



THE MARYLAND-NATIONAL CAPITAL
Park and Planning Commission

COMMISSION MEETING

December 18, 2024

10:00 a.m. – 12:00 p.m.

Wheaton Headquarters
Auditorium
2425 Reddie Drive
Wheaton, Maryland 20902

and via teleconference

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MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Wednesday, December 18, 2024

10:00 am to 12:00 noon

Wheaton Headquarters Building Auditorium and via Teleconference

		<u>ACTION</u>	
		Motion	Second
1.	Consent Agenda (10:00 a.m.)	(*)	
	a) Approval of December 18, 2024 Commission Meeting Agenda		Page 1
	b) Proposed changes to MSRR Chapter 1400 Provisions on Personal Leave (Harvin/Beckham)		Page 3
2.	Approval of Commission Minutes (10:05 a.m.)		
	a) Open Session – November 20, 2024	(*)	Page 11
3.	General Announcements (10:05 a.m.)		
	a) National Human Rights Month		
	b) National Drunk and Drugged Driving Prevention Month		
	c) Global AIDS Awareness Month		
	d) Ongoing Festival of Lights and Winter Garden Walk through in Prince George’s and Montgomery Counties		
	e) Christmas Day (Dec 25) and New Years Day (Jan 1) Holidays – Commission Offices Closed		
	f) Diversity Council Openings for 2025-2026		
4.	Committee and Board Reports (10:10 a.m.)		
	a) Employees’ Retirement System Board of Trustees Regular Meeting Minutes from November 5, 2024 (for Information Only)		Page 15
5.	Action and Presentation Items (10:10 a.m.)		
	a) Resolution 24-26 Employment and Employee Referral Bonuses (Allen)	(*)	Page 19
	b) Resolution 24-27 Approval of the Fiscal Year 26 M-NCPPC Operating and Capital Budget (Charles)	(*)	LD
6.	Officers’ Reports (11:00 a.m.)		
	<u>Executive Director’s Report</u>		
	a) MFD Quarterly Purchasing Statistics (For Information Only)		Page 21
	b) Quarterly Budget Transfers (For Information Only)		Page 35
	c) Annual CAS Report (Spencer/Dupree)		Page 37
	<u>Secretary-Treasurer’s Report</u>		
	<i>No report scheduled</i>		
	<u>General Counsel</u>		
	d) Litigation Report (for Information Only)		Page 51
	e) Legislative Update (Baucum-Colbert)		(D)

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

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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

December 18, 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: Proposed Amendments to Merit Rules Provisions on Personal Leave

Requested Action

The Commission is asked to approve proposed amendments to Chapter 1400, *Employee Leave: Personal, Annual, Sick, and Compensatory Leave* of the Merit System Rules and Regulations (Merit Rules) (Attachment A).

The proposed amendments will grant full-time Merit System employees 24 hours of personal leave, and part-time Merit System employees 16 hours of personal leave, upon completing their 12-month probationary period, instead of a lesser, pro-rated, amount based on hire date. Each subsequent calendar year, the employee will continue to receive the full 24 hours or 16 hours of personal leave, respectively.

Currently, after completing 12 months of service, Merit System employees are granted personal leave based on their hire date, as follows:

- **January 1 through April 30:** 24 hours of personal leave if full-time and 16 hours if part-time.
- **May 1 through August 31:** 16 hours of personal leave if full-time and 8 hours if part-time.
- **September 1 through December 1:** 8 hours of personal leave if full-time and 4 hours if part-time.

The amendments have been shared with non-represented Merit System employees and are supported by the Merit System Board and Department Heads. With the Commission's approval, these changes will be finalized and promulgated.

Background

The Management Bargaining Team negotiated these changes with the Municipal and County Government Employee's Organization/United Foods and Commercial Workers Union, Local 1994 (MCGEO) for MCGEO-represented Merit System employees. Agency leadership would like to pass this benefit onto the non-represented Merit System workforce through these amendments to the Merit Rules.

Pursuant to Merit Rules Section 160, the proposed amendments were released to non-represented Merit System employees for a mandatory 30-calendar day review period. On November 12, 2024, the 30-day comment period concluded. A total of ten (10) comments were received (see: Attachment B). Seven supported the proposed amendments. One recommended against making changes, another recommended granting personal leave immediately upon hire without completing probation, and a final comment recommended providing a prorated amount of personal leave to part-time employees based on hours worked. No additional amendments are recommended to Chapter 1400 (see: Attachment B).

Attachments:

- A. Proposed Amendments to Merit Rules, Chapter 1400, Employee Leave: Personal, Annual, Sick, and Compensatory Leave
- B. Analysis of Comments Submitted on Proposed Amendments to Merit System Rules and Regulations, Chapter 1400, Employee Leave: Personal Annual and Sick, and Compensatory Leave

**PROPOSED AMENDMENTS TO MERIT SYSTEM RULES AND REGULATIONS,
CHAPTER 1400, EMPLOYEE LEAVE: PERSONAL, ANNUAL, SICK,
AND COMPENSATORY LEAVE**

Key to Revisions:

Highlight: Recommended additions

Strikethrough: Recommended deletions

Bold Italics: Comments on changes

1410 Basic Concepts

Employee Leave is paid leave granted to or earned by Merit System employees. It consists of Personal, Annual, Sick, and Compensatory leave which may be taken for authorized absences during regularly scheduled work hours. An authorized supervisor shall approve Employee Leave.

Employees also may be granted unpaid leave for reasons provided in this Chapter. Authorized unpaid leave is called Leave-Without-Pay (LWOP) (see Section 1620, Leave-Without-Pay).

An absence without authority is considered an absence-without-leave (AWOL). Any employee who is AWOL shall be placed in a non-pay status and shall be subject to disciplinary action (see Chapter 1600, Section 1650, Absence-Without-Live).

1450 Personal Leave

Personal leave is paid leave to be used for reasons personal to the employee including such activities as religious holidays or cultural observances, emergency business, and reasons listed under Section 1470, Sick Leave. Employees eligible under the Family and Medical Leave Act (FMLA) may apply personal leave towards FMLA-qualified events. Personal leave used for FMLA events will be considered FMLA leave and count against the FMLA leave entitlement (see also Chapter 1600, Leave Status Programs, Section 1640, Family and Medical Leave Status).

Use of personal leave requires prior approval.

- * 1451 **Grants of Personal Leave** *(as last amended November 19, 2012, and effective January 1, 2013)*

~~Subject to meeting the eligibility conditions set forth in Sections 1451.1 or 1451.2, Upon completing twelve (12) months of employment as a Merit System employee, and each subsequent calendar year, a full-time Merit System career or probationary career employee shall be granted up to twenty-four (24) hours of personal leave, per calendar year. and a part-time Merit System employee shall be granted up to sixteen (16) hours of personal leave per calendar year.~~

1 Part-time Merit System employees who change to full-time status shall receive an increase
2 of eight (8) hours of ~~be eligible for an adjustment in their~~ personal leave, from sixteen (16)
3 hours to twenty-four (24) hours on the effective date of the transfer. (Note to Draft
4 Reviewer, the foregoing revisions regarding converting from part-time to full-time status
5 are to clarify the existing policy.)
6

7 1451.1 — An employee hired into a Merit System position prior to January 1, 2013, shall
8 be eligible for personal leave from the initial date of hire.
9

10 ~~During the first calendar year of Merit System employment, the amount of~~
11 ~~Personal leave granted shall be based on the employee's date of hire and~~
12 ~~whether hired as a regular full-time or part-time Merit System employee. In~~
13 ~~subsequent years, the employee shall be eligible for leave based on the full~~
14 ~~calendar year cycle and the employee's status as full or part-time. The amount~~
15 ~~of leave granted shall be in accordance with Section 1451.3.~~
16

17 1451.2 — ~~An employee hired on or after January 1, 2013, shall be eligible to receive~~
18 ~~personal leave only after he/she has completed twelve (12) months of~~
19 ~~employment as a Merit System employee. Upon completion of this period, the~~
20 ~~amount of personal leave granted shall be based on the date that the 12 months~~
21 ~~was completed and the employee's status as a regular full-time or part-time~~
22 ~~Merit System employee. In subsequent years, the employee shall be eligible for~~
23 ~~leave based on the full calendar year cycle and on the employee's status as full~~
24 ~~or part-time. The amount of leave granted shall be handled in accordance with~~
25 ~~Section 1451.3.~~
26

