.38 | \$ 24.18 | \$ 18.62 | \$ 5.56 | \$ - | \$53.43 |
| EyeMed Vision Plan - Low | 80%/20% | \$11.30 | \$ 5.22 | \$ 4.17 | \$ 1.04 | \$ - | \$11.53 |
| EyeMed Vision Plan - Moderate | See Note* | \$19.55 | \$ 9.02 | \$ 4.17 | \$ 4.85 | \$ - | \$19.94 |
| EyeMed Vision Plan - High | See Note* | \$34.20 | \$ 15.78 | \$ 4.17 | \$ 11.61 | \$ - | \$34.88 |
| OTHER PLANS | | | | | | | |
| Long-Term Disability (Per \$100 Monthly Benefit) | 0%/100% | \$1.73 | | | | \$ (0.19) | |
| Legal Resources (24 pay periods) | 0%/100% | \$17.00 | | | \$8.50 | \$ - | |
| Basic Life Ins. (Per \$1,000 Monthly Benefit) | 80%/20% | \$0.132 | | | | \$ (0.013) | |
| AD&D (Per \$1,000 Monthly Benefit) | 80%/20% | \$0.025 | | | | \$ - | |

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

CONTRACT EMPLOYEES PREMIUM RATES EFFECTIVE 1/1/2025

| Plan | Cost Share% | Full 2025Monthly Rate | Full Bi- Weekly Rate | M-NCPPC Bi-Weekly | Employee Bi-Weekly | \$ Change from 2024 | Monthly COBRA Rates |
|---|-------------|-----------------------------|-------------------------|----------------------|-----------------------|------------------------|------------------------|
| SINGLE COVERAGE | | | | | | | |
| Caremark Prescription | 65%/35% | \$301.62 | \$139.21 | \$90.49 | \$48.72 | \$ 5.09 | \$ 307.65 |
| Kaiser Permanente HMO with Prescription | 65%/35% | \$655.51 | \$302.54 | \$196.65 | \$105.89 | \$ 10.59 | \$ 668.62 |
| UnitedHealthcare Select EPO | 65%/35% | \$735.51 | \$339.47 | \$220.65 | \$118.81 | \$ 6.10 | \$ 750.22 |
| TWO MEMBER COVERAGE | | | | | | | |
| Caremark Prescription | 65%/35% | \$603.24 | \$278.42 | \$180.97 | \$97.45 | \$ 10.18 | \$ 615.30 |
| Kaiser Permanente HMO with Prescription | 65%/35% | \$1,311.01 | \$605.08 | \$393.30 | \$211.78 | \$ 21.18 | \$ 1,337.23 |
| UnitedHealthcare Select EPO | 65%/35% | \$1,471.02 | \$678.93 | \$441.31 | \$237.63 | \$ 12.22 | \$ 1,500.44 |
| FAMILY COVERAGE | | | | | | | |
| Caremark Prescription | 65%/35% | \$904.86 | \$417.63 | \$271.46 | \$146.17 | \$ 15.27 | \$ 922.96 |
| Kaiser Permanente HMO with Prescription | 65%/35% | \$1,966.52 | \$907.62 | \$589.96 | \$317.67 | \$ 31.77 | \$ 2,005.85 |
| UnitedHealthcare Select EPO | 65%/35% | \$2,206.53 | \$1,018.40 | \$661.96 | \$356.44 | \$ 18.32 | \$ 2,250.66 |

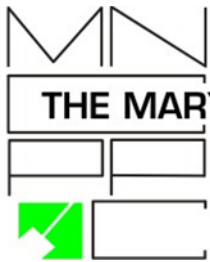
| MCGEO, NON-UNION REPRESENTED PREMIUM RATES EFFECTIVE 1/1/2025 | | | | | | | |
|---|--------------|------------------------|---------------------|-------------------|--------------------|---------------------|--------------------|
| Plan | Cost Share % | Full 2025 Monthly Rate | Full Bi-Weekly Rate | M-NCPPC Bi-Weekly | Employee Bi-Weekly | \$ Change from 2024 | Monthly COBRA Rate |
| SINGLE COVERAGE | | | | | | | |
| Caremark Prescription | 85%/15% | \$301.62 | \$139.21 | \$118.33 | \$20.88 | \$ 2.18 | \$307.65 |
| Kaiser Permanente HMO with Prescription | 85%/15% | \$655.51 | \$302.54 | \$257.16 | \$45.38 | \$ 4.54 | \$668.62 |
| Kaiser Permanente Medicare Complement | 85%/15% | \$312.59 | \$144.27 | \$122.63 | \$21.64 | \$ 1.22 | \$318.84 |
| UnitedHealthcare Choice Plus POS | 80%/20% | \$956.21 | \$441.33 | \$353.06 | \$88.27 | \$ 12.32 | \$975.33 |
| UHC Medicare Complement Plan | 80%/20% | \$337.71 | \$155.87 | \$124.70 | \$31.17 | \$ 3.57 | \$344.46 |
| UnitedHealthcare Select EPO | 80%/20% | \$735.51 | \$339.47 | \$271.58 | \$67.89 | \$ 3.49 | \$750.22 |
| UHC Select EPO Medicare Eligible | 80%/20% | \$463.20 | \$213.78 | \$171.02 | \$42.76 | \$ 2.02 | \$472.46 |
| Delta Dental PPO | 80%/20% | \$34.53 | \$15.94 | \$12.75 | \$3.19 | \$ - | \$35.22 |
| Delta Dental HMO | 80%/20% | \$18.59 | \$8.58 | \$6.86 | \$1.72 | \$ - | \$18.96 |
| EyeMed Vision Plan - Low | 80%/20% | \$3.75 | \$1.73 | \$1.38 | \$0.35 | \$ - | \$3.83 |
| EyeMed Vision Plan - Moderate | See Note* | \$6.50 | \$3.00 | \$1.38 | \$1.62 | \$ - | \$6.63 |
| EyeMed Vision Plan - High | See Note* | \$11.31 | \$5.22 | \$1.38 | \$3.84 | \$ - | \$11.54 |
| TWO MEMBER COVERAGE | | | | | | | |
| Caremark Prescription | 85%/15% | \$603.24 | \$278.42 | \$236.66 | \$41.76 | \$ 4.36 | \$615.30 |
| Kaiser Permanente HMO with Prescription | 85%/15% | \$1,311.01 | \$605.08 | \$514.32 | \$90.76 | \$ 9.08 | \$1,337.23 |
| Kaiser Permanente Medicare Complement | 85%/15% | \$625.18 | \$288.54 | \$245.26 | \$43.28 | \$ 2.43 | \$637.68 |
| UnitedHealthcare Choice Plus POS | 80%/20% | \$1,912.42 | \$882.66 | \$706.13 | \$176.53 | \$ 24.63 | \$1,950.67 |
| UHC Medicare Complement Plan | 80%/20% | \$675.42 | \$311.73 | \$249.38 | \$62.35 | \$ 7.14 | \$688.93 |
| UnitedHealthcare Select EPO | 80%/20% | \$1,471.02 | \$678.93 | \$543.14 | \$135.79 | \$ 6.98 | \$1,500.44 |
| UHC Select EPO Medicare Eligible | 80%/20% | \$926.40 | \$427.57 | \$342.06 | \$85.51 | \$ 4.03 | \$944.93 |
| Delta Dental PPO | 80%/20% | \$69.22 | \$31.95 | \$25.56 | \$6.39 | \$ - | \$70.60 |
| Delta Dental HMO | 80%/20% | \$36.15 | \$16.68 | \$13.35 | \$3.34 | \$ - | \$36.87 |
| EyeMed Vision Plan - Low | 80%/20% | \$7.55 | \$3.48 | \$2.79 | \$0.70 | \$ - | \$7.70 |
| EyeMed Vision Plan - Moderate | See Note* | \$13.03 | \$6.01 | \$2.79 | \$3.23 | \$ - | \$13.29 |
| EyeMed Vision Plan - High | See Note* | \$22.64 | \$10.45 | \$2.79 | \$7.66 | \$ - | \$23.09 |
| FAMILY COVERAGE | | | | | | | |
| Caremark Prescription | 85%/15% | \$904.86 | \$417.63 | \$354.99 | \$62.64 | \$ 6.54 | \$922.96 |
| Kaiser Permanente HMO with Prescription | 85%/15% | \$1,966.52 | \$907.62 | \$771.48 | \$136.14 | \$ 13.62 | \$2,005.85 |
| Kaiser Permanente Medicare Complement | 85%/15% | \$937.77 | \$432.82 | \$367.90 | \$64.92 | \$ 3.64 | \$956.53 |
| UnitedHealthcare Choice Plus POS | 80%/20% | \$2,868.63 | \$1,323.98 | \$1,059.18 | \$264.80 | \$ 36.95 | \$2,926.00 |
| UHC Medicare Complement Plan | 80%/20% | \$985.89 | \$455.03 | \$364.02 | \$91.01 | \$ 8.19 | \$1,005.61 |
| UnitedHealthcare Select EPO | 80%/20% | \$2,206.53 | \$1,018.40 | \$814.72 | \$203.68 | \$ 10.47 | \$2,250.66 |
| UHC Select EPO Medicare Eligible | 80%/20% | \$1,389.60 | \$641.35 | \$513.08 | \$128.27 | \$ 6.05 | \$1,417.39 |
| Delta Dental PPO | 80%/20% | \$128.01 | \$59.08 | \$47.27 | \$11.82 | \$ - | \$130.57 |
| Delta Dental HMO | 80%/20% | \$52.38 | \$24.18 | \$19.34 | \$4.84 | \$ - | \$53.43 |
| EyeMed Vision Plan - Low | 80%/20% | \$11.30 | \$5.22 | \$4.17 | \$1.04 | \$ - | \$11.53 |
| EyeMed Vision Plan - Moderate | See Note* | \$19.55 | \$9.02 | \$4.17 | \$4.85 | \$ - | \$19.94 |
| EyeMed Vision Plan - High | See Note* | \$34.20 | \$15.78 | \$4.17 | \$11.61 | \$ - | \$34.88 |
| OTHER PLANS | | | | | | | |
| Long-Term Disability (Per \$100 Monthly Benefit) | 80%/20% | \$0.84 | | | | \$ (0.10) | |
| Legal Resources | 0%/100% | \$17.00 | | | | \$ - | |
| Basic Life Ins. (Per \$1,000 Monthly Benefit) | 80%/20% | \$0.132 | | | | \$ (0.013) | |
| AD&D (Per \$1,000 Monthly Benefit) | 80%/20% | \$0.025 | | | | \$ - | |

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

RETIREE/SURVIVORS PREMIUM RATES EFFECTIVE 1/1/2025

If you were hired on or after January 1, 2013 (FOP- July 1, 2014), contact the Health & Benefits Office to determine your premium rates effective January 1, 2025. Your rates will be based on your Years of Service.