27 1451.3 — Personal leave grants for full time Merit System employees shall be as follows:
28

29 1451.3.a — ~~If, during the period of January 1st through April 30th, an employee~~
30 ~~is hired in accordance with Section 1451.1 or completes the 12~~
31 ~~months of employment in accordance with Section 1451.2, then up~~
32 ~~to twenty four (24) hours of personal leave will be granted,~~
33 ~~according to the schedule below.~~
34

35 1451.3.b — ~~If, during the period of May 1st through August 31st an employee is~~
36 ~~hired in accordance with Section 1451.1 or completes the 12 months~~
37 ~~of employment in accordance with Section 1451.2, up to sixteen~~
38 ~~(16) hours of personal leave will be granted, according to the~~
39 ~~schedule below.~~
40
41
42

1 1451.3.c If, during the period of September 1st through December 1st, an
2 employee is hired in accordance with Section 1451.1 or completes
3 the 12 months of employment in accordance with Section 1451.2,
4 up to eight (8) hours of personal leave will be granted according to
5 the schedule below.
6

	Full- Time	Part- Time	Change to Full-time from Part time
7 January 1 to April 30	24	16	8
8 May 1 to August 31	16	8	8
9 September 1 to December 1	8	4	4

10
11
12
13 *Note: Additional hours are granted upon commencement to a full-*
14 *time Merit System position from part-time Merit System position.*
15 *Example: A part-time Merit System employee has been granted*
16 *sixteen (16) hours of personal leave. Subsequently, on September*
17 *15th, the employee is appointed to regular full-time status. Based on*
18 *the effective date of the full-time appointment, the employee will be*
19 *granted an additional four (4) hours of personal leave.*
20
21
22

**ANALYSIS OF COMMENTS SUBMITTED ON
PROPOSED AMENDMENTS TO MERIT SYSTEM RULES CHAPTER 1400, EMPLOYEE
LEAVE: PERSONAL, ANNUAL, SICK, AND COMPENSATORY LEAVE**

COMMENTS ON PROPOSED REVISIONS TO SECTION 1400

1. **Comment by Prince George’s Department of Parks and Recreation:**

I agree with the proposed policy amendment. Employees should receive the full 24 hours full-time and 16 hours part-time of personal leave after completing their probationary period.

2. **Comment by Prince George’s County Planning Department:**

I support the proposed amendments to Chapter 1400 to eliminate prorating of personal leave after probation is completed.

3. **Comment by Montgomery County Parks Department:**

I am expressing my full support to the revisions below on Chapter 1400, Employee Leave, Regarding Personal Leave. This is the fairest solution for all and is how it should have been done in the first place. This will make such a difference in the lives of many Commission employees.

4. **Comment by Montgomery County Parks Department:**

Thank you for the draft amendments to the Merit Rules, Chapter 1400 – Personal Leave. I believe the changes as written will be clear to employees and they will get a better understanding of their Personal Leave benefit.

5. **Comment by Prince George’s County Department of Parks and Recreation:**

Good morning, I support this amendment.

6. **Comment by Prince George’s County Department of Parks and Recreation:**

These are both good changes and SHOULD be implemented

7. **Comment by Prince George’s County Department of Parks and Recreation:**

I just wanted to provide comment on the policy change sent through email last week regarding Personal Leave distributed to new hire after a year of service. I fully support the changes as they are presented, even as an almost-20-year employee who was hired in January. None of this affects me personally or the benefits I receive, but I do think that if someone can use all 24/16 hrs. of leave in one pay period, they can be given that much, irrelevant of when they are hired. Thank you for this change.

8. **Comment by Montgomery County Parks Department:**

After one year of service ...the employee will be "entitled" to: 3 personal days? I thought the original agreement was: "3 personal days, for 3 federal holidays.[?]" Maybe new hires should be entitled to 24 hours of personal leave [immediately]. In lieu of the commission saying . "wait a year!" Chipping away...land.

Staff Response:

Pursuant to Section 1451.3 of the Merit Rules, as amended November 19, 2012, an employee hired on or after January 1, 2013, shall be eligible to receive personal leave only after completing twelve (12) months of employment as a Merit System employee. The proposed amendments maintain the requirement for employees to complete their probationary period before being entitled to personal leave.

9. **Comment by Montgomery County Planning Department:**

I am writing to provide feedback on the proposed amendment to Merit System Rules & Regulations, Chapter 1400, Employee Leave: Personal, Annual, Sick, and Compensatory Leave as proposed in Notice 24-07 that was sent to merit employees yesterday, October 9, 2024. I am in support of the current proposed amendment and would like to propose a further amendment: Currently, part-time employees, regardless of how many hours they work per week, are awarded 16 hours of personal leave. In order to implement a more equitable personal leave benefit, the leave should be pro-rated to match the hours worked. I am a part-time employee who works 36 hours a week – 90% of fulltime. In an equitable leave system, I would receive 21.6 hours of personal leave, if 24 hours is the full benefit for an employee who works 40 hours a week. Since “part-time” at M-NCPPC covers a wide range of hours-worked-per-week, the leave should be distributed in a proportional manner.

Staff Response:

Staff recommend against creating a prorated system to grant personal leave to part-time employees based on the actual number of hours worked, to avoid creating a new administrative burden. The goal of providing the full amount of personal leave to both full-time and part-time Merit System employees, immediately upon completing probation, is to eliminate the administrative burden of calculating the amount of personal leave to which an employee is entitled based on their hire date.

10. **Comment by Montgomery County Parks Department:**

To be fair for all employees, the personal leave accrual should stay the same way it is now, prorated based on hiring dates.

Staff Response:

The current system of giving a prorated amount of personal leave to an employee after they complete probation, based on hire date, is administratively burdensome. To simplify this process, management has negotiated this change with MCGEO-represented employees and desires to pass the benefit along to non-represented Merit System employees.

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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

Commission Meeting
Open Session Minutes
November 20, 2024

The Maryland-National Capital Park and Planning Commission met in a hybrid format, from the Prince George's Parks and Recreation Administration Building Auditorium in Riverdale, Maryland and virtually via videoconference. The meeting was broadcast by the Department of Parks and Recreation, Prince George's County.

PRESENT

Montgomery County Commissioners

Artie Harris, Chair
Josh Linden
Mitra Pedoeem

Prince George's County Commissioners

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

NOT PRESENT

Shawn Bartley
James Hedrick

Chair Harris called the meeting to order at 10:04 a.m.

ITEM 1 CONSENT AGENDA

Chair Harris moved item 1c to be taken in Section 5.

ACTION: Motion of Commissioner Geraldo to approve the amended Consent Agenda
Seconded by Commissioner Bailey
8 approved the items

ITEM 2 APPROVAL OF MINUTES

- a) Approval of Commission Minutes – Open Session
Special Meeting: 10/3/24
Regular Meeting: 10/16/24

ACTION: Motion of Commissioner Geraldo to approve the 10/3/24 minutes
Seconded by Commissioner Washington
8 approved the item

ACTION: Motion of Commissioner Geraldo to approve the 10/16/24 minutes
Seconded by Commissioner Doerner
5 approved the item
3 abstentions (Bailey, Doerner, Pedoeem)
2 absent (Bartley, Hedrick)

ITEM 3

GENERAL ANNOUNCEMENTS

- a) Thanksgiving and Employee Appreciation Day Holidays
- b) National American Indian Heritage Month (Maryland American Indian Heritage Day Nov 29)
- c) American Lung Cancer Awareness Month and Pancreatic Cancer Awareness Month
- d) “Great American Smoke Out” Nov 21
- e) Military Family Appreciation Month
- f) Festival Of Lights and Winter Garden Walk through in Prince George’s and Montgomery Counties
- g) Upcoming One-Commission Holiday Event – December 6 at Largo HQ.
- h) Service Award Ceremony for Employees with 25+ Years Service (after Commission meeting)

ITEM 4

COMMITTEE/BOARD REPORTS

- a) Employees’ Retirement System Board of Trustees Regular Meeting Minutes from October 1, 2024 (for information only)

ITEM 5

ACTION/PRESENTATION ITEMS

ITEM 1c. Resolution 24-25 Prince George’s County General Obligation Park Acquisition and Development Project Bond Series PGC2024A (Cohen)

Secretary-Treasurer Cohen requested approval for and provided background on the issuing of a \$22M general obligation tax-exempt bonds to support the Prince George’s County Parks system. While the form of the resolution is familiar, Mr. Cohen noted a change in Sections 8 and 11, regarding bonds to be sold in a private negotiated sale, wherein the Secretary-Treasurer can recommend a private placement memorandum. He said the M-NCPPC is currently soliciting competitive bids from various banks, with results due tomorrow, pending approval of the resolution. Direct placement of bonds provides savings in both time and cost. He noted direct placement of bonds such as this is not uncommon, adding if the rates are not competitive, we will cancel and issue a public bid in the spring.

Commissioner Doerner asked if we have any ethics and risk considerations to be aware of in a direct placement. Secretary-Treasurer Cohen said there is no specific conflict he is aware of. The RFP and solicitations are with large regional or national banks. General Counsel Borden said it is incumbent upon the Commissioners and Officers to disclose conflicts of interest in their annual financial disclosure, adding with this type of bond sale, there are several layers between the approving parties of the RFP decision-making and the actual sale, making such conflicts difficult and unlikely. Moreover, the individuals in question have the responsibility to make a conflict of interest disclosure, not the agency. Commissioner Doerner said conflicts might be better raised before the approval, not just when the Financial Disclosure is filed and suggested language be added, if appropriate, to the RFP that people in the decision making process state any conflicts of interest. Chair Harris said the Finance Department would look into doing so.

Commissioner Doerner also suggested having language regarding counter-party risk in the RFP. Secretary-Treasurer Cohen defined counter-party risk, and clarified the institutions that are involved with the RFP bidding are large national banks, and the contract that we’d enter would mitigate that risk.

Commissioner Doerner asked to restrict bidders to be domiciled locally. Secretary-Treasurer Cohen replied we don’t currently have that restriction, but it can be examined prior to the award tomorrow.

ACTION: Motion of Commissioner Washington to approve Resolution 24-25 with the provisions as mentioned by staff
Seconded by Commissioner Bailey
8 approved the item

a) Resolution 24-23 M-NCPPC Employees' Retirement System Employer Contribution (J. Harris/Cheiron)

M-NCPPC Employees' Retirement System Executive Director Jaclyn Harris requested Commission adoption of the proposed employer contribution of \$39,551,467 to help fund pensions for M-NCPPC retirees. Actuarial Consultant Patrick Nelson of Cheiron presented information included in the packet material, reviewed history, risks, economic assumptions, and benefit payment estimates and projections.

ACTION: Motion of Commissioner Geraldo to approve Resolution 24-23
Seconded by Commissioner Pedoeem
8 approved the item

b) Resolution 24-24 FY2026 Employer Contribution for Retiree Group Health Insurance (115 Trust) (Cohen/Bolton)

Secretary-Treasurer Cohen introduced actuaries from Bolton Partners Actuaries to approve a contribution to the 115 Trust for retiree group health insurance for \$7,377,000. Representatives from Bolton Partners presented their actuarial report, as included in the packet material.

ACTION: Motion of Commissioner Washington to approve Resolution 24-24
Seconded by Commissioner Pedoeem
8 approved the item

c) Sustainability Committee Presentation (Carr/Sustainability Committee)

Sustainability Committee members Rachel Carr, Adrienne Thomas, Carl Morgan and Lauren Belle introduced the remainder of the team and presented from the material included in the packet. The presentation focused on Accomplishments, Challenges and Future focus for the different sustainability goals in each county.

Chair Harris thanked the presenters for their amazing and wonderful work. He noted and appreciated the Committee acting in concert across both counties, coordinating plan development and making a big impact on climate change in our counties. Vice-Chair Shapiro agreed and asked the committee to provide suggestions on how Commissioners could help with grants and partnerships. Ms. Belle said the Committee would need to identify the correct grants to apply for, but they would be thrilled to accept Commissioners' help, particularly with policies on EV and EV charging stations. Vice-Chair Shapiro agreed that there are broader national partnerships, federal funding that are available. Commissioner Geraldo agreed and also suggested considering partnerships with other utility agencies.

Commissioner Bailey commended the presenters on their presentation and urged them to continue engaging young people specifically.

ITEM 6 OFFICERS' REPORTS

Executive Director's Report

- a) CIO's Quarterly Report. (For Information Only)

Secretary-Treasurer's Report

No report scheduled

General Counsel's Report

- b) Litigation Report (For information only)
c) Legislative Update (Baucum-Colbert)

General Counsel Borden and Legislative Liaison Jordan Baucum-Colbert listed five bills to watch for during the current General Assembly session which were just posted on their website. She said she is not yet asking for a position on any of the bills, but for Commissioners to be aware of the bills' progress.

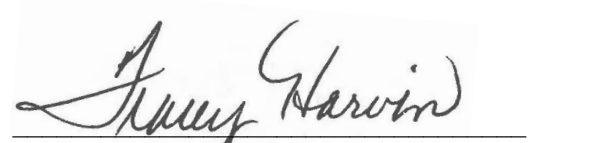
- MC/PG 117-25 Fairness in Zoning (High Priority)
- MC/PG 101-25 Montgomery County Planning Board and WSSC Open Meetings (High Priority)
- MC 5-25 Montgomery County -Task force on the Displacements of Residents of Emory Grove
- MC/PG 116-25 Montgomery County – Municipal Authority to Regulate Structures – Alterations
- MC 2-25 Montgomery County – Prohibited Restrictions on use – Accessory Dwelling Units

The General Counsel's office will come to the separate planning boards on a future date to solicit feedback and direction.

Chair Harris adjourned the meeting at 12:00 noon.



James Adams, Senior Technical Writer



Tracey Harvin, Corporate Policy and Management
Operations Director, for
William Spencer, Acting Executive Director



BOARD OF TRUSTEES MEETING MINUTES
Tuesday, November 5, 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 VICE CHAIR HEDRICK leading the meeting on Tuesday, November 5, 2024. The meeting was called to order at 10:02 a.m. by VICE CHAIR HEDRICK.

Board Members Present

James Hedrick, Board of Trustees Vice Chair, Montgomery County Commissioner

Gavin Cohen, CPA, M-NCPPC Secretary-Treasurer, Ex-Officio

Pamela F. Gogol, Montgomery County Public Member

Sheila Morgan-Johnson, Prince George’s County Public Member

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

Elaine A. Stookey, Bi-County Open Trustee

Sgt. Anton White, FOP Represented Trustee

Lisa Blackwell-Brown, MCGEO Represented Trustee

Joined at 10:21 A.M.

William Spencer, M-NCPPC Acting Executive Director, Ex-Officio

Joined at 10:17 A.M.

Caroline McCarthy, Montgomery County Open Trustee

Board Members Absent

Peter A. Shapiro, Board of Trustees Chair, Prince George’s County Commissioner

Others Present

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

Meketa Investment Group – Mary Mustard, CFA and Gloria Hazard

ERS Staff Present

Jaelyn F. Harris, Executive Director

Alicia C. Stanford, Administrative Specialist

Sheila Joynes, Accounting Manager

Antonia Lanier, Member Relations Manager

Annette Silvestri, Member Relations Supervisor

Presenters

Cheiron – Janet Cranna, FSA, FCA, EA, MAAA, Patrick Nelson, FSA, CERA, EA, MAAA, and Jana Bowers, FSA, MAAA

ITEM 1. APPROVAL OF THE NOVEMBER 5, 2024 CONSENT AGENDA

ACTION: MS. STOOKEY made a motion, seconded by MS. GOGOL to Approve the Consent Agenda of November 5, 2024. The motion PASSED. (8-0). (Motion # 24-34).

ACTION: MS. STOOKEY made a motion, seconded by MS. GOGOL to Approve the meeting minutes of the Open Session and Closed Session for October 1, 2024. Ms. McCarthy abstained from voting on the approval of the October 1, 2024 minutes due to being absent from the meeting. The motion PASSED. (7-0-1). (Motion # 24-35).