| Plan | Cost Share % | Full 2025 Monthly Rate | M-NCPPC Monthly | Retiree Monthly | \$ Change from 2024 |
|--|--------------|------------------------|-----------------|-----------------|---------------------|
| SINGLE COVERAGE | | | | | |
| Caremark Prescription | 80%/20% | \$301.62 | \$241.30 | \$60.32 | \$ 6.30 |
| Kaiser Permanente HMO with Prescription | 80%/20% | \$655.51 | \$524.41 | \$131.10 | \$ 13.11 |
| UnitedHealthcare Choice Plus POS | 80%/20% | \$956.21 | \$764.97 | \$191.24 | \$ 26.68 |
| UnitedHealthcare Select EPO | 80%/20% | \$735.51 | \$588.41 | \$147.10 | \$ 7.56 |
| Delta Dental PPO | 80%/20% | \$34.53 | \$27.62 | \$6.91 | \$ - |
| Delta Dental HMO | 80%/20% | \$18.59 | \$14.87 | \$3.72 | \$ - |
| EyeMed Vision Plan - Low | 80%/20% | \$3.75 | \$3.00 | \$0.75 | \$ - |
| EyeMed Vision Plan - Moderate | See Note* | \$6.50 | \$3.00 | \$3.50 | \$ - |
| EyeMed Vision Plan - High | See Note* | \$11.31 | \$3.00 | \$8.31 | \$ - |
| TWO MEMBER COVERAGE | | | | | |
| Caremark Prescription | 80%/20% | \$603.24 | \$482.59 | \$120.65 | \$ 12.60 |
| Kaiser Permanente HMO with Prescription | 80%/20% | \$1,311.01 | \$1,048.81 | \$262.20 | \$ 26.22 |
| UnitedHealthcare Choice Plus POS | 80%/20% | \$1,912.42 | \$1,529.94 | \$382.48 | \$ 53.37 |
| UnitedHealthcare Select EPO | 80%/20% | \$1,471.02 | \$1,176.82 | \$294.20 | \$ 15.12 |
| Delta Dental PPO | 80%/20% | \$69.22 | \$55.38 | \$13.84 | \$ - |
| Delta Dental HMO | 80%/20% | \$36.15 | \$28.92 | \$7.23 | \$ - |
| EyeMed Vision Plan - Low | 80%/20% | \$7.55 | \$6.04 | \$1.51 | \$ - |
| EyeMed Vision Plan - Moderate | See Note* | \$13.03 | \$6.04 | \$6.99 | \$ - |
| EyeMed Vision Plan - High | See Note* | \$22.64 | \$6.04 | \$16.60 | \$ - |
| FAMILY COVERAGE | | | | | |
| Caremark Prescription | 80%/20% | \$904.86 | \$723.89 | \$180.97 | \$ 18.91 |
| Kaiser Permanente HMO with Prescription | 80%/20% | \$1,966.52 | \$1,573.22 | \$393.30 | \$ 39.34 |
| UnitedHealthcare Choice Plus POS | 80%/20% | \$2,868.63 | \$2,294.90 | \$573.73 | \$ 80.05 |
| UnitedHealthcare Select EPO | 80%/20% | \$2,206.53 | \$1,765.22 | \$441.31 | \$ 22.69 |
| Delta Dental PPO | 80%/20% | \$128.01 | \$102.41 | \$25.60 | \$ - |
| Delta Dental HMO | 80%/20% | \$52.38 | \$41.90 | \$10.48 | \$ - |
| EyeMed Vision Plan - Low | 80%/20% | \$11.30 | \$9.04 | \$2.26 | \$ - |
| EyeMed Vision Plan - Moderate | See Note* | \$19.55 | \$9.04 | \$10.51 | \$ - |
| EyeMed Vision Plan - High | See Note* | \$34.20 | \$9.04 | \$25.16 | \$ - |
| UNITEDHEALTHCARE MEDICARE COMPLEMENT PLAN | | | | | |
| 1 Medicare Complement | 80%/20% | \$337.71 | \$270.17 | \$67.54 | \$ 7.73 |
| 2 Medicare Complement | 80%/20% | \$675.42 | \$540.34 | \$135.08 | \$ 15.47 |
| Family - 3 or More All Medicare Complement | 80%/20% | \$1,013.13 | \$810.50 | \$202.63 | \$ 23.20 |
| 1 Medicare Complement + 1 POS | 80%/20% | \$1,293.92 | \$1,035.14 | \$258.78 | \$ 34.42 |
| 1 Medicare Complement + 2 or More POS | 80%/20% | \$2,250.13 | \$1,800.10 | \$450.03 | \$ 61.10 |
| 2 Medicare Complement + 1 or More POS | 80%/20% | \$1,631.63 | \$1,305.30 | \$326.33 | \$ 42.15 |
| UNITED HEALTHCARE EPO MEDICARE PLAN | | | | | |
| 1 Medicare Complement | 80%/20% | \$463.20 | \$370.56 | \$92.64 | \$ 4.37 |
| 2 Medicare Complement | 80%/20% | \$926.40 | \$741.12 | \$185.28 | \$ 8.74 |
| Family - 3 or More All Medicare Complement | 80%/20% | \$1,389.60 | \$1,111.68 | \$277.92 | \$ 13.11 |
| 1 Medicare Complement + 1 EPO<65 | 80%/20% | \$1,198.71 | \$958.97 | \$239.74 | \$ 11.93 |
| 1 Medicare Complement + 2 or More EPO | 80%/20% | \$1,934.22 | \$1,547.38 | \$386.84 | \$ 19.49 |
| 2 Medicare Complement + 1 or More EPO | 80%/20% | \$1,661.91 | \$1,329.53 | \$332.38 | \$ 16.30 |
| KAISER PERMANENTE MEDICARE COMPLEMENT PLAN WITH PRESCRIPTION DRUG | | | | | |
| 1 Medicare Complement | 80%/20% | \$312.59 | \$250.07 | \$62.52 | \$ 3.51 |
| 2 Medicare Complement | 80%/20% | \$625.18 | \$500.14 | \$125.04 | \$ 7.02 |
| Family - 3 or More All Medicare Complement | 80%/20% | \$937.77 | \$750.22 | \$187.55 | \$ 10.53 |
| 1 Medicare Complement + 1 HMO | 80%/20% | \$968.10 | \$774.48 | \$193.62 | \$ 16.62 |
| 1 Medicare Complement + 2 or More HMO | 80%/20% | \$1,623.60 | \$1,298.88 | \$324.72 | \$ 29.73 |
| 2 Medicare Complement + 1 or More HMO | 80%/20% | \$1,280.69 | \$1,024.55 | \$256.14 | \$ 20.13 |
| LEGAL PLAN | | | | | |
| Legal Resources | 0%/100% | \$17.00 | \$0.00 | \$17.00 | \$ - |



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue Riverdale, Maryland 20730

Date: August 22, 2024

To: The Maryland-National Capital Park and Planning Commission

Via: William Spencer, Acting Executive Director
Terri Bacote-Charles, Corporate Budget Director

From: Melinda Duong, Corporate Budget Analyst III *MD*

Subject: Bi-county Operations Labor Cost Allocation Analysis for the FY26 Budget

Recommendation

It is recommended that the Commission adopt the update to the labor cost percentages used to allocate bi-county operations budgets between Montgomery and Prince George's counties for the FY26 Proposed Budget. The bi-county operations are commonly known as the Central Administrative Services (CAS).

Background

Developed annually by the Corporate Budget Office, the analysis looked at the six bi-county departments/operations providing services to the departments in the two counties. These six operations include:

- Department of Human Resources and Management (DHRM)
- Finance Department
- Legal Department
- Office of the Chief Information Officer (Corporate IT)
- Inspector General's Office
- Merit System Board

This analysis determines the percentage of time allocated to each county, and hence how much of each budget should be charged to each of the funding sources.

Within the six operations, there are three bi-county functions that are not addressed in this analysis: 1) Group Insurance – labor costs are factored into the rates set for the employer and employee/retiree, and, since FY14, no longer allocated and are charged directly to the operating departments in each county; 2) CIO – Labor costs are allocated by the percentage of subscriptions to the Cloud and included in the CIO Fund budget; 3) Risk Management – in the past the administrative costs have been allocated 50/50. After analyzing staff time records for

the three-year period from FY22 to FY24, even though the allocation is slightly different each year, the annualized allocation for Risk Management remains 50/50.

Methodology

Fiscal year data is extracted from the timecard system. For those divisions for which cost drivers are not applied, work hours are classified as Montgomery County, Prince George’s County or bi-county, according to the description of the labor codes used. If the labor code does not indicate a specific county for the work/leave hours, the hours are classified as bi-county. Bi-county hours are allocated 50/50 between the two counties.

For Accounts Payable, Treasury/Investments, Payroll and Purchasing units of the Finance Department, and Employee Records and Recruitment units of the Department of Human Resources and Management, the labor cost allocations are done using cost drivers, i.e., work hours are classified and distributed as Montgomery or Prince George’s according to the Cost Driver table below. For Accounts Payable and Payroll, the driver is number of payments issued; for Purchasing the driver is total document volume (including PO’s, contracts and purchase card transactions); for Treasury the driver is the number of cash receipts and deposits; for Employee Records the driver is the number of PA2’s processed; for Recruitment the driver is the number of applications.

Whether utilizing the labor hour allocations or the cost drivers, the results are then factored into a three-year moving average to smooth individual year variations.

Two bi-county operations do not utilize either of these methodologies. For the Merit System Board, it is assumed that the decisions they render are applicable to the Commission as a whole. Therefore, their budget is allocated on a 50/50 basis.

CAS Support Services – Historically allocated on a 50/50 basis, beginning with FY15 these expenses are now allocated based upon the three-year labor allocation average of the bi-county departments/units that are supported.

Results

Cost drivers were updated for FY24 by Finance and DHRM and these results are shown below along with the drivers used for prior periods.

| Cost Drivers | FY20 | | FY21 | | FY22 | | FY23 | | FY24 | | % shift in Share | |
|---------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|------------------|-------|
| | MC | PGC | MC | PGC | MC | PGC | MC | PGC | MC | PGC | MC | PGC |
| Accounts Payable | 43.10% | 56.90% | 43.70% | 56.30% | 44.40% | 55.60% | 44.70% | 55.30% | 44.30% | 55.70% | -0.4% | 0.4% |
| Payroll | 25.31% | 74.69% | 31.78% | 68.22% | 27.57% | 72.43% | 25.87% | 74.13% | 25.69% | 74.31% | -0.2% | 0.2% |
| Purchasing | 48.56% | 51.44% | 48.10% | 51.90% | 48.26% | 51.74% | 45.07% | 54.93% | 44.61% | 55.39% | -0.5% | 0.5% |
| Treasury/Investment | 20.00% | 80.00% | 20.00% | 80.00% | 20.00% | 80.00% | 20.00% | 80.00% | 20.00% | 80.00% | 0.0% | 0.0% |
| Employee Records | 16.76% | 83.24% | 15.47% | 84.53% | 18.91% | 81.09% | 19.74% | 80.26% | 23.01% | 76.99% | 3.3% | -3.3% |
| Recruitment | 43.50% | 56.50% | 43.60% | 56.40% | 47.88% | 52.12% | 45.40% | 54.60% | 46.02% | 53.98% | 0.6% | -0.6% |

The unavailability of Kronos from December 2021 through February 2022 does not appear to have skewed the results.

Using the labor hour splits for some divisions, the cost driver calculations for other divisions, and the assumptions noted above under Methodology for Merit Board and Support Services resulted in the allocation percentages shown below.

ALLOCATION OF CAS BUDGET TO EACH COUNTY FY20 TO FY25

| | FY25 | | FY26 Proposed | | Change from FY25 | |
|-------------------------------------|-------|-------|---------------|-------|------------------|-------|
| | MC | PGC | MC | PGC | MC | PGC |
| DHRM | 41.7% | 58.3% | 43.8% | 56.2% | 2.1% | -2.1% |
| Finance | 43.0% | 57.0% | 42.8% | 57.2% | -0.2% | 0.2% |
| Legal | 50.7% | 49.3% | 51.3% | 48.7% | 0.6% | -0.6% |
| Office of Inspector General | 37.5% | 62.5% | 42.6% | 57.4% | 5.1% | -5.1% |
| Corporate IT | 50.0% | 50.0% | 50.0% | 50.0% | 0.0% | 0.0% |
| Merit System Board | 50.0% | 50.0% | 50.0% | 50.0% | 0.0% | 0.0% |
| Support Services | 45.2% | 54.8% | 44.9% | 55.1% | -0.3% | 0.3% |
| Total CAS Before Chargebacks | 44.9% | 55.1% | | | | |

Below is an expanded summary showing the budgeted allocations from FY20 through FY25.

ALLOCATION OF CAS BUDGET TO EACH COUNTY FY20 TO FY25

| | FY20 | | | FY21 | | | FY22 | | | FY23 | | | FY24 | | | FY25 | | | FY26 Proposed | | | Change from FY25 | | | | |
|-------------------------------------|-------|-------|--|-------|-------|--|-------|-------|--|-------|-------|--|-------|-------|--|-------|-------|--|---------------|-------|--|------------------|-------|--|-------|-------|
| | MC | PGC | | MC | PGC | | MC | PGC | | MC | PGC | | MC | PGC | | MC | PGC | | MC | PGC | | MC | PGC | | | |
| DHRM | 42.6% | 57.4% | | 41.7% | 58.3% | | 41.1% | 58.9% | | 40.4% | 59.6% | | 40.8% | 59.2% | | 41.7% | 58.3% | | 43.8% | 56.2% | | 43.8% | 56.2% | | 2.1% | -2.1% |
| Finance | 44.6% | 55.4% | | 42.4% | 57.6% | | 43.0% | 57.0% | | 42.9% | 57.1% | | 42.9% | 57.1% | | 43.0% | 57.0% | | 42.8% | 57.2% | | 42.8% | 57.2% | | -0.2% | 0.2% |
| Legal | 50.4% | 49.6% | | 50.5% | 49.5% | | 50.5% | 49.5% | | 51.8% | 48.2% | | 49.7% | 50.3% | | 50.7% | 49.3% | | 51.3% | 48.7% | | 51.3% | 48.7% | | 0.6% | -0.6% |
| Office of Inspector General | 34.8% | 65.2% | | 37.9% | 62.1% | | 41.8% | 58.2% | | 36.0% | 64.0% | | 38.2% | 61.8% | | 37.5% | 62.5% | | 42.6% | 57.4% | | 42.6% | 57.4% | | 5.1% | -5.1% |
| Corporate IT | 45.2% | 54.8% | | 49.2% | 50.8% | | 49.6% | 50.4% | | 50.0% | 50.0% | | 49.9% | 50.1% | | 50.0% | 50.0% | | 50.0% | 50.0% | | 50.0% | 50.0% | | 0.0% | 0.0% |
| Merit System Board | 50.0% | 50.0% | | 50.0% | 50.0% | | 50.0% | 50.0% | | 50.0% | 50.0% | | 50.0% | 50.0% | | 50.0% | 50.0% | | 50.0% | 50.0% | | 50.0% | 50.0% | | 0.0% | 0.0% |
| Support Services | 44.8% | 55.2% | | 44.5% | 55.5% | | 44.5% | 55.5% | | 44.2% | 55.8% | | 44.2% | 55.8% | | 46.2% | 53.8% | | 44.9% | 55.1% | | 44.9% | 55.1% | | -0.3% | 0.3% |
| Total CAS Before Chargebacks | 44.9% | 55.1% | | 45.1% | 54.9% | | 45.0% | 55.0% | | 44.8% | 55.2% | | 44.5% | 55.5% | | 44.9% | 55.1% | | 44.9% | 55.1% | | 44.9% | 55.1% | | -0.3% | 0.3% |

This table provides the divisional labor allocation in detail, including the three-year average which forms the basis for each year's proposed allocation.