ITEM 2. CHAIR’S ITEMS

ITEM 2.A. Conference and Training Summary 2024 - No notable items discussed.

2.B. Ratify the Actions taken during the October 1, 2024 Closed Session

ACTION: MS. STOOKEY made a motion, seconded by MR. COHEN to Ratify the Actions Taken during the October 1, 2024 Closed Session. Ms. McCarthy abstained from this vote due to being absent from the October 1, 2024 meeting. The motion PASSED. (7-0-1). (Motion # 24-36).

ITEM 3. MISCELLANEOUS – VICE CHAIR HEDRICK informed the Board that Mr. William Spencer will replace former trustee, Asuntha Chiang-Smith, as the M-NCPPC Executive Director Ex-Officio Board member.

ITEM 4. CONSULTANT/MANAGER PRESENTATIONS

Prior to presenting the June 30, 2024 actuarial valuation results, Cheiron conducted an educational review on the actuarial valuation process, historical trends, and the identification and assessment of risk to the Plan. As of June 30, 2024, the Actuarial Value of Assets (AVA) for the ERS increased by 3.58% to total \$1,176,830,678. Despite achieving asset gains for the fiscal year, the actuarial loss on investments was \$3.1 million. The Actuarial Value of Assets (AVA) returned 6.42% from June 30, 2023 to June 30, 2024, compared to the assumed return rate of 6.70%. Plan experience for the fiscal year and the actuarial loss on investments resulted in a total actuarial liability loss of \$18.8 million and the ERS actuarial liability increased by 4.34% to \$1,349,938,109. As of June 30, 2024, the funded ratio (based on the actuarial value of assets) equaled 87.18%, slightly down from 87.82% in 2023. The source of the actuarial loss can be primarily attributed to salary increases for the year being greater than expected, the retiree COLA being greater than expected, and a large increase in active membership counts (new employees entering the Plan) also contributed to the increased costs of the ERS. Mr. Spencer noted that the Commission filled over 150 vacancies during the fiscal year and there is a strong capacity to fill additional positions over the next 2-3 years. Cheiron stated that they will consider the increasing active population to build into their projections for the next actuarial valuation. To meet the ERS’ funding objectives, Cheiron recommended an Actuarially Determined Contribution (ADC) of \$39,551,467 (18.54% of covered payroll) which is payable July 1, 2025 for fiscal year 2026.

Mr. Spencer joined the meeting at 10:17 A.M.

Ms. Blackwell-Brown joined the meeting at 10:21 A.M.

ACTION: MS. MCCARTHY made a motion, seconded by MR. RUSSELL to approve an Actuarially Determined Contribution of \$39,551,467 (18.54% of payroll) payable July 1, 2025 for fiscal year 2026. The motion PASSED (10-0). (Motion # 24-37).

ITEM 5. COMMITTEE REPORTS/RECOMMENDATIONS

ITEM 5.A. Investment Monitoring Group

Ms. Harris presented a summary of the October 15, 2024, IMG Regular Report, focusing on the IMG's review of updates to the ERS Investment Policy Statement and the Investment Manager Monitoring Policy. A key modification was proposed for the Investment Manager Monitoring Policy to transfer authority from the Board to the IMG to add or remove an investment manager from the Watch List. Corresponding updates to the IMG charter in the Governance Manual will be made to reflect this change. All proposed revisions to the policies have received support from Meketa and a legal review has been conducted. The final revisions to the policies and Governance Manual will be discussed at the IMG meeting on November 19, 2024.

ITEM 6. EXECUTIVE DIRECTOR'S REPORT

Ms. Harris announced the completion of the Annual Comprehensive Financial Report (ACFR) for the fiscal year ending June 30, 2024, and that staff are in the final stages of preparing the Popular Annual Financial Report ("Annual Report"). She also informed the Board that staff are collaborating with B.F. Saul on the renewal of the cybersecurity insurance policy, for an effective date of December 1, 2024. Additionally, Ms. Harris notified the Board that staff will begin vetting talent acquisition firms to assist in filling the Deputy Executive Director position.

ACTION: MR. WHITE made a motion, seconded by MR. SPENCER to adjourn the Board meeting of November 5, 2024 at 11:40 a.m. The motion PASSED (10-0). (Motion # 24-38).

Respectfully,

Alicia C. Stanford

Alicia C. Stanford
Administrative Specialist

Jaclyn Harris

Jaclyn F. Harris
Executive Director

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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

M-NCPPC Resolution No. 24-26

EMPLOYMENT AND EMPLOYEE REFERRAL BONUSES

WHEREAS, pursuant to the provisions of Division II of the Land Use Article of the Annotated Code of Maryland and the Merit System Rules and Regulations, the Maryland-National Capital Park and Planning Commission (“Commission”) shall have the responsibility and authority to manage and direct the operations of the work program within the confines of the adopted budget and approved administrative procedures; and

WHEREAS, the Commission is intent on enhancing its competitive relationship in comparison to similar employers regarding attracting and retaining individuals in certain key "hard-to-fill" positions as identified by Department Heads and approved by the Executive Director; and

WHEREAS, the Commission recognizes the benefits of employment sign-on and employee referral bonuses to stimulate decisions and attract applicants to the Commission during these times of high vacancy rates and limited human resources; and

WHEREAS, on or about October 19, 2019, the Commission adopted Resolution No. 19-19 establishing up to \$10,000.00 as the maximum employment sign-on bonus per newly-hired employee, and up to \$1,000.00 as the maximum employee referral bonus per newly-hired employee. These bonuses are not subject to the limitations imposed by the Performance Recognition Program; and

WHEREAS, the Commission desires to control costs and reduce total expenditure on employment sign-on bonuses and employee referral bonuses.

NOW, THEREFORE, BE IT RESOLVED, the Commission establishes a maximum employment sign-on bonus of:

- a. Up to \$10,000 per applicant for a Park Police Officer position.
- b. Up to \$7,500 per applicant for a Merit System position with an annual salary of \$95,001 or higher.
- c. Up to \$5,000 per applicant for a Merit System position with an annual salary between \$65,001 - \$95,000.
- d. Up to \$3,000 per applicant for a Merit System position with an annual salary less than \$65,000.
- e. Up to \$500 per applicant for a Seasonal/Intermittent contract position; and

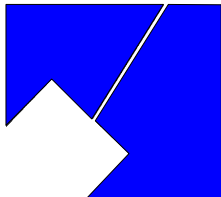
BE IT FURTHER RESOLVED, the Commission establishes a maximum referral bonus of \$500 for the referral of an applicant for a Merit System position and up to \$50 for the referral of an applicant for a Seasonal/Intermittent contract position; and

BE IT FURTHER RESOLVED, the Commission hereby adopts, as recommended by the Department Heads, the employment sign-on and employee referral bonuses effective January 1, 2025.

BE IT FURTHER RESOLVED, all other administrative terms and conditions for the award of the bonuses are to be developed and distributed by the Executive Director.

BE IT FURTHER RESOLVED, that the Executive Director is directed to prepare appropriate language to be included in Commission policy to effectuate the provisions of this Resolution.

Approved for legal sufficiency:
Ben Rupert, Principal Counsel
December 11, 2024



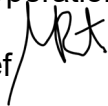
Maryland-National Capital Park & Planning Commission
 Corporate Policy & Management Operations Division
 Supplier Diversity & Inclusion Program

6611 Kenilworth Avenue • Riverdale, Maryland 20737 • Phone: 301-454-1752

December 8, 2024

To: Commissioners

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

From: Lawrence Taylor, Supplier Diversity & Inclusion Chief/ 

Re: MFD Purchasing Statistics — First Quarter FY25

The Commission's procurement policy is set forth in *Practice 4-10, (Purchasing)*. The Practice incorporates an anti-discrimination provision to ensure that minority, female, and disabled-owned firms (MFDs) have access to fair and equitable vendor opportunities. It also includes an MFD subcontracting component based on the Commission's procurement practices and the availability of MFD vendors in the marketplace. This program is jointly managed by the Office of the Executive Director, the Supplier Diversity Office, and the Corporate Purchasing Division

The Commission's new Local/Small Business Enterprise Program aims to enhance procurement opportunities for small businesses based in Montgomery County and Prince George's County. The Commission expects to launch similar initiatives for certified Minority Business Enterprises in FY25.