LABOR COST ALLOCATION SUMMARY AND COMPARISON TO FY25 BUDGETED ALLOCATION

| | FY 20 | | FY 21 | | FY 22 | | FY 23 | | FY 24 | | | | |
|---|--------------|--------------|-------------|-------------|--------------|--------------|-------------|--------------|--------------|-------------|--------------|--------------|-------------|
| | MC | PGC | MC | PGC | MC | PGC | MC | PGC | MC | PGC | | | |
| 30 - Dept Human Resources & Mgmt | 39.9% | 60.1% | 100% | 100% | 43.1% | 56.9% | 100% | 44.6% | 55.4% | 100% | 43.8% | 56.2% | 100% |
| OFFICE OF THE EXEC. DIR. | 50.0% | 50.0% | 100% | 100% | 43.1% | 56.9% | 100% | 45.0% | 55.0% | 100% | 46.4% | 53.6% | 100% |
| BUDGET DIVISION | 50.4% | 49.6% | 100% | 100% | 50.2% | 49.8% | 100% | 50.0% | 50.0% | 100% | 50.2% | 49.8% | 100% |
| CLASSIFICATION COMPENSATION | 41.7% | 58.3% | 100% | 100% | 35.9% | 64.1% | 100% | 50.2% | 49.8% | 100% | 46.6% | 53.4% | 100% |
| CORP. POLICY & MGMT SVCS | 50.0% | 50.0% | 100% | 100% | 50.0% | 50.0% | 100% | 50.0% | 50.0% | 100% | 50.0% | 50.0% | 100% |
| EMPLOYEE LABOR RELATIONS | 45.0% | 55.0% | 100% | 100% | 50.5% | 49.5% | 100% | 46.5% | 53.5% | 100% | 51.4% | 48.6% | 100% |
| HRIS/EMP. RECORDS | 16.8% | 83.2% | 100% | 100% | 15.5% | 84.5% | 100% | 18.9% | 81.1% | 100% | 19.7% | 80.3% | 100% |
| RECRUITMENT | 43.5% | 56.5% | 100% | 100% | 43.6% | 56.4% | 100% | 47.9% | 52.1% | 100% | 45.4% | 54.6% | 100% |
| 31 - Legal | 49.1% | 50.9% | 100% | 100% | 49.8% | 50.2% | 100% | 52.4% | 47.6% | 100% | 51.6% | 48.4% | 100% |
| 32 - Finance Department | 42.3% | 57.7% | 100% | 100% | 43.2% | 56.8% | 100% | 42.8% | 57.2% | 100% | 42.9% | 57.1% | 100% |
| ACCOUNTING | 50.0% | 50.0% | 100% | 100% | 50.0% | 50.0% | 100% | 50.0% | 50.0% | 100% | 50.0% | 50.0% | 100% |
| ACCOUNTS PAYABLE | 43.1% | 56.9% | 100% | 100% | 43.7% | 56.3% | 100% | 44.4% | 55.6% | 100% | 44.5% | 55.5% | 100% |
| ADMINISTRATIVE SERVICES | 50.0% | 50.0% | 100% | 100% | 50.0% | 50.0% | 100% | 50.0% | 50.0% | 100% | 50.0% | 50.0% | 100% |
| INVESTMENTS | 20.0% | 80.0% | 100% | 100% | 20.0% | 80.0% | 100% | 20.0% | 80.0% | 100% | 20.0% | 80.0% | 100% |
| OFFICE OF THE SEC.-TREAS. | 50.0% | 50.0% | 100% | 100% | 50.0% | 50.0% | 100% | 50.0% | 50.0% | 100% | 50.0% | 50.0% | 100% |
| PAYROLL | 25.3% | 74.7% | 100% | 100% | 31.8% | 68.2% | 100% | 27.6% | 72.4% | 100% | 25.9% | 74.1% | 100% |
| PURCHASING | 48.6% | 51.4% | 100% | 100% | 48.1% | 51.9% | 100% | 48.3% | 51.7% | 100% | 45.1% | 54.9% | 100% |
| 37 - Corporate IT | 50.0% | 50.0% | 100% | 100% | 50.0% | 50.0% | 100% | 50.0% | 50.0% | 100% | 50.0% | 50.0% | 100% |
| 33 - Merit System | 50.0% | 50.0% | 100% | 100% | 50.0% | 50.0% | 100% | 50.0% | 50.0% | 100% | 50.0% | 50.0% | 100% |
| 34 - Office of Inspector General | 41.6% | 58.4% | 100% | 100% | 35.3% | 64.7% | 100% | 51.9% | 48.1% | 100% | 35.6% | 64.4% | 100% |
| Total CAS | 43.8% | 56.2% | 100% | 100% | 43.5% | 56.5% | 100% | 45.6% | 54.4% | 100% | 45.7% | 54.3% | 100% |

Notes:
 1) Highlighted rows represents labor cost allocations are done with cost drivers
 2) Result include chargeback positions based on time card records

LABOR COST ALLOCATION SUMMARY AND COMPARISON TO FY25 BUDGETED ALLOCATION

| | FY 20 - FY 22 | | FY 21 - FY 23 | | FY 22 - FY 24 | | FY25 Budget | | 3 Year Average vs FY25 Budget | | | | | | | |
|---|---------------|--------------|---------------|-------------|---------------|--------------|-------------|--------------|-------------------------------|-------------|--------------|--------------|-------------|--------------|--------------|-------------|
| | MC | PGC | MC | PGC | MC | PGC | MC | PGC | MC | PGC | | | | | | |
| 30 - Dept Human Resources & Mgmt | 40.6% | 59.4% | 100% | 100% | 42.1% | 57.9% | 100% | 43.8% | 56.2% | 100% | 41.7% | 58.3% | 100% | 43.8% | 56.2% | 100% |
| OFFICE OF THE EXEC. DIR. | 50.0% | 50.0% | 100% | 100% | 48.3% | 51.7% | 100% | 47.1% | 52.9% | 100% | 47.1% | 52.9% | 100% | 47.1% | 52.9% | 100% |
| BUDGET DIVISION | 50.2% | 49.8% | 100% | 100% | 50.2% | 49.8% | 100% | 50.2% | 49.8% | 100% | 50.2% | 49.8% | 100% | 50.2% | 49.8% | 100% |
| CLASSIFICATION COMPENSATION | 42.3% | 57.7% | 100% | 100% | 45.1% | 54.9% | 100% | 48.7% | 51.3% | 100% | 50.0% | 50.0% | 100% | 48.7% | 51.3% | 100% |
| CORP. POLICY & MGMT SVCS | 50.0% | 50.0% | 100% | 100% | 50.0% | 50.0% | 100% | 50.0% | 50.0% | 100% | 50.0% | 50.0% | 100% | 50.0% | 50.0% | 100% |
| EMPLOYEE LABOR RELATIONS | 47.3% | 52.7% | 100% | 100% | 50.9% | 49.1% | 100% | 51.2% | 48.8% | 100% | 48.8% | 51.2% | 100% | 48.8% | 51.2% | 100% |
| HRIS/EMP. RECORDS | 17.0% | 83.0% | 100% | 100% | 18.0% | 82.0% | 100% | 19.8% | 80.2% | 100% | 19.8% | 80.2% | 100% | 19.8% | 80.2% | 100% |
| RECRUITMENT | 45.0% | 55.0% | 100% | 100% | 45.6% | 54.4% | 100% | 46.5% | 53.5% | 100% | 46.5% | 53.5% | 100% | 46.5% | 53.5% | 100% |
| 31 - Legal | 49.6% | 50.4% | 100% | 100% | 50.7% | 49.3% | 100% | 51.3% | 48.7% | 100% | 51.3% | 48.7% | 100% | 51.3% | 48.7% | 100% |
| 32 - Finance Department | 42.8% | 57.2% | 100% | 100% | 42.9% | 57.1% | 100% | 42.8% | 57.2% | 100% | 43.0% | 57.0% | 100% | 42.8% | 57.2% | 100% |
| ACCOUNTING | 50.0% | 50.0% | 100% | 100% | 50.0% | 50.0% | 100% | 50.0% | 50.0% | 100% | 50.0% | 50.0% | 100% | 50.0% | 50.0% | 100% |
| ACCOUNTS PAYABLE | 43.7% | 56.3% | 100% | 100% | 44.3% | 55.7% | 100% | 44.5% | 55.5% | 100% | 44.5% | 55.5% | 100% | 44.5% | 55.5% | 100% |
| ADMINISTRATIVE SERVICES | 50.0% | 50.0% | 100% | 100% | 50.0% | 50.0% | 100% | 50.0% | 50.0% | 100% | 50.0% | 50.0% | 100% | 50.0% | 50.0% | 100% |
| INVESTMENTS | 20.0% | 80.0% | 100% | 100% | 20.0% | 80.0% | 100% | 20.0% | 80.0% | 100% | 20.0% | 80.0% | 100% | 20.0% | 80.0% | 100% |
| OFFICE OF THE SEC.-TREAS. | 50.0% | 50.0% | 100% | 100% | 50.0% | 50.0% | 100% | 50.0% | 50.0% | 100% | 50.0% | 50.0% | 100% | 50.0% | 50.0% | 100% |
| PAYROLL | 28.2% | 71.8% | 100% | 100% | 28.4% | 71.6% | 100% | 26.6% | 73.4% | 100% | 26.6% | 73.4% | 100% | 26.6% | 73.4% | 100% |
| PURCHASING | 48.3% | 51.7% | 100% | 100% | 47.1% | 52.9% | 100% | 46.3% | 53.7% | 100% | 46.3% | 53.7% | 100% | 46.3% | 53.7% | 100% |
| 37 - Corporate IT | 50.0% | 50.0% | 100% | 100% | 50.0% | 50.0% | 100% | 50.0% | 50.0% | 100% | 50.0% | 50.0% | 100% | 50.0% | 50.0% | 100% |
| 33 - Merit System | 50.0% | 50.0% | 100% | 100% | 50.0% | 50.0% | 100% | 50.0% | 50.0% | 100% | 50.0% | 50.0% | 100% | 50.0% | 50.0% | 100% |
| 34 - Office of Inspector General | 42.9% | 57.1% | 100% | 100% | 40.9% | 59.1% | 100% | 42.6% | 57.4% | 100% | 37.5% | 62.5% | 100% | 42.6% | 57.4% | 100% |
| Total CAS | 44.3% | 55.7% | 100% | 100% | 44.9% | 55.1% | 100% | 45.6% | 54.4% | 100% | 44.9% | 55.1% | 100% | 44.9% | 55.1% | 100% |

Multi-Year Change Summary

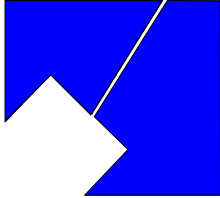
The table below shows the change from year to year, including the proposed change for FY26.

Change from Prior Year

| | FY21 | | FY22 | | FY23 | | FY24 | | FY25 | | FY26 | |
|-------------------------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| | MC | PGC | MC | PGC | MC | PGC | MC | PGC | MC | PGC | MC | PGC |
| DHRM | -0.8% | 0.8% | -0.7% | 0.7% | -0.7% | 0.7% | 0.5% | -0.5% | 0.8% | -0.8% | 2.1% | -2.1% |
| Finance | -2.2% | 2.2% | 0.6% | -0.6% | -0.1% | 0.1% | 0.0% | 0.0% | 0.1% | -0.1% | -0.2% | 0.2% |
| Legal | 0.1% | -0.1% | 0.0% | 0.0% | 1.3% | -1.3% | -2.1% | 2.1% | 1.0% | -1.0% | 0.6% | -0.6% |
| Office of Inspector General | 3.1% | -3.1% | 3.9% | -3.9% | -5.9% | 5.9% | 2.2% | -2.2% | -0.6% | 0.6% | 5.1% | -5.1% |
| Corporate IT | 4.0% | -4.0% | 0.4% | -0.4% | 0.4% | -0.4% | -0.1% | 0.1% | 0.2% | -0.2% | 0.0% | 0.0% |
| Merit System Board | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% |
| Support Services | -0.3% | 0.3% | 0.0% | 0.0% | -0.3% | 0.3% | 0.0% | 0.0% | 1.0% | -1.0% | -0.3% | 0.3% |
| Total CAS Before Chargebacks | 0.1% | -0.1% | 0.0% | 0.0% | -0.2% | 0.2% | -0.3% | 0.3% | 0.4% | -0.4% | | |

Recommendation

The recommendation is to adopt the results of this year's analysis and direction be given to staff to utilize in developing the FY26 Proposed Budget. Using FY25 budget numbers, this would shift approximately \$312,180 from Prince George's County to Montgomery County.



Maryland-National Capital Park & Planning Commission
 Corporate Policy & Management Operations Division
 Supplier Diversity Program

6611 Kenilworth Avenue • Riverdale, Maryland 20737 • Phone: 301-454-1740

August 28, 2024

To: Commissioners

Via: William Spencer, Acting Executive Director
 Tracey Harvin, Corporate Policy & Management Operations Director

From: Lawrence Taylor, Supplier Diversity & Inclusion Chief

Re: MFD Purchasing Statistics — Fourth Quarter FY24

The Commission's procurement policy (Practice 4-10, Purchasing) incorporates an anti-discrimination element designed to ensure fair and equitable opportunities for vendors owned by minorities, women, or individuals with disabilities (MFDs). This initiative is managed collaboratively by the Office of the Executive Director, the Purchasing Division and the Office of Supplier Diversity and Inclusion. It includes an MFD subcontracting component aligned with the Commission's procurement practices and the available MFD vendors.

Additionally, the Commission's new Local/Small Business Enterprise Program aims to enhance procurement opportunities specifically for small businesses based in Montgomery County and Prince George's County. Once the State of Maryland has completed its disparity study, the Commission anticipates launching a Program to increase the participation of minority owned business enterprises in its procurement activities.

Some of the observations of MFD participation during the Fourth Quarter of FY24 include:

- Attachment A indicates that through the Fourth Quarter of FY24, the Commission procured \$141,244,473 in goods, professional services, construction, and miscellaneous services and \$38,493,904 or 27.3% was spent with minority, female and disabled (MFD) owned firms.
- Attachment B indicates that in the Fourth Quarter of FY24, 27.3% was spent with minority, female and disabled (MFD) owned firms.
- Attachment C represents the MFD participation by type of procurement. The MFD participation for construction through the Fourth Quarter of FY24 was 45.0%. Attachment C also indicates that the largest consumers of goods and services in the Commission are Prince George's County Department of Parks and Recreation

and Montgomery Parks. These programs significantly impact the Commission's utilization of MFD firms. The MFD cumulative utilization numbers for these Departments through the Fourth Quarter of FY24 are 36.7% and 56.0% respectively.

- Attachment D presents the FY24 activity for the Purchase Card program totaling \$14,445,101 of which 2.4% was spent with minority, female and disabled (MFD) firms. The amount of procurement card activity represents 10.2% of the Commission's total procurement dollars.
- Attachment E portrays the historic MFD participation rates, and the total procurement from FY91 to Fourth Quarter FY24.
- Attachments F and 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 analysis, MFD vendors are participating, at an overall rate of 18.6% in informal (under \$30,000) procurements and 27.3% in formal (over \$30,000) procurements. For transactions under \$10k, MFD participation is 10.6%. For transactions over \$10k but under \$30k, MFD participation is 32.1%. MFD vendors are participating at an overall rate of 34.8% in transactions over \$250,000.
- Attachment H presents the total amount of procurements and the number of vendors by location. Of the \$141,244,473 in total procurement, \$88,701,832 was procured from Maryland vendors. Of the \$88,701,832 in procurement from Maryland vendors, \$31,646,500 was procured from MFD vendors located in Maryland with \$28,101,370 procured from MFD vendors located in Montgomery and Prince George's Counties.
- Attachment I compare 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, and Females. The amount and percentage of procurement from MFD vendors is broken out by categories as defined by the Commission's Anti-Discrimination Policy.¹
- Attachments J and K show the number and dollar amount of waivers of the procurement policy by department and by reason for waiver.

For further information on the MFD report, please contact the Office of Supplier Diversity and Inclusion at (301) 454-1752.

Attachments

¹ The availability percentages are taken from the most recent State of Maryland disparity study dated June 25, 2018.

² Practice 4-10, *Purchasing Policy*, Section II.

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MFD PROCUREMENT STATISTICS
 FY 2024
 FOR TWELVE MONTHS ENDED JUNE 30, 2024

Attachment A

| | <u>Procurement</u> | | <u>Waivers</u> | | <u>Procurement</u> | |
|---|-----------------------|-----------|------------------|----------------|----------------------|--------------|
| | <u>Total \$</u> | | <u>Total \$</u> | <u>Total #</u> | <u>MFD \$</u> | <u>%</u> |
| <u>Prince George's County</u> | | | | | | |
| Commissioners' Office | \$ 165,704 | \$ | - | - | \$ 42,769 | 25.8% |
| Planning Department | 4,180,309 | | 159,983 | 4 | 786,298 | 18.8% |
| Parks and Recreation Department | 76,398,444 | | 2,727,047 | 20 | 19,334,619 | 25.3% |
| Total | <u>80,744,457</u> | | <u>2,887,030</u> | <u>24</u> | <u>20,163,686</u> | <u>25.0%</u> |
| <u>Montgomery County</u> | | | | | | |
| Commissioners' Office | 363,324 | | - | - | 725 | 0.2% |
| Planning Department | 3,266,220 | | 391,655 | 5 | 835,911 | 25.6% |
| Parks Department | 51,544,304 | | 1,023,581 | 13 | 16,138,958 | 31.3% |
| Total | <u>55,173,848</u> | | <u>1,415,236</u> | <u>18</u> | <u>16,975,594</u> | <u>30.8%</u> |
| <u>Central Administrative Services</u> | | | | | | |
| Dept. of Human Resources and Mgt. | 2,247,045 | | 1,213,170 | 12 | 916,533 | 40.8% |
| Finance Department | 280,403 | | 99,456 | 2 | 7,642 | 2.7% |
| Legal Department | 159,965 | | 130,807 | 5 | 8,340 | 5.2% |
| Merit Board | - | | - | - | - | 0.0% |
| Office of Chief Information Officer | 2,617,472 | | 363,617 | 5 | 422,109 | 16.1% |
| Office of Inspector General | 21,283 | | - | - | - | 0.0% |
| Total | <u>5,326,168</u> | | <u>1,807,050</u> | <u>24</u> | <u>1,354,624</u> | <u>25.4%</u> |
| Grand Total | <u>\$ 141,244,473</u> | <u>\$</u> | <u>6,109,316</u> | <u>66</u> | <u>\$ 38,493,904</u> | <u>27.3%</u> |

Note: The "Waivers" columns report the amount and number of purchases approved to be exempt from the competitive procurement process, including sole source procurements.

Prepared by Supplier Diversity Program Manager, Corporate Policy & Management Operations Division
 August 16, 2024

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MFD PROCUREMENT STATISTICS

FY 2024

MFD STATISTICS - CUMULATIVE AND ACTIVITY BY QUARTER

Attachment B

CUMULATIVE BY QUARTER

| | SEPTEMBER | DECEMBER | MARCH | JUNE |
|---|-----------|----------|-------|-------|
| <u>Prince George's County</u> | | | | |
| Commissioners' Office | 52.8% | 55.5% | 45.7% | 25.8% |
| Planning Department | 40.1% | 22.8% | 22.6% | 18.8% |
| Parks and Recreation Department | 22.2% | 27.0% | 27.0% | 25.3% |
| Total | 22.6% | 26.9% | 26.8% | 25.0% |
| <u>Montgomery County</u> | | | | |
| Commissioners' Office | 0.0% | 0.8% | 0.6% | 0.2% |
| Planning Department | 54.5% | 41.5% | 28.9% | 25.6% |
| Parks Department | 20.5% | 20.1% | 23.0% | 31.3% |
| Total | 22.3% | 21.1% | 23.2% | 30.8% |
| <u>Central Administrative Services</u> | | | | |
| Dept. of Human Resources and Mgt. | 79.4% | 53.2% | 44.6% | 40.8% |
| Finance Department | 6.7% | 5.5% | 4.3% | 2.7% |
| Legal Department | 0.0% | 0.0% | 4.8% | 5.2% |
| Merit Board | 0.0% | 0.0% | 0.0% | 0.0% |
| Office of Chief Information Officer | 29.3% | 22.8% | 19.0% | 16.1% |
| Office of Inspector General | 0.0% | 0.0% | 0.0% | 0.0% |
| Total | 46.2% | 33.7% | 28.3% | 25.4% |
| Grand Total | 23.8% | 25.3% | 25.6% | 27.3% |

ACTIVITY BY QUARTER

| | FIRST QUARTER | SECOND QUARTER | THIRD QUARTER | FOURTH QUARTER | TOTAL |
|---|------------------|-------------------|------------------|-------------------|-------|
| <u>Prince George's County</u> | | | | | |
| Commissioners' Office | 52.8% | 57.7% | 24.1% | 0.0% | 25.8% |
| Planning Department | 40.1% | 17.0% | 22.0% | 12.9% | 18.8% |
| Parks and Recreation Department | 22.2% | 32.9% | 27.0% | 21.0% | 25.3% |
| Total | 22.6% | 31.8% | 26.8% | 20.4% | 25.0% |
| <u>Montgomery County</u> | | | | | |
| Commissioners' Office | 0.0% | 0.9% | 0.0% | 0.0% | 0.2% |
| Planning Department | 54.5% | 16.9% | 12.0% | 21.8% | 25.6% |
| Parks Department | 20.5% | 19.7% | 28.0% | 29.8% | 31.3% |
| Total | 22.3% | 19.5% | 27.0% | 28.9% | 30.8% |
| <u>Central Administrative Services</u> | | | | | |
| Dept. of Human Resources and Mgt. | 79.4% | 15.6% | 3.3% | 32.0% | 40.8% |
| Finance Department | 6.7% | 4.4% | 0.0% | 0.5% | 2.7% |
| Legal Department | 0.0% | 0.0% | 26.1% | 11.0% | 5.2% |
| Merit Board | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% |
| Office of Chief Information Officer | 29.3% | 7.6% | 1.4% | 8.3% | 16.1% |
| Office of Inspector General | 0.0% | 0.0% | 0.0% | 0.0% | 0.0% |
| Total | 46.2% | 11.0% | 3.1% | 18.3% | 25.4% |
| Grand Total | 23.8% | 27.0% | 26.4% | 24.2% | 27.3% |

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MFD PROCUREMENT STATISTICS
 BY MAJOR PROCUREMENT CATEGORY
 FY 2024
 FOR TWELVE MONTHS ENDED JUNE 30, 2024

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 \$ | \$ 41,635,487 | \$ 485,039 | \$ 14,282,295 | \$ 24,996,155 | \$ 749,029 | \$ 165,214 | \$ 81,064 | \$ 23,250 | \$ 853,441 |
| MFD \$ | \$ <u>2,821,784</u> | \$ <u>102,598</u> | \$ <u>629,141</u> | \$ <u>1,600,145</u> | \$ <u>158,898</u> | \$ <u>0</u> | \$ <u>4,670</u> | \$ <u>8,000</u> | \$ <u>318,332</u> |
| Percentage | 6.8% | 21.2% | 4.4% | 6.4% | 21.2% | 0.0% | 5.8% | 34.4% | 37.3% |
| Miscellaneous Services: | | | | | | | | | |
| Total \$ | \$ 23,826,544 | \$ 1,746,855 | \$ 8,176,353 | \$ 10,579,203 | \$ 1,674,511 | \$ 542,842 | \$ 132,705 | \$ 29,010 | \$ 945,065 |
| MFD \$ | \$ <u>5,089,250</u> | \$ <u>552,064</u> | \$ <u>1,986,415</u> | \$ <u>2,271,308</u> | \$ <u>132,154</u> | \$ <u>46,885</u> | \$ <u>2,972</u> | \$ <u>275</u> | \$ <u>97,177</u> |
| Percentage | 21.4% | 31.6% | 24.3% | 21.5% | 7.9% | 8.6% | 2.2% | 0.9% | 10.3% |
| Professional Services: | | | | | | | | | |
| Total \$ | \$ 17,187,061 | \$ 1,034,326 | \$ 6,519,046 | \$ 6,479,481 | \$ 1,756,769 | \$ 404,134 | \$ 66,634 | \$ 107,705 | \$ 818,966 |
| MFD \$ | \$ <u>4,429,396</u> | \$ <u>181,249</u> | \$ <u>887,563</u> | \$ <u>2,858,673</u> | \$ <u>495,246</u> | \$ <u>0</u> | \$ <u>0</u> | \$ <u>65</u> | \$ <u>6,600</u> |
| Percentage | 25.8% | 17.5% | 13.6% | 44.1% | 28.2% | 0.0% | 0.0% | 0.1% | 0.8% |
| Construction: | | | | | | | | | |
| Total \$ | \$ 58,045,070 | \$ 0 | \$ 22,566,610 | \$ 34,343,605 | \$ 0 | \$ 1,134,855 | \$ 0 | \$ 0 | \$ 0 |
| MFD \$ | \$ <u>26,109,980</u> | \$ <u>0</u> | \$ <u>12,635,839</u> | \$ <u>12,604,493</u> | \$ <u>0</u> | \$ <u>869,648</u> | \$ <u>0</u> | \$ <u>0</u> | \$ <u>0</u> |
| Percentage | 45.0% | 0.0% | 56.0% | 36.7% | 0.0% | 76.6% | 0.0% | 0.0% | 0.0% |
| SUBTOTAL | | | | | | | | | |
| Total \$ | \$ 140,694,162 | \$ 3,266,220 | \$ 51,544,304 | \$ 76,398,444 | \$ 4,180,309 | \$ 2,247,045 | \$ 280,403 | \$ 159,965 | \$ 2,617,472 |
| MFD \$ | \$ <u>38,450,410</u> | \$ <u>835,911</u> | \$ <u>16,138,958</u> | \$ <u>19,334,619</u> | \$ <u>786,298</u> | \$ <u>916,533</u> | \$ <u>7,642</u> | \$ <u>8,340</u> | \$ <u>422,109</u> |
| Percentage | 27.3% | <u>25.6%</u> | <u>31.3%</u> | <u>25.3%</u> | <u>18.8%</u> | <u>40.8%</u> | <u>2.7%</u> | <u>5.2%</u> | <u>16.1%</u> |
| Pr. Geo. Commissioners' Office | | | | | | | | | |
| Total \$ | \$ 165,704 | | | | | | | | |
| MFD \$ | \$ <u>42,769</u> | | | | | | | | |
| Percentage | 25.8% | | | | | | | | |
| Mont. Commissioners' Office | | | | | | | | | |
| Total \$ | \$ 363,324 | | | | | | | | |
| MFD \$ | \$ <u>725</u> | | | | | | | | |
| Percentage | 0.2% | | | | | | | | |
| Merit Board | | | | | | | | | |
| Total \$ | \$ 0 | | | | | | | | |
| MFD \$ | \$ <u>0</u> | | | | | | | | |
| Percentage | 0.0% | | | | | | | | |
| Office of Inspector General | | | | | | | | | |
| Total \$ | \$ 21,283 | | | | | | | | |
| MFD \$ | \$ <u>0</u> | | | | | | | | |
| Percentage | 0.0% | | | | | | | | |
| GRAND TOTAL \$ | | | | | | | | | |
| | \$ 141,244,473 | | | | | | | | |
| MFD\$ | \$ <u>38,493,904</u> | | | | | | | | |
| Percentage | <u>27.3%</u> | | | | | | | | |