Some of the observations of MFD participation during the First Quarter of FY25 include:

- Attachment A indicates that through the First Quarter of FY25, the Commission procured \$47,401,339 in goods, professional services, construction, and miscellaneous services. Of this sum, \$9,939,569 or 21.0% was spent with minority, female and disabled (MFD) owned firms.
- Attachment B indicates that in the First Quarter of FY25, 21.0% 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 First Quarter of FY25 was 21.9%. Attachment C also indicates that the largest consumers of goods and services in the Commission are the Prince George's County Department of Parks and Recreation and Montgomery Parks. These programs significantly impact the Commission' utilization of MFD firms. The MFD cumulative utilization numbers for these Departments through the First Quarter of FY25 are 14.7% and 77.2%, respectfully.

- Attachment D presents the FY25 activity for the Purchase Card program totaling \$3,836,245 of which 2.1% was spent with minority, female and disabled (MFD) firms. The amount of procurement card activity represents 8.1% of the Commission's total procurement dollars.
- Attachment E portrays the historic MFD participation rates, and the total procurement from FY91 to First Quarter FY25.
- 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 do appear to be participating, at an overall rate of 11.6% in informal (under \$30,000) and 23.9% in the formal (over \$30,000) procurements. For transactions under \$10k, MFD participation is 8.7%. For transactions over \$10k but under \$30k, MFD participation is 23.6%. MFD vendors are participating at an overall rate of 25.0% in transactions over \$250,000.
- Attachment H presents the total amount of procurements and the number of vendors by location. Of the \$47,401,339 in total procurement, \$34,573,883 was procured from Maryland vendors. Of the \$34,573,883 in procurement from Maryland vendors, \$7,480,818 was procured from MFD vendors located in Maryland with 67.0% or \$6,653,200 procured from MFD vendors located in Montgomery and Prince George's Counties.
- Attachment I compares the utilization of MFD vendors by the Commission with the availability of MFD vendors. The results show under-utilization in the following categories: African American, Asian, Native American, and Female-owned firms. 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.

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MFD PROCUREMENT STATISTICS
FY 2025
FOR THREE MONTHS ENDED SEPTEMBER 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	\$ 15,056	\$	-	-	\$ 697	4.6%
Planning Department	505,961		17,784	1	65,334	12.9%
Parks and Recreation Department	37,571,650		841,979	6	7,290,253	19.4%
Total	<u>38,092,667</u>		<u>859,763</u>	<u>7</u>	<u>7,356,284</u>	<u>19.3%</u>
<u>Montgomery County</u>						
Commissioners' Office	2,313		-	-	-	0.0%
Planning Department	228,033		-	-	8,832	3.9%
Parks Department	7,773,627		155,493	3	2,253,093	29.0%
Total	<u>8,003,973</u>		<u>155,493</u>	<u>3</u>	<u>2,261,925</u>	<u>28.3%</u>
<u>Central Administrative Services</u>						
Dept. of Human Resources and Mgt.	409,480		-	-	265,768	64.9%
Finance Department	136,790		104,750	1	-	0.0%
Legal Department	96,543		50,000	1	6,367	6.6%
Merit Board	1,275		-	-	-	0.0%
Office of Chief Information Officer	656,790		-	-	45,404	6.9%
Office of Inspector General	3,821		-	-	3,821	100.0%
Total	<u>1,304,699</u>		<u>154,750</u>	<u>2</u>	<u>321,360</u>	<u>24.6%</u>
Grand Total	<u>\$ 47,401,339</u>	<u>\$</u>	<u>1,170,006</u>	<u>12</u>	<u>\$ 9,939,569</u>	<u>21.0%</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
December 8, 2024

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MFD PROCUREMENT STATISTICS

FY 2025

MFD STATISTICS - CUMULATIVE AND ACTIVITY BY QUARTER

Attachment B

CUMULATIVE BY QUARTER

	SEPTEMBER	DECEMBER	MARCH	JUNE
<u>Prince George's County</u>				
Commissioners' Office	4.6%			
Planning Department	12.9%			
Parks and Recreation Department	19.4%			
Total	<u>19.3%</u>			
<u>Montgomery County</u>				
Commissioners' Office	0.0%			
Planning Department	3.9%			
Parks Department	29.0%			
Total	<u>28.3%</u>			
<u>Central Administrative Services</u>				
Dept. of Human Resources and Mgt.	64.9%			
Finance Department	0.0%			
Legal Department	6.6%			
Merit Board	0.0%			
Office of Chief Information Officer	6.9%			
Office of Inspector General	100.0%			
Total	<u>24.6%</u>			
Grand Total	<u><u>21.0%</u></u>			

ACTIVITY BY QUARTER

	FIRST QUARTER	SECOND QUARTER	THIRD QUARTER	FOURTH QUARTER	TOTAL
<u>Prince George's County</u>					
Commissioners' Office	4.6%				4.6%
Planning Department	12.9%				12.9%
Parks and Recreation Department	19.4%				19.4%
Total	<u>19.3%</u>				<u>19.3%</u>
<u>Montgomery County</u>					
Commissioners' Office	0.0%				0.0%
Planning Department	3.9%				3.9%
Parks Department	29.0%				29.0%
Total	<u>28.3%</u>				<u>28.3%</u>
<u>Central Administrative Services</u>					
Dept. of Human Resources and Mgt.	64.9%				64.9%
Finance Department	0.0%				0.0%
Legal Department	6.6%				6.6%
Merit Board	0.0%				0.0%
Office of Chief Information Officer	6.9%				6.9%
Office of Inspector General	100.0%				100.0%
Total	<u>24.6%</u>				<u>24.6%</u>
Grand Total	<u><u>21.0%</u></u>				<u><u>21.0%</u></u>

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MFD PROCUREMENT STATISTICS
BY MAJOR PROCUREMENT CATEGORY
FY 2025

FOR THREE MONTHS ENDED SEPTEMBER 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 \$	\$ 11,193,946	\$ 50,477	\$ 2,967,983	\$ 7,932,650	\$ 210,873	\$ 6,264	\$ 10,750	\$ 11,427	\$ 3,522
MFD \$	\$ 562,589	\$ 793	\$ 92,054	\$ 452,235	\$ 11,140	\$ 0	\$ 0	\$ 6,367	\$ 0
Percentage	5.0%	1.6%	3.1%	5.7%	5.3%	0.0%	0.0%	55.7%	0.0%
Miscellaneous Services:									
Total \$	\$ 5,329,748	\$ 137,462	\$ 1,811,866	\$ 2,686,810	\$ 222,398	\$ 46,665	\$ 21,290	\$ 10,358	\$ 392,899
MFD \$	\$ 736,177	\$ 8,039	\$ 73,580	\$ 581,712	\$ 37,247	\$ 6,187	\$ 0	\$ 0	\$ 29,412
Percentage	13.8%	5.8%	4.1%	21.7%	16.7%	13.3%	0.0%	0.0%	7.5%
Professional Services:									
Total \$	\$ 5,058,419	\$ 33,304	\$ 317,543	\$ 4,158,930	\$ 72,690	\$ 36,075	\$ 104,750	\$ 74,758	\$ 260,369
MFD \$	\$ 2,979,569	\$ 0	\$ 22,170	\$ 2,915,035	\$ 16,947	\$ 9,425	\$ 0	\$ 0	\$ 15,992
Percentage	58.9%	0.0%	7.0%	70.1%	23.3%	26.1%	0.0%	0.0%	6.1%
Construction:									
Total \$	\$ 25,796,761	\$ 6,790	\$ 2,676,235	\$ 22,793,260	\$ 0	\$ 320,476	\$ 0	\$ 0	\$ 0
MFD \$	\$ 5,656,716	\$ 0	\$ 2,065,289	\$ 3,341,271	\$ 0	\$ 250,156	\$ 0	\$ 0	\$ 0
Percentage	21.9%	0.0%	77.2%	14.7%	0.0%	78.1%	0.0%	0.0%	0.0%
SUBTOTAL									
Total \$	\$ 47,378,874	\$ 228,033	\$ 7,773,627	\$ 37,571,650	\$ 505,961	\$ 409,480	\$ 136,790	\$ 96,543	\$ 656,790
MFD \$	\$ 9,935,051	\$ 8,832	\$ 2,253,093	\$ 7,290,253	\$ 65,334	\$ 265,768	\$ 0	\$ 6,367	\$ 45,404
Percentage	21.0%	3.9%	29.0%	19.4%	12.9%	64.9%	0.0%	6.6%	6.9%
Pr. Geo. Commissioners' Office									
Total \$	\$ 15,056								
MFD \$	\$ 697								
Percentage	4.6%								
Mont. Commissioners' Office									
Total \$	\$ 2,313								
MFD \$	\$ 0								
Percentage	0.0%								
Merit Board									
Total \$	\$ 1,275								
MFD \$	\$ 0								
Percentage	0.0%								
Office of Inspector General									
Total \$	\$ 3,821								
MFD \$	\$ 3,821								
Percentage	100.0%								
GRAND TOTAL \$									
	\$ 47,401,339								
MFD\$									
	\$ 9,939,569								
Percentage									
	21.0%								