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MFD PROCUREMENT STATISTICS
Comparison of MFD % for Total Procurement and Purchase Card Procurement
FY 2024
FOR TWELVE MONTHS ENDED JUNE 30, 2024

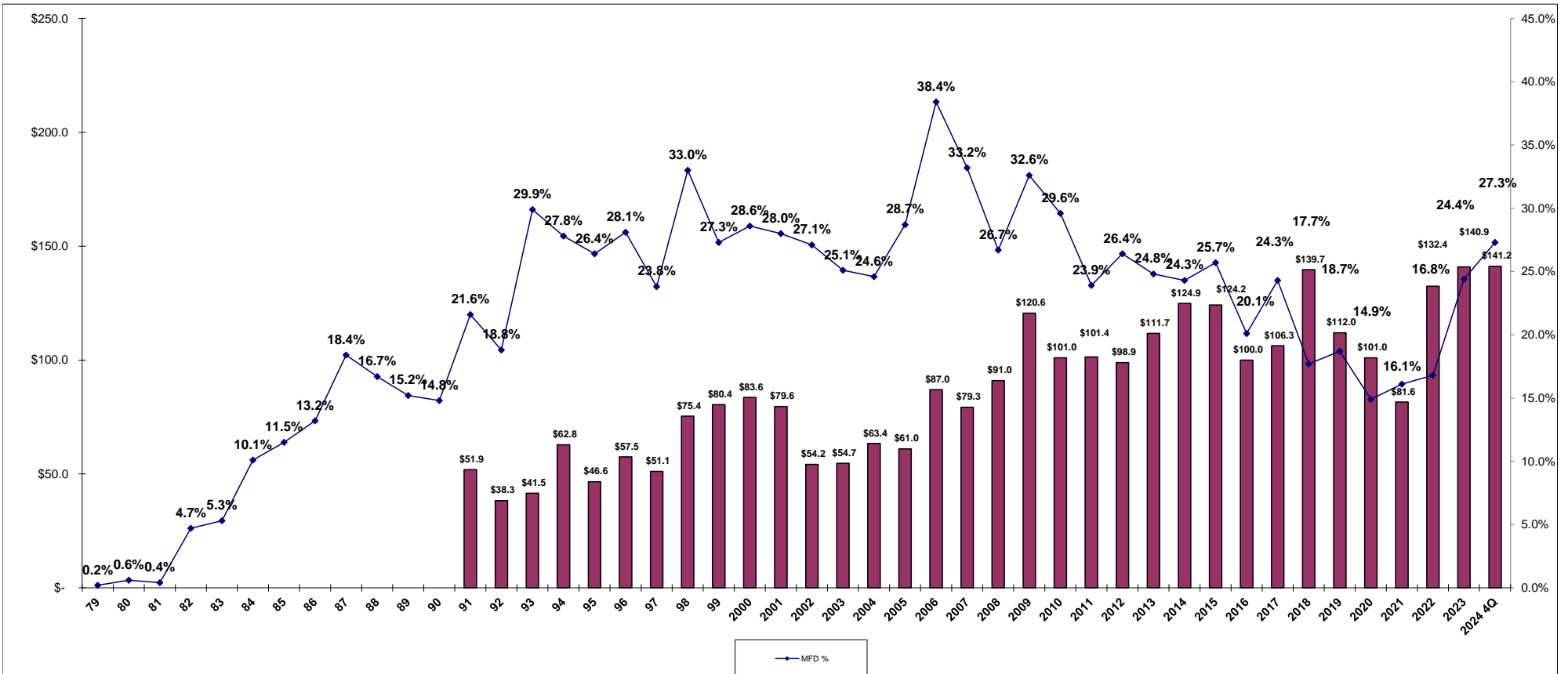
Attachment D

| | Total Procurement | | Purchase Card Procurement | |
|---|--------------------------|--------------|----------------------------------|--------------|
| | Total \$ | MFD % | Total \$ | MFD % |
| <u>Prince George's County</u> | | | | |
| Commissioners' Office | \$ 165,704 | 25.8% | \$ 72,667 | 20.8% |
| Planning Department | 4,180,309 | 18.8% | 209,062 | 0.0% |
| Parks and Recreation Department | 76,398,444 | 25.3% | 7,987,274 | 2.2% |
| Total | 80,744,457 | 25.0% | 8,269,003 | 2.3% |
| <u>Montgomery County</u> | | | | |
| Commissioners' Office | 363,324 | 0.2% | 12,130 | 0.0% |
| Planning Department | 3,266,220 | 25.6% | 170,649 | 1.9% |
| Parks Department | 51,544,304 | 31.3% | 5,748,657 | 2.6% |
| Total | 55,173,848 | 30.8% | 5,931,436 | 2.5% |
| <u>Central Administrative Services</u> | | | | |
| Dept. of Human Resources and Mgt. | 2,247,045 | 40.8% | 93,169 | 0.0% |
| Finance Department | 280,403 | 2.7% | 61,553 | 7.6% |
| Legal Department | 159,965 | 5.2% | 24,710 | 1.1% |
| Merit Board | - | 0.0% | - | 0.0% |
| Office of Chief Information Officer | 2,617,472 | 16.1% | 53,947 | 5.6% |
| Office of Inspector General | 21,283 | 0.0% | 11,283 | 0.0% |
| Total | 5,326,168 | 25.4% | 244,662 | 3.3% |
| Grand Total | \$ 141,244,473 | 27.3% | \$ 14,445,101 | 2.4% |

Percentage of Purchase Card Procurement to Total Procurement 10.2%

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

Attachment E

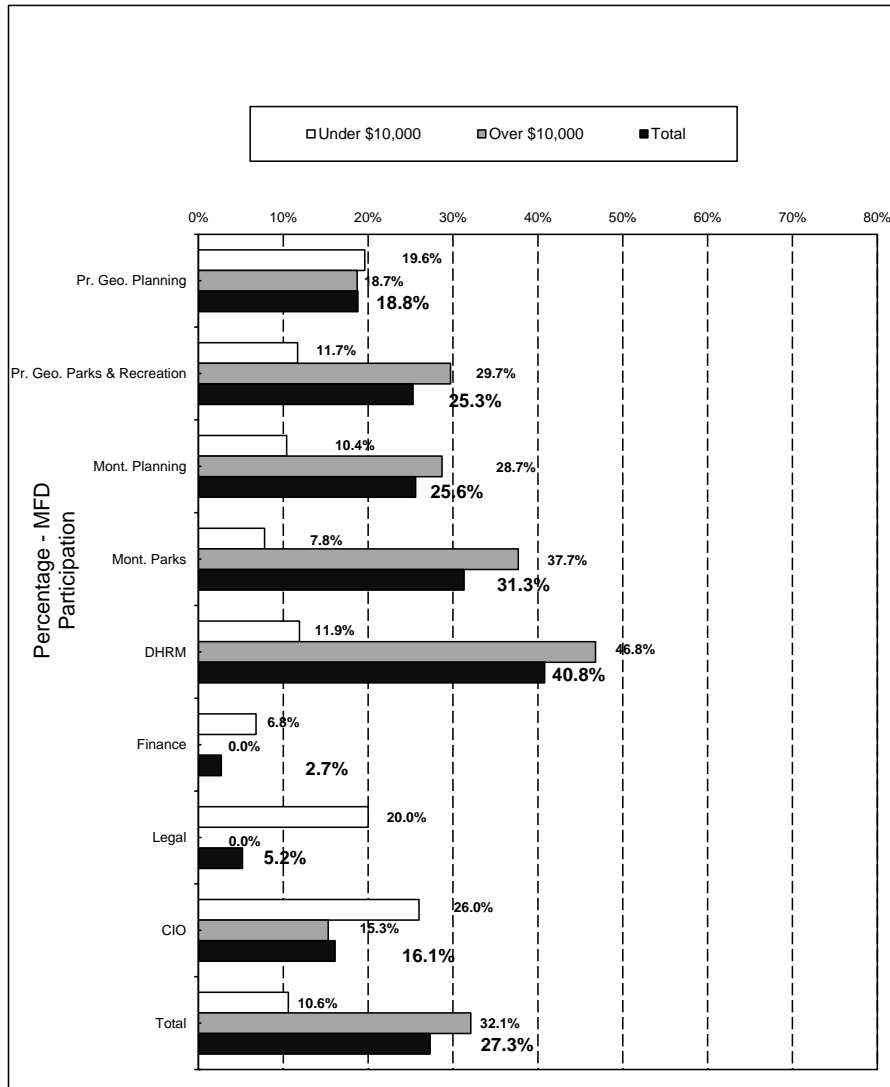


| | FY 2015 | FY 2016 | FY 2017 | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 Q4 |
|------------------------------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|------------|
| TOTAL PROCUREMENT \$ (MIL.) | \$124.2 | \$100.0 | \$106.3 | \$139.7 | \$112.0 | \$101.0 | \$81.6 | \$132.4 | \$140.9 | \$141.2 |
| MFD % | 25.7% | 20.1% | 24.3% | 17.7% | 18.7% | 14.9% | 16.1% | 16.8% | 24.4% | 27.3% |

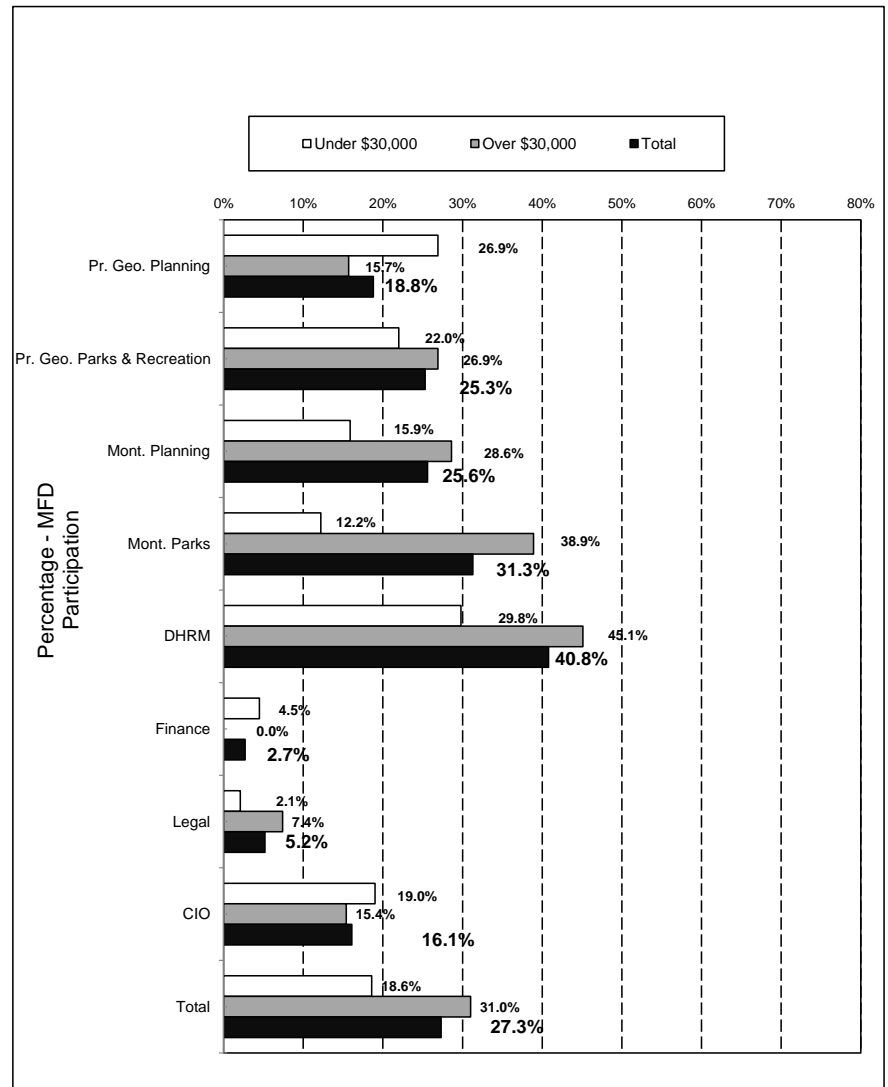
Prepared by Supplier Diversity Program Manager, Corporate Policy & Management Operations Division
 August 16, 2024

The Maryland-National Capital Park and Planning Commission
 MFD Procurement Statistics - Transactions Under/Over \$10,000 & \$30,000 plus Total %
 FY 2024 4Q