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MFD PROCUREMENT STATISTICS
Comparison of MFD % for Total Procurement and Purchase Card Procurement
FY 2025
FOR THREE MONTHS ENDED SEPTEMBER 30, 2024

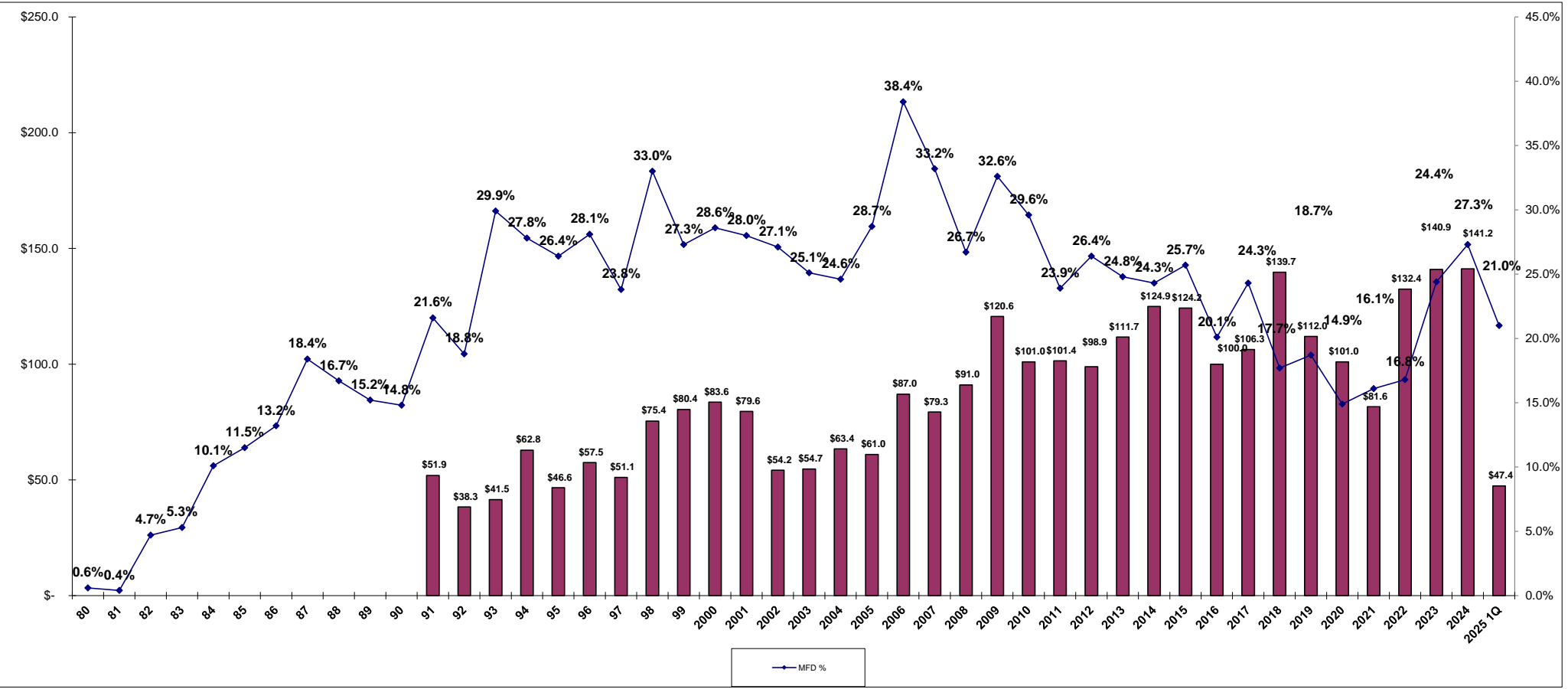
Attachment D

	Total Procurement		Purchase Card Procurement	
	Total \$	MFD %	Total \$	MFD %
<u>Prince George's County</u>				
Commissioners' Office	\$ 15,056	4.6%	\$ 15,056	4.6%
Planning Department	505,961	12.9%	30,411	0.0%
Parks and Recreation Department	37,571,650	19.4%	2,126,077	1.8%
Total	38,092,667	19.3%	2,171,544	1.8%
<u>Montgomery County</u>				
Commissioners' Office	2,313	0.0%	2,313	0.0%
Planning Department	228,033	3.9%	107,543	0.5%
Parks Department	7,773,627	29.0%	1,510,602	2.4%
Total	8,003,973	28.3%	1,620,458	2.2%
<u>Central Administrative Services</u>				
Dept. of Human Resources and Mgt.	409,480	64.9%	15,082	0.0%
Finance Department	136,790	0.0%	13,628	0.0%
Legal Department	96,543	6.6%	10,749	12.0%
Merit Board	1,275	0.0%	-	0.0%
Office of Chief Information Officer	656,790	6.9%	963	396.8%
Office of Inspector General	3,821	100.0%	3,821	0.0%
Total	1,304,699	24.6%	44,243	11.6%
Grand Total	\$ 47,401,339	21.0%	\$ 3,836,245	2.1%