Under/Over \$10,000

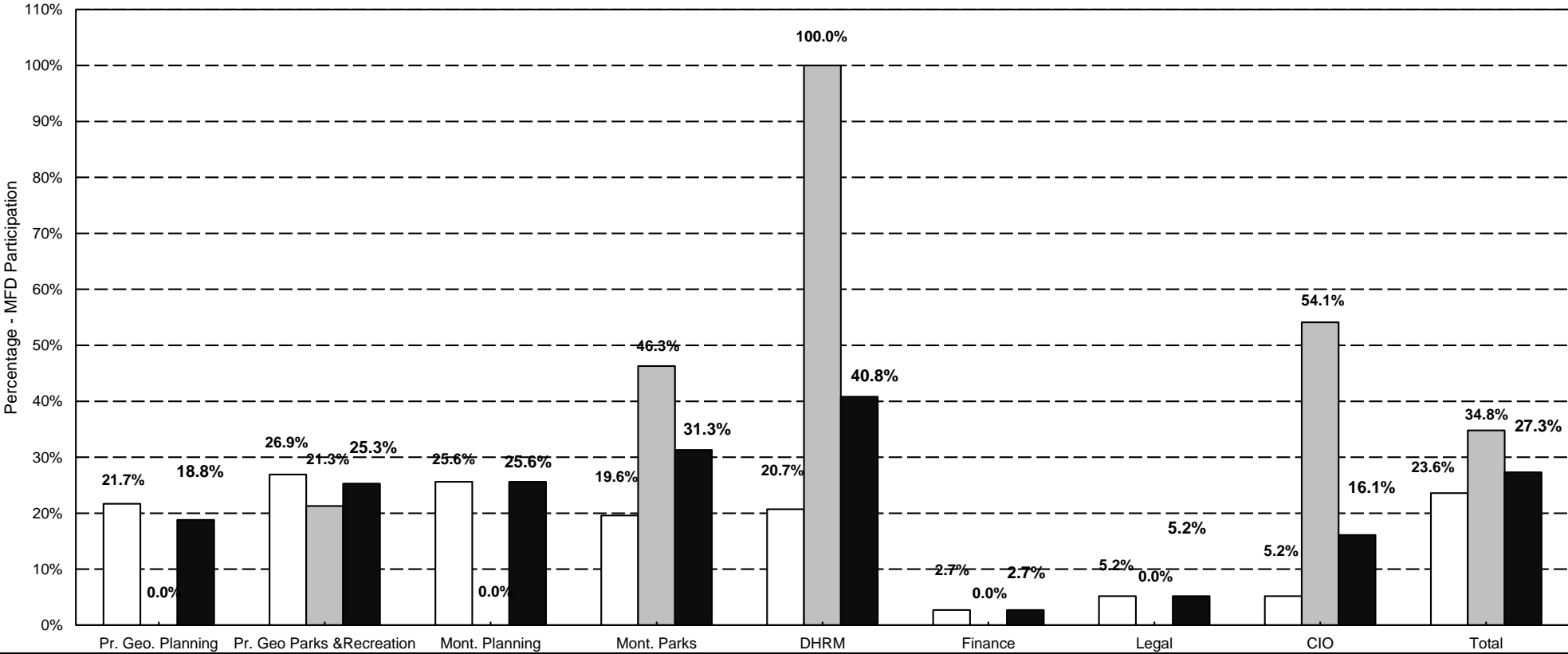


Under/Over \$30,000



The Maryland-National Capital Park and Planning Commission
 MFD Procurement Statistics - Transactions Under /Over \$250,000 and Total %
 FY 2024 4Q

□ Under \$250K □ Over \$250K ■ Total



Prepared by Supplier Diversity Program Manager, Corporate Policy & Management Operations Division
 August 16, 2024

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Amount of Procurement and Number of Vendors by Location
FY 2024
FOR TWELVE MONTHS ENDED JUNE 30, 2024

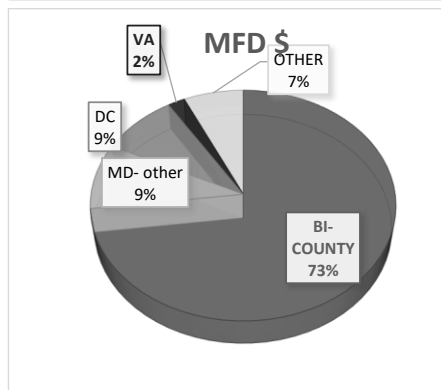
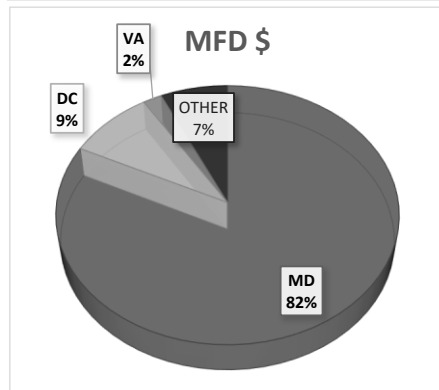
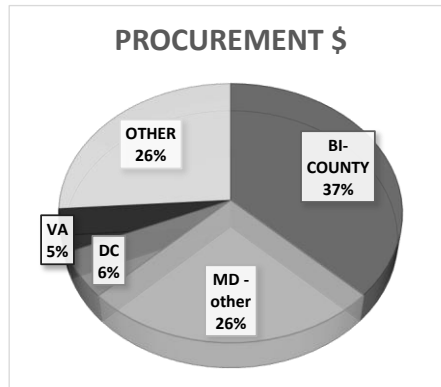
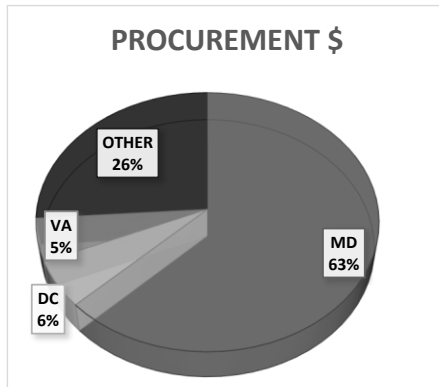
Attachment H

ALL VENDORS

| Location | Procurement | | Number of Vendors | |
|----------------------------|----------------|--------|-------------------|--------|
| | Amount | % | Number | % |
| Montgomery County | \$ 17,804,731 | 12.6% | 316 | 15.2% |
| Prince George's County | 34,609,188 | 24.5% | 522 | 25.0% |
| Subtotal | 52,413,919 | 37.1% | 838 | 40.2% |
| Maryland - other locations | 36,287,913 | 25.7% | 382 | 18.3% |
| Total Maryland | 88,701,832 | 62.8% | 1,220 | 58.5% |
| District of Columbia | 8,167,313 | 5.8% | 115 | 5.5% |
| Virginia | 7,586,023 | 5.4% | 167 | 8.0% |
| Other Locations | 36,789,305 | 26.0% | 582 | 28.0% |
| Total | \$ 141,244,473 | 100.0% | 2,084 | 100.0% |

MFD Vendors

| Location | Procurement | | Number of Vendors | |
|----------------------------|---------------|--------|-------------------|--------|
| | Amount | % | Number | % |
| Montgomery County | \$ 4,408,380 | 11.5% | 58 | 17.5% |
| Prince George's County | 23,692,990 | 61.5% | 112 | 33.7% |
| Subtotal | 28,101,370 | 73.0% | 170 | 51.2% |
| Maryland - other locations | 3,545,130 | 9.2% | 64 | 19.3% |
| Total Maryland | 31,646,500 | 82.2% | 234 | 70.5% |
| District of Columbia | 3,416,953 | 8.9% | 31 | 9.3% |
| Virginia | 758,550 | 2.0% | 22 | 6.6% |
| Other Locations | 2,671,901 | 6.9% | 45 | 13.6% |
| Total | \$ 38,493,904 | 100.0% | 332 | 100.0% |



Prepared by Supplier Diversity Program Manager, Corporate Policy & Management Operations Division
 August 16, 2024

Note: The number of vendors excludes purchase card vendors.

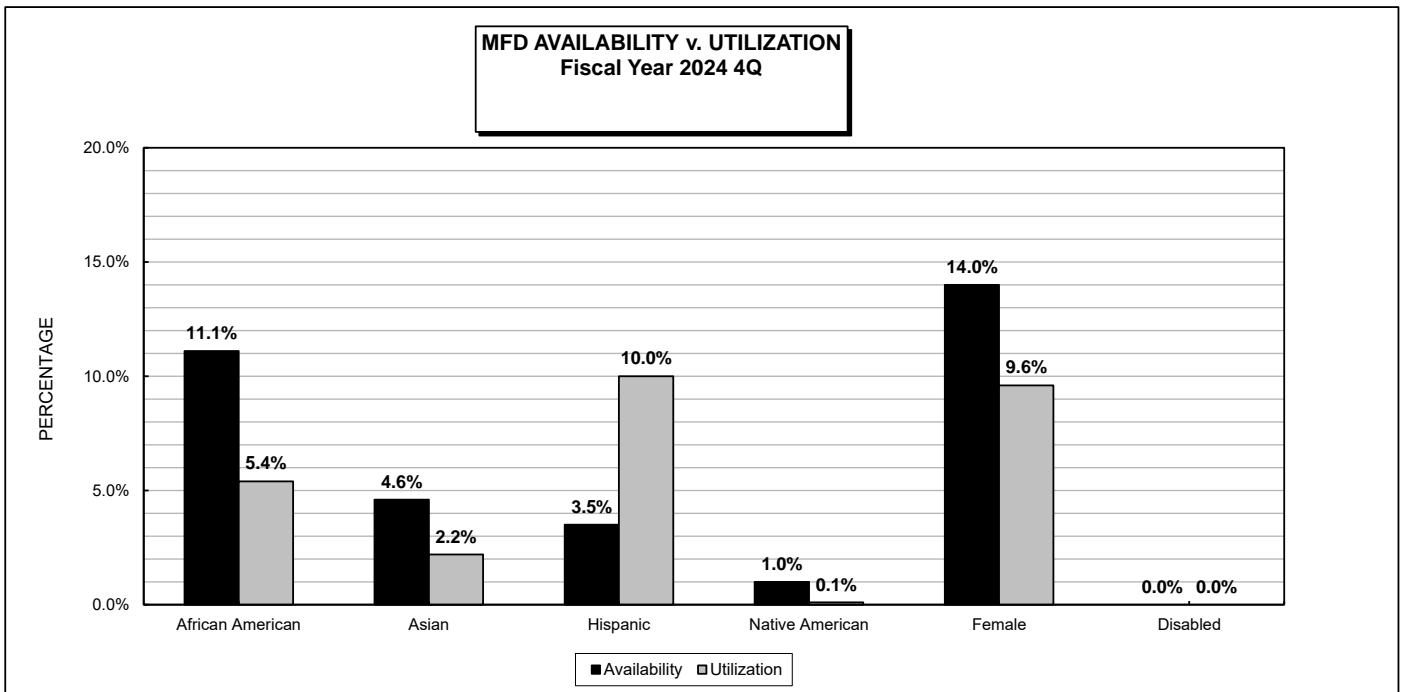
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MFD PROCUREMENT RESULTS
FY 2024
FOR TWELVE MONTHS ENDED JUNE 30, 2024

Attachment I

Total Amount of Procurement **\$ 141,244,473**

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

| | Procurement | | Availability |
|---|----------------------|--------------|--------------|
| | Amount | % | % |
| Minority Owned Firms | | | |
| African American | \$ 7,592,120 | 5.4% | 11.1% |
| Asian | 3,148,034 | 2.2% | 4.6% |
| Hispanic | 14,105,593 | 10.0% | 3.5% |
| Native American | 169,320 | 0.1% | 1.0% |
| Total Minority Owned Firms | 25,015,067 | 17.7% | 20.2% |
| Female Owned Firms | 13,475,395 | 9.6% | 14.0% |
| Disabled Owned Firms | 3,442 | 0.0% | n/a |
| Total Minority, Female, and Disabled Owned Firms | \$ 38,493,904 | 27.3% | 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 Supplier Diversity Program Manager, Corporate Policy & Management Operations Division
August 16, 2024

**THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
REASONS FOR WAIVERS**

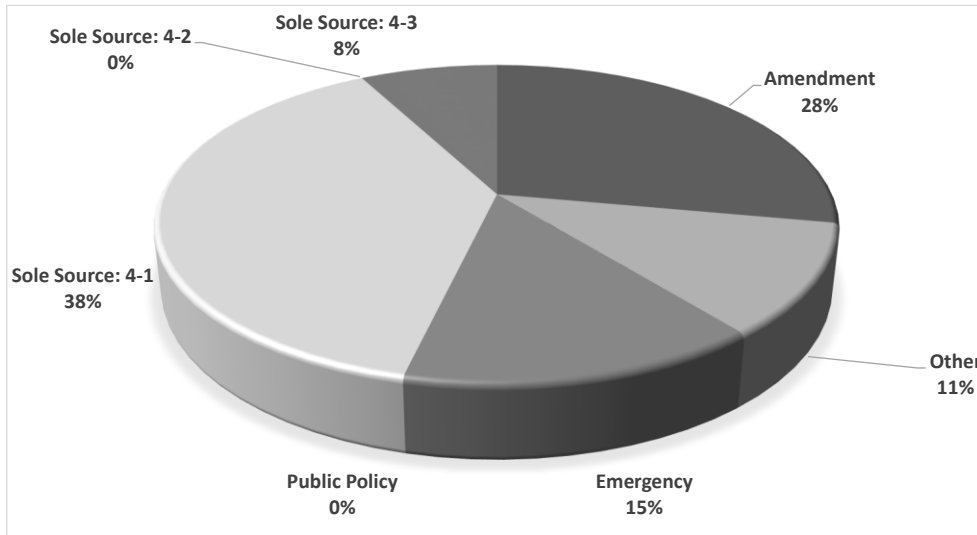
CUMULATIVE DOLLAR AMOUNT & NUMBER OF WAIVERS

FY 2024

FOR TWELVE MONTHS ENDED JUNE 30, 2024

Attachment J

| REASON | NUMBER | AMOUNT | % |
|------------------|---------------|---------------------|---------------|
| Emergency | 7 | \$ 887,844 | 14.5% |
| Other | 15 | \$ 688,650 | 11.3% |
| Public Policy | 0 | \$ - | 0.0% |
| Amendment | 13 | \$ 1,703,362 | 27.9% |
| Sole Source: 4-1 | 20 | \$ 2,352,885 | 38.5% |
| Sole Source: 4-2 | 1 | \$ 1,630 | 0.0% |
| Sole Source: 4-3 | 10 | \$ 474,945 | 7.8% |
| Total | 66 | \$ 6,109,316 | 100.0% |



Waiver Reason Definitions:

Emergency:

Sudden and unforeseeable circumstance have arisen which actually or imminently threaten the continuance of an essential operation of the Commission or which threaten public health, welfare or safety such that there is not enough time to conduct the competitive bidding.

Required by Law or Grant:

Public law or the terms of a donation/grant require that the above noted vendor be chosen.

Amendment:

A contract is already in place and it is appropriate for the above noted vendor to provide additional services and/or goods not within the original scope of the contract because the interested service and/or goods are uniquely compatible with the Commission's existing systems and patently superior in quality and/or capability than what can be gained through an open bidding process.

Sole Source 4:

It has been determined that:

- #1: The vendor's knowledge and experience with the Commission's existing equipment and/or systems offer a greater advantage in quality and/or cost to the Commission than the cost savings possible through competitive bidding, or
- #2: The interested services or goods need to remain confidential to protect the Commission's security, court proceedings and/or contractual commitments, or
- #3: The services or goods have no comparable and the above noted vendor is the only distributor for the interested manufacturer or there is otherwise only one source available for the sought after services or goods, e.g. software maintenance, copyrighted materials, or otherwise legally protected goods or services.

**THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
TOTAL WAIVERS, MFD WAIVERS, AND SOLE SOURCE WAIVERS BY DEPARTMENT
PROCESSED FY 2024
FOR THE TWELVE MONTHS ENDED JUNE 30, 2024**

Attachment K

| | Total Waivers | | MFD/Waivers | | % of MFD | Sole Source 4-1 Waivers | | Sole Source 4-2 Waivers | | Sole Source 4-3 Waivers | | % Sole Source |
|--|---------------|--------|-------------|--------|----------|-------------------------|--------|-------------------------|--------|-------------------------|--------|---------------|
| | \$ | Number | \$ | Number | % | \$ | Number | \$ | Number | \$ | Number | % |
| Prince George's County | | | | | | | | | | | | |
| Commissioners' Office | \$ - | 0 | \$ - | 0 | 0.0% | \$ - | 0 | \$ - | 0 | \$ - | 0 | 0.0% |
| Planning Department | 159,983 | 4 | - | 0 | 0.0% | 101,620 | 2 | - | 0 | 55,852 | 1 | 98.4% |
| Parks and Recreation Department | 2,727,047 | 20 | - | 0 | 0.0% | 1,003,603 | 6 | - | 0 | 291,083 | 5 | 47.5% |
| Total | 2,887,030 | 24 | - | 0 | 0.0% | 1,105,223 | 8 | - | 0 | 346,935 | 6 | 50.3% |
| Montgomery County | | | | | | | | | | | | |
| Commissioners' Office | - | 0 | - | 0 | 0.0% | - | 0 | - | 0 | - | 0 | 0.0% |
| Planning Department | 391,655 | 5 | - | 0 | 0.0% | 62,693 | 2 | - | 0 | - | 0 | 0.0% |
| Parks Department | 1,023,581 | 13 | - | 0 | 0.0% | 798,212 | 4 | 1,630 | 1 | 128,010 | 4 | 90.6% |
| Total | 1,415,236 | 18 | - | 0 | 0.0% | 860,905 | 6 | 1,630 | 1 | 128,010 | 4 | 70.0% |
| Central Administrative Services | | | | | | | | | | | | |
| Dept. of Human Resources and Mgt. | 1,213,170 | 12 | - | 0 | 0.0% | 305,000 | 3 | - | 0 | - | 0 | 25.1% |
| Finance Department | 99,456 | 2 | - | 0 | 0.0% | - | 0 | - | 0 | - | 0 | 0.0% |
| Legal Department | 130,807 | 5 | - | 0 | 0.0% | 55,807 | 2 | - | 0 | - | 0 | 42.7% |
| OCIO | 363,617 | 5 | - | 0 | 0.0% | 25,950 | 1 | - | 0 | - | 0 | 7.1% |
| Merit Board | - | 0 | - | 0 | 0.0% | - | 0 | - | 0 | - | 0 | 0.0% |
| Total | 1,807,050 | 24 | - | 0 | 0.0% | 386,757 | 6 | - | 0 | - | 0 | 21.4% |
| Grand Total | \$ 6,109,316 | 66 | \$ - | 0 | 0.0% | \$2,352,885 | 20 | \$ 1,630 | 1 | \$ 474,945 | 10 | 46.3% |

Purpose of Summary of Waiver Report:

- (1) To monitor the amount, number, reasons for waivers in order to ensure the Commission is encouraging and maintaining good community, public, vendor, and interdepartmental relations;
To ensure fair and equitable treatment of all persons who deal in purchasing matters; to promote economy in Commission purchasing; and to ensure that minority owned firms receive a fair share of Commission awards (source: Practice 4-10); and
- (2) To comply with the Prince George's Planning Board directive of January 29, 1991 to report waiver activity to the Department Heads and the Planning Boards on a quarterly basis.

Sole Source: 4

It has been determined that:

- 4-1: The vendor's knowledge and experience with the Commission's existing equipment and/or systems offer a greater advantage in quality and/or cost to the Commission than the cost savings possible through competitive bidding, or
- 4-2: The interested services or goods need to remain confidential to protect the Commission's security, court proceedings and/or contractual commitments, or
- 4-3: The services or goods have no comparable and the above noted vendor is the only distributor for the interested manufacturer or there is otherwise only one source available for the sought after services or goods, e.g. software maintenance, copyrighted materials, or otherwise legally protected goods or services.

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

To: The Commission
From: Terri-Bacote-Charles, Corporate Budget Director
Date: September 11, 2024
Subject: Q4 2024 Budget Transfer Report

BACKGROUND

Commission *Practice 3-60, Budget Adjustments (Amendments and Transfers)* requires the Corporate Budget Office to provide a summary of all approved operating budget and capital project budget transfers and amendments to the Commission on a quarterly basis.

REPORT (For Information Only-No Action Required)

The attached report provides summary details for the Operating budget transfers (8) approved during the fourth quarter of FY 2024.

I would be happy to respond to any questions relating to this report content.

Attachment

Operating Budget Adjustment Log

| BA # | Date | Transfer From | | | | | Transfer To | | | | | Description | Approval |
|--------------|----------|---------------|--------------------------------|----------------------------|--|-----------|-------------|--|-----------------------|--|-----------|---|----------|
| | | Fund | Fund Name | Department | Division | Amount | Fund # | Fund Name | Department | Division | Amount | | |
| | ##### | 202 | MC Parks | Parks | Director's Office, Northern Parks & Parks Info Tech and Innovation | 96,929 | 202 | Parks | Parks | Director's Office, Northern Parks & Parks Info Tech and Innovation | 96,929 | Reallocate personnel funding to temporary/contractor staff services to support ITI, Northern Parks and the Foundation. | N/A |
| MCPB Item #6 | ##### | 202 | MC Parks & Property Management | Parks | | 3,238,407 | 202 | Parks, Property Management & Risk Management Internal Service Fund | Parks | | 3,238,407 | Move personnel savings (\$2,019,828 in Park Fund and \$56,640 Property Management) for various non-personnel expenses. Reallocate \$161,939 from Non-Departmental Comp marker to appropriate divisions and \$1 million from Non-Dept savings to pre-pay Risk Management Internal Service Fund. | MCPB |
| MCPB Item #6 | ##### | 201 | MC Admin | Commissioner's Office | | 64,000 | 201 | Admin | Commissioner's Office | | 64,000 | Move personnel savings for one-time non-personnel expense. Upgrade Wheaton HQ Auditorium Audio-Visual Equipment. | MCPB |
| MCPB Item #6 | ##### | 201 | MC Admin | Planning | | 810,000 | 201 | Admin | Planning | | 810,000 | Move personnel savings for various non-personnel expense. To include several commitments proposed for FY25. | MCPB |
| CW Item e | ##### | 101 201 | Admin | Legal & Corporate IT | OGC & OCIO | 544,000 | 101 201 | Admin | Legal & Corporate IT | OGC & OCIO | 544,000 | Move personnel savings for various non-personnel expense. To include for Legal the pre-funding of the Online Legal Research Database and providing for training. For IT pre-funding of replacement laptops and hardware and providing for professional services . | |
| MCPB Item #5 | 6/6/2024 | 201 | MC Admin | Planning | Non-Departmental | 81,900 | 201 | Admin | Planning | Various Divisions & Risk Management Fund | 81,900 | Move compensation marker for classification and compensation study - \$20,600 and \$61,300 to prepay Risk Management expense. | MCPB |
| MCPB Item #5 | 6/6/2024 | 202 | MC Parks | Parks | Park Planning & Stewardship, Southern Parks, Support Services, Debt Service & Non-Departmental | 416,881 | 202 | Parks | Parks | Management Services, Public Affairs & Community, Facilities Management, Northern Parks, Horticulture/Forestry and Environmental Education, Police, Southern Parks & Support Services | 416,881 | Move personnel savings for non-personnel expenses. Transfer \$110,000 to improve park security at parks, cover uniform supply costs and pre-pay debt service costs. Also move \$171,881 from Non-Dept compensation marker to the appropriate divisions and transfer \$135,000 from CIP debt service to pre-pay debt service for the Capital Equipment Fund. | MCPB |
| CW | 6/6/2024 | 101 201 | Admin | DHRM, Finance, Legal & OIG | | 1,050,000 | 101 201 | Admin | CWIT Initiative Fund | ERP Upgrade Project | 1,050,000 | Transfer personnel savings for non-personnel expense to pre-fund the ERP upgrade. DHRM - \$400,000, Finance- \$500,000, Legal- \$75,000 and OIG- \$75,000. | |



Reply to:

Debra S. Borden, General Counsel
Office of the General Counsel
6611 Kenilworth Avenue, Suite 200-201
Riverdale, Maryland 20737
Phone: 301-454-1670 • Fax: 301-454-1674

July 2, 2024

MEMORANDUM

TO: The Maryland-National Capital Park and Planning Commission
FROM: Debra S. Borden
General Counsel
RE: Litigation Report for June 2024 – FY 2024

Please find the attached litigation report we have prepared for your meeting scheduled for Wednesday, July 17, 2024. As always, please do not hesitate to call me in advance if you would like me to provide a substantive briefing on any of the cases reported.

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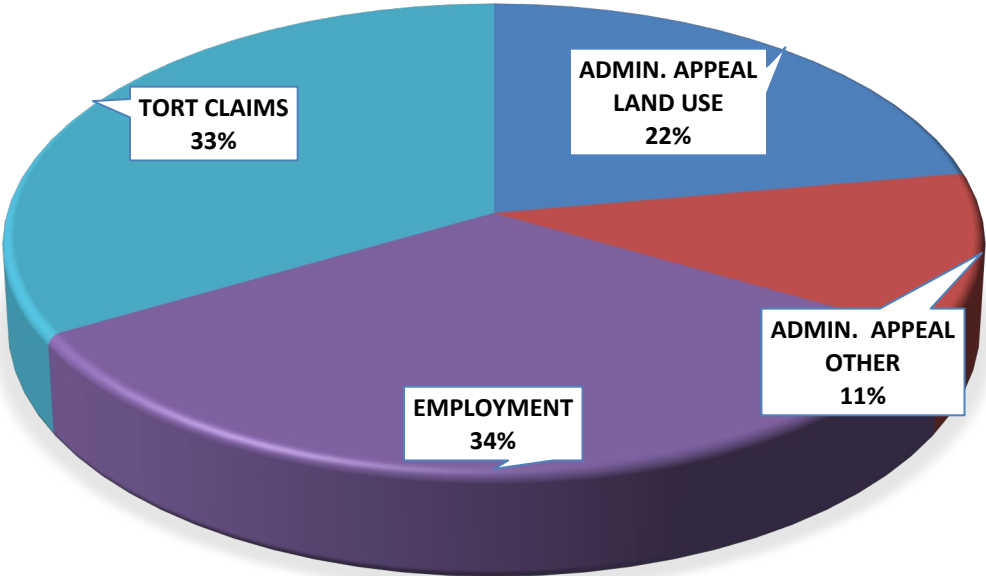
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Litigation Activity Summary Page 03
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Disposition of FY24 Closed Cases Sorted by Department Page 06
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Litigation Report Ordered by Court Jurisdiction..... Page 11

August 2024
Composition of Pending Litigation

(Sorted by Subject Matter and Forum)

| | STATE TRIAL COURT | APPELLATE COURT OF MARYLAND | SUPREME COURT OF MARYLAND | FEDERAL TRIAL COURT | FEDERAL APPEALS COURT | U.S. SUPREME COURT | SUBJECT MATTER TOTALS |
|------------------------|-------------------|-----------------------------|---------------------------|---------------------|-----------------------|--------------------|-----------------------|
| ADMIN APPEAL: LAND USE | 2 | 1 | | | | | 3 |
| ADMIN APPEAL: OTHER | | 1 | | | | | 1 |
| BANKRUPTCY | | | | | | | 0 |
| CIVIL ENFORCEMENT | | | | | | | 0 |
| CONTRACT DISPUTE | | | | | | | 0 |
| DEBT COLLECTION | | | | | | | 0 |
| EMPLOYMENT DISPUTE | 2 | | | 1 | | | 3 |
| LAND USE DISPUTE | | | | | | | 0 |
| MISCELLANEOUS | | | | | | | 0 |
| PROPERTY DISPUTE | | | | | | | 0 |
| TORT CLAIM | 3 | | | | | | 3 |
| WORKERS' COMPENSATION | | | | | | | 0 |
| PER FORUM TOTALS | 7 | 2 | | 1 | | | 10 |