Percentage of Purchase Card Procurement to Total Procurement 8.1%

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

Attachment E

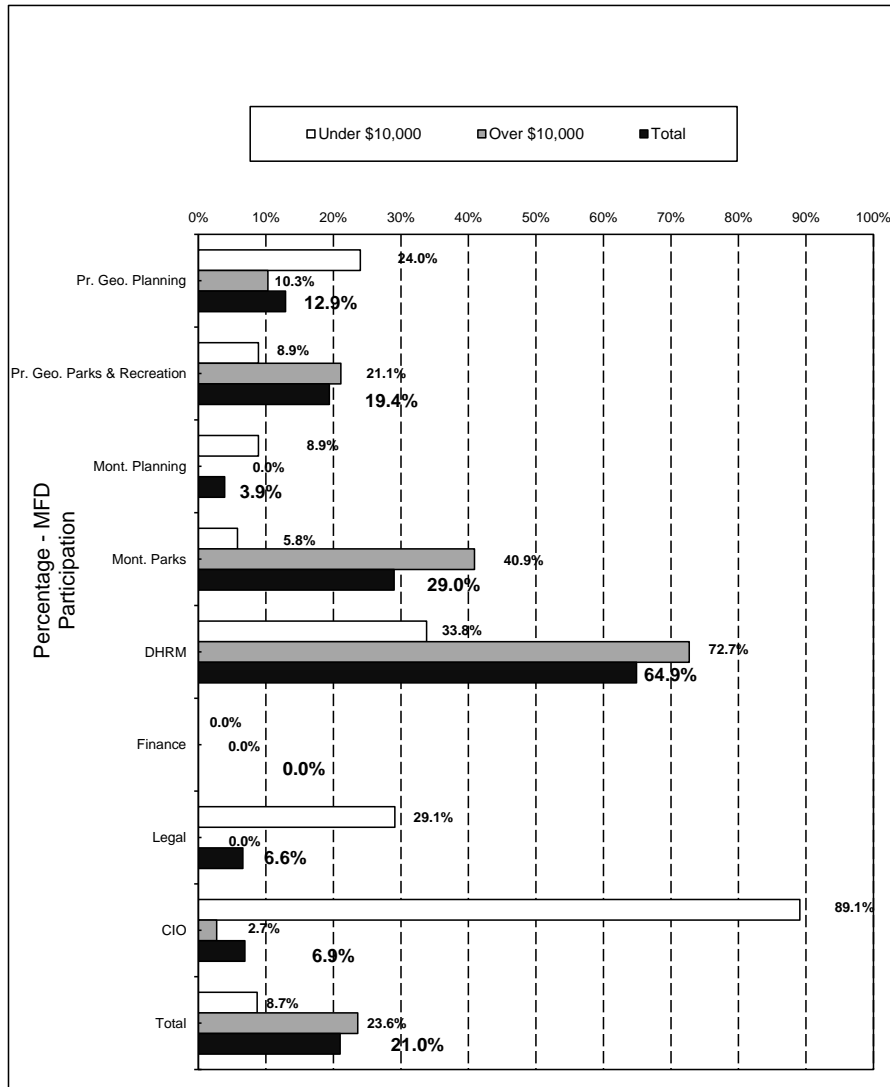


	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024 4Q	FY 2025 1Q
TOTAL PROCUREMENT \$ (MIL.)	\$100.0	\$106.3	\$139.7	\$112.0	\$101.0	\$81.6	\$132.4	\$140.9	\$141.2	\$47.4
MFD %	20.1%	24.3%	17.7%	18.7%	14.9%	16.1%	16.8%	24.4%	27.3%	21.0%

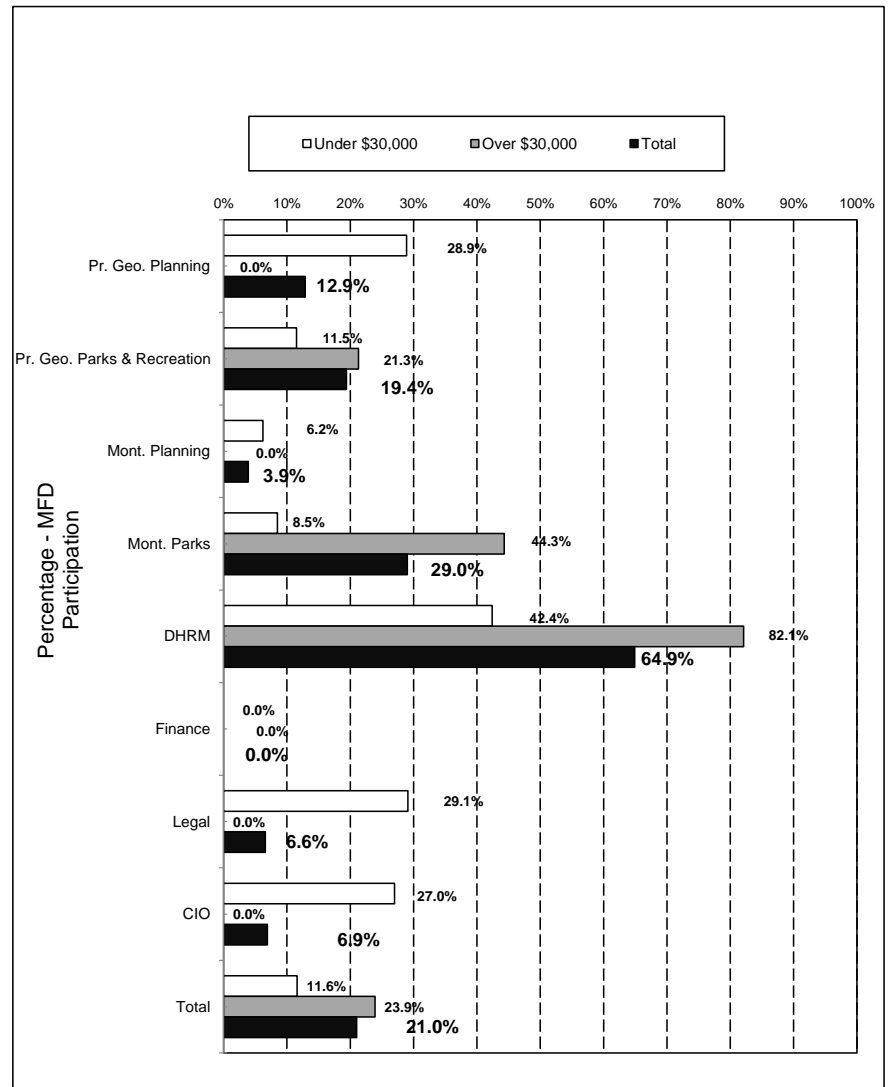
Prepared by Supplier Diversity Program Manager, Corporate Policy & Management Operations Division
 December 8, 2024

The Maryland-National Capital Park and Planning Commission
 MFD Procurement Statistics - Transactions Under/Over \$10,000 & \$30,000 plus Total %
 FY 2025 1Q

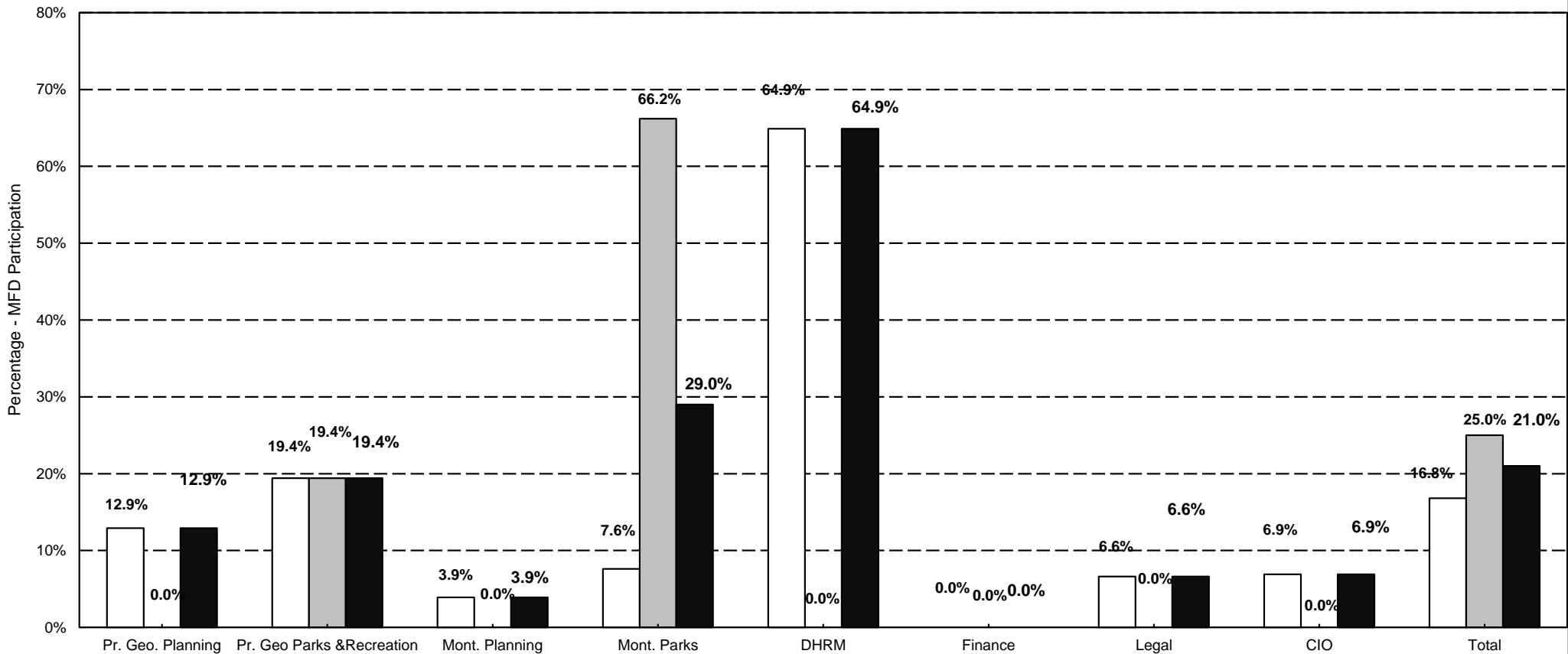
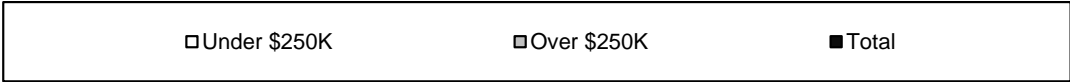
Under/Over \$10,000