OVERVIEW OF PENDING LITIGATION



August 2024 Litigation Activity Summary

(*No report filed in July. Reflects matters resolved in FY 24.)

| | COUNT FOR MONTH | | | COUNT FOR FISCAL YEAR 2024 | | | |
|--------------------------------------|-------------------|-----------|----------------|----------------------------|----------------------|---------------------------|-----------------------|
| | Pending June 2024 | New Cases | Resolved Cases | Pending Prior FY | New Cases FY To Date | Resolved Cases FY To Date | Pending Current Month |
| Admin Appeal: Land Use (AALU) | 4 | 1 | 2 | 4 | 1 | 2 | 3 |
| Admin Appeal: Other (AAO) | 2 | 1 | 2* | 2 | 1 | 1 | 1 |
| Bankruptcy (B) | 0 | | | 0 | | | 0 |
| Civil Enforcement (CE) | 0 | | | 0 | | | 0 |
| Contract Disputes (CD) | 1 | | 1 | 1 | | 1 | 0 |
| Debt Collection (D) | 0 | | | 0 | | | 0 |
| Employment Disputes (ED) | 4 | | 1 | 4 | | 1 | 3 |
| Land Use Disputes (LD) | 0 | | | 0 | | | 0 |
| Miscellaneous (M) | 0 | | | 0 | | | 0 |
| Property Disputes (PD) | 0 | | | 0 | | | 0 |
| Tort Claims (T) | 3 | 1 | 1 | 3 | 1 | 1 | 3 |
| Workers' Compensation (WC) | 5 | | 5* | 5 | | | 0 |
| TOTALS | 19 | 3 | 12 | 19 | 3 | 6 | 10 |

**INDEX OF YTD NEW CASES
(7/1/2024 TO 6/30/25)**

| A. <u>New Trial Court Cases.</u> | <u>Unit</u> | <u>Subject Matter</u> | <u>Month</u> |
|---|--------------------|------------------------------|---------------------|
| Asare v. Commission | PG | Tort | Aug. |
| In the Matter of Cameron Hills Owner's Association Inc., et al. | MC | AALU | Aug. |
| | | | |
| B. <u>New Appellate Court Cases.</u> | <u>Unit</u> | <u>Subject Matter</u> | <u>Month</u> |
| Paige Industrial Services, Inc. v. Commission | MC | AAO | July |

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

| <u>A. Trial Court Cases Resolved</u> | <u>Unit</u> | <u>Subject Matter</u> | <u>Month</u> |
|---|--------------------|------------------------------|---------------------|
| Commission v. Chen | MC | CD | July |
| Mays v. Commission | PG | ED | July |
| In the Matter of Forest Grove Citizens Association, et al. (C-15-CV-23-002405) | MC | AALU | July |
| In the Matter of Forest Grove Citizens Association, et al. (C-15-CV-24-000505) | MC | AALU | July |
| Chisley v. Commission | PG | Tort | July |

| <u>B. Appellate Court Cases Resolved</u> | <u>Unit</u> | <u>Subject Matter</u> | <u>Month</u> |
|---|--------------------|------------------------------|---------------------|
|---|--------------------|------------------------------|---------------------|

| Disposition of FY24 Closed Cases Sorted by Department | | |
|--|--|--|
| CLIENT | PRINCIPAL CAUSE OF ACTION IN DISPUTE | DISPOSITION |
| Employees Retirement System | | |
| Finance Department | | |
| Department of Human Resources & Management | | |
| Montgomery County Department of Parks | | |
| Commission v. Chen | Breach of Contract matter to recover funds for rental of recreational fields. | 07/18/2024 – Case voluntarily dismissed after payment of outstanding funds. |
| Paige Industrial Services, Inc. V. Commission | Judicial Review of the decision of the administrative agency (CCRC). Contractor's claim for additional payments for construction at Rock Creek Maintenance Yard. | 07/12/2024 – Decision of the CCRC affirmed. However, case appealed to the Appellate Court of Maryland. |
| Montgomery County Park Police | | |
| Montgomery County Planning Board | | |
| In the Matter of Forest Grove Citizens Assoc. et al. (C-15-CV-23-002405) | Petitioners sought Judicial Review of the Montgomery County Planning Department's decision regarding 9801 Georgia Avenue Sketch Plan 320230020. | 07/29/2024 – Judgment of the Planning Board affirmed. |
| In the Matter of Forest Grove Citizens Assoc. et al. (C-15-CV-24-000505) | Petitioners sought Judicial Review of the Montgomery County Planning Department's decision regarding 9801 Georgia Avenue Sketch Plan 320230020. | 07/29/2024 – Judgment of the Planning Board affirmed. |

| | | |
|--|--|--|
| Prince George's County Department of Parks and Recreation | | |
| Mays v. Commission | Employee terminated from the Commission for her COVID vaccination status brought suit alleging several employment-related claims, such as religious and genetic discrimination, retaliation, and wrongful discharge. | 07/27/2024 – Case settled and dismissed. |
| Chisley v. Commission, et al. | Plaintiff alleged he tripped and fell in a concealed hole at Enterprise Golf Course. | 08/04/2024 – Case dismissed for lack of prosecution. |
| Prince George's County Planning Board | | |
| | | |
| Prince George's Park Police | | |
| | | |
| Office of Internal Audit | | |

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No Pending Matters

DISTRICT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

No Pending Matters

CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND

In the Matter of Cameron Hill Owner's Association, Inc., et al.

Case No. C-15-CV-24-0014664 (AALU)

Lead Counsel: Mills
Other Counsel:

Abstract: Petitioners seek Judicial Review/Mandamus of the Montgomery County Planning Board's Decision regarding 8676 Georgia Avenue Sketch Plan 320230060 and Preliminary Plan 120230150.

Status: Petition for Judicial Review filed.

Docket:

| | |
|------------|------------------------------|
| 08/26/2024 | Petition for Judicial Review |
|------------|------------------------------|

In the Matter of Forest Grove Citizens Association, et al.

Case No. C-15-CV-24-001622 (AALU)

Lead Counsel: Mills
Other Counsel:

Abstract: Petitioners seek Judicial Review of the Montgomery County Planning Board's Decision in 9801 Georgia Avenue Plan no(s). 120230160, 820230130 and F20240040

Status: Petition for Judicial Review filed. Case consolidated.

Docket:

| | |
|------------|--|
| 04/08/2024 | Petition for Judicial Review |
| 04/17/2024 | First Amended Petition for Judicial Review |
| 05/01/2024 | Answer to Petition for Judicial Review |
| 05/08/2024 | Answer to Petition for Judicial Review |
| 05/31/2024 | Administrative Record received |
| 06/26/2024 | Order of Court. Case Nos. C-15-CV-24-001622, C-15-CV-24-002507 and C-15-CV-24-001628 be consolidated pursuant to Maryland 2-503; and it is further ordered that all future pleadings shall be filed in Civil No. C-15-CV-24-001622 and said case shall be designated as the lead case. |
| 07/29/2024 | Memorandum in Support of Petition for Judicial Review |

CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

Aisha Asare v. Commission

Case No. C-16-CV-24-003596 (Tort)

Lead Counsel: Thornton
Other Counsel:

Abstract: Allegations of injuries at Southern Recreation Center as a result of participation in Xtreme Teen's program.

Status: Complaint received.

Docket:

| | |
|------------|-------------------|
| 08/02/2024 | Complaint filed |
| 08/20/2024 | Commission served |

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

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

Lead Counsel: Ticer
Other Counsel: Johnson; Rupert

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

Status: In discovery.

Docket:

| | |
|------------|--|
| 07/12/2023 | Complaint filed |
| 09/26/2023 | Summons reissued |
| 12/28/2023 | Complaint received from SDAT via certified mail. |
| 01/03/2024 | Answer filed |
| 02/14/2024 | Stipulation Order Regarding Confidentiality of Discovery Material filed |
| 02/28/2024 | Order of Court regarding Confidentiality of Discovery Material |
| 05/30/2024 | Scheduling Order issued |
| 06/11/2024 | Motion to Modify scheduling order to reschedule settlement conference |
| 07/03/2024 | Order of the Court granting Motion to Modify scheduling order. |
| 07/16/2024 | Motion to Strike Appearance of J. Stolarz |
| 08/05/2024 | Order of Court granting Motion to Strike and Notice to Employ new counsel. |
| 11/15/2024 | Settlement Conference |
| 01/21/2025 | Trial |

Myrtle Evans v. Aisha Braveboy, et al.

Case No. C-16-CV-24-002189 (Tort)

Lead Counsel: Thornton
Other Counsel:

Abstract: Plaintiff alleges she tripped and fell at Fairwood Community Park due to uneven sidewalk pavement resulting in injuries.

Status: Case dismissed.

Docket:

| | |
|------------|--|
| 04/18/2023 | Complaint filed |
| 06/18/2024 | Commission served |
| 07/11/2024 | Motion to Dismiss or in the Alternative for Summary Judgment |
| 08/07/2024 | Order of the Court – Motion to Dismiss Granted. |

Louise Vester v. Bowie Baysox Baseball Club, et al.

Case No. C-16-CV-24-002961 (Tort)

Lead Counsel: Thornton
Other Counsel: Bansal

Abstract: Tort suit for injuries allegedly sustained while attending a game at the Bowie Baysox Stadium.

Status: Commission has yet to be served.

Docket:

| | |
|------------|-----------------|
| 06/21/2024 | Complaint filed |
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Rakiya-Rae Wallace v. Commission, et al. v. Commission, et al.
Case No. C-16-CV-23-003055 (ED)

Lead Counsel: Ticer
Other Counsel: Johnson, Rupert

Abstract: Former employee alleges discrimination and wrongful termination relating to her COVID vaccination status.

Status: In discovery.

Docket:

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| 07/03/2023 | Complaint filed |
| 07/12/2023 | Commission served |
| 08/07/2023 | Motion to Dismiss and Supporting Memorandum |
| 08/21/2023 | Consent Stipulation to Extend Time to Respond to Motion to Dismiss |
| 09/05/2023 | Response in Opposition to Defendants' Motion to Dismiss |
| 09/05/2023 | Amended Complaint |
| 09/18/2023 | Order of Court. Motion to Dismiss Denied as Moot |
| 09/22/2023 | Motion to Dismiss Amended Complaint |
| 10/06/2023 | Response in Opposition to Dismiss Amended Complaint |
| 10/18/2023 | Reply to Opposition to Motion to Dismiss |
| 02/16/2024 | Motion to Stay and/or Modify Scheduling Order |
| 02/27/2024 | Order of Court striking scheduling order issued on 10/12/2023. |
| 03/28/2024 | Motion for Postponement of Hearing on Defendants' Motion to Dismiss |
| 03/29/2024 | Hearing held. Order of Court – Motion to Postpone hearing on Motion to Dismiss granted. Parties to brief issue raised. Decision to be made without further hearing. |
| 04/10/2024 | Defendants' Motion to Dismiss withdrawn by consent. |
| 04/10/2024 | Order of Court – Motions Withdrawn. Plaintiff to file a Second Amended Complaint within thirty days. |
| 04/30/2024 | Second Amended Complaint filed |
| 05/06/2024 | Red-lined Second Amended Complaint |
| 05/30/2024 | Answer to Second Amended Complaint |

APPELLATE COURT OF MARYLAND

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

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

Lead Counsel: Warner
Other Counsel:

Abstract: Appeal of decision affirming the Prince George's County Planning Board's decision to affirm the Planning Director's approval of a tree conservation plan, a revision of that tree conservation plan, and variances to the Woodland Conservation Ordinance that allowed removal of specimen trees.

Status: Opinion pending.

Docket:

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| 05/31/2023 | Appeal filed |
| 06/27/2023 | Order to Proceed |
| 08/25/2023 | Briefing Notice |
| 08/30/2023 | Joint Stipulation to Modify Briefing Schedule |
| 10/11/2023 | Record Extract |
| 10/13/2023 | Appellant Brief |
| 12/01/2023 | Appellees Brief filed |
| 12/21/2023 | Reply Brief |
| 01/25/2024 | Scheduling Notice |
| 03/12/2024 | Oral argument reset for June. |
| 06/04/2024 | Oral argument held. |

In the Matter of Paige Industrial Services, Inc.

Case No. ACM REG – 0994-2024 (AAO)
(Originally filed under C-15-CV-23-004219 in Montgomery County)

Lead Counsel: Rupert
Other Counsel:

Abstract: Appeal of decision affirming the decision of the administrative agency (CCRC). Contractor's claim for additional payments for construction at Rock Creek Maintenance Yard.

Status: Motion to Dismiss pending.

Docket:

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|------------|-------------------|
| 07/19/2024 | Notice of Appeal |
| 08/19/2024 | Motion to Dismiss |

SUPREME COURT OF MARYLAND

No Pending Matters

U.S. DISTRICT COURT OF MARYLAND

Weisman v. Commission, et al.

1:24-cv-00009 GLR (ED)

Lead Counsel: Ticer
Other Counsel: Thornton

Abstract: Plaintiff, a former police sergeant, filed a complaint against the Commission and the Montgomery County Chief of Police, alleging a hostile work environment due to discrimination based on sex, sexual orientation, and religion.

Status: Case dismissed.

Docket:

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| 01/03/2024 | Complaint filed |
| 01/05/2024 | Commission served |
| 01/22/2024 | Motion to Dismiss filed by Commission |
| 02/05/2024 | Opposition to Motion to Dismiss |
| 02/16/2024 | Reply to Opposition to Motion to Dismiss |
| 08/12/2024 | Order of the Court granting Motion to Dismiss |

U.S. COURT OF APPEALS FOR THE FOURTH CIRCUIT

No Pending Matters