Under/Over \$30,000



The Maryland-National Capital Park and Planning Commission
 MFD Procurement Statistics - Transactions Under /Over \$250,000 and Total %
 FY 2025 1Q



Prepared by Supplier Diversity Program Manager, Corporate Policy & Management Operations Division
 December 8, 2024

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Amount of Procurement and Number of Vendors by Location

FY 2025

FOR THREE MONTHS ENDED SEPTEMBER 30, 2024

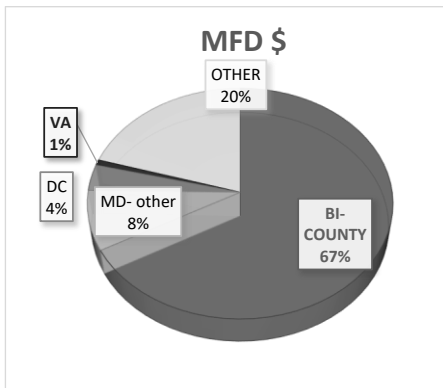
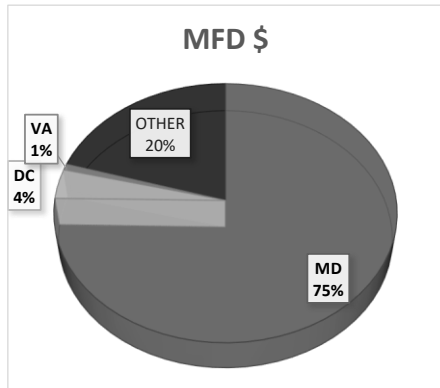
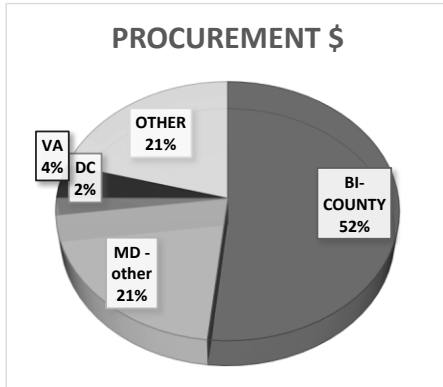
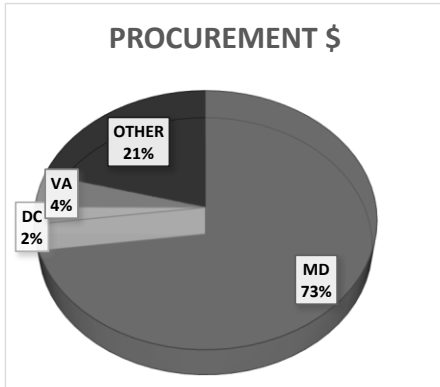
Attachment H

ALL VENDORS

Location	Procurement		Number of Vendors	
	Amount	%	Number	%
Montgomery County	\$ 6,872,901	14.5%	163	16.8%
Prince George's County	17,633,340	37.3%	246	25.4%
Subtotal	24,506,241	51.8%	409	42.2%
Maryland - other locations	10,067,642	21.2%	199	20.6%
Total Maryland	34,573,883	73.0%	608	62.8%
District of Columbia	999,192	2.1%	39	4.0%
Virginia	2,006,799	4.2%	78	8.1%
Other Locations	9,821,465	20.7%	243	25.1%
Total	\$ 47,401,339	100.0%	968	100.0%

MFD Vendors

Location	Procurement		Number of Vendors	
	Amount	%	Number	%
Montgomery County	\$ 3,999,268	40.2%	18	16.5%
Prince George's County	2,653,932	26.8%	41	37.6%
Subtotal	6,653,200	67.0%	59	54.1%
Maryland - other locations	827,618	8.3%	28	25.7%
Total Maryland	7,480,818	75.3%	87	79.8%
District of Columbia	362,619	3.6%	5	4.6%
Virginia	77,544	0.8%	6	5.5%
Other Locations	2,018,588	20.3%	11	10.1%
Total	\$ 9,939,569	100.0%	109	100.0%



Prepared by Supplier Diversity Program Manager, Corporate Policy & Management Operations Division
December 8, 2024

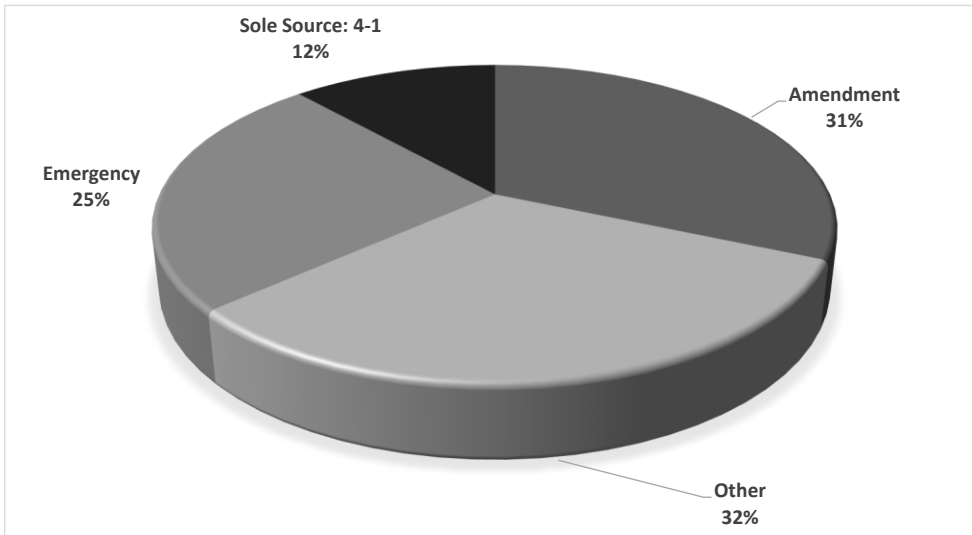
Note: The number of vendors excludes purchase card vendors.

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

**CUMULATIVE DOLLAR AMOUNT & NUMBER OF WAIVERS
FY 2025
FOR THREE MONTHS ENDED SEPTEMBER 30, 2024**

Attachment J

REASON	NUMBER	AMOUNT	%
Emergency	1	\$ 292,269	25.0%
Other	4	\$ 373,223	31.9%
Public Policy	0	\$ -	0.0%
Amendment	4	\$ 368,597	31.5%
Sole Source: 4-1	3	\$ 135,917	11.6%
Sole Source: 4-2	0	\$ -	0.0%
Sole Source: 4-3	0	\$ -	0.0%
Total	12	\$ 1,170,006	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 2025
FOR THE THREE MONTHS ENDED SEPTEMBER 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	17,784	1	-	0	0.0%	-	0	-	0	-	0	0.0%
Parks and Recreation Department	841,979	6	-	0	0.0%	16,000	1	-	0	-	0	1.9%
Total	859,763	7	-	0	0.0%	16,000	1	-	0	-	0	1.9%
Montgomery County												
Commissioners' Office	-	0	-	0	0.0%	-	0	-	0	-	0	0.0%
Planning Department	-	0	-	0	0.0%	-	0	-	0	-	0	0.0%
Parks Department	155,493	3	-	0	0.0%	69,917	1	-	0	-	0	45.0%
Total	155,493	3	-	0	0.0%	69,917	1	-	0	-	0	45.0%
Central Administrative Services												
Dept. of Human Resources and Mgt.	104,750	1	-	0	0.0%	-	0	-	0	-	0	0.0%
Finance Department	50,000	1	-	0	0.0%	50,000	1	-	0	-	0	0.0%
Legal Department	-	0	-	0	0.0%	-	0	-	0	-	0	0.0%
OCIO	-	0	-	0	0.0%	-	0	-	0	-	0	0.0%
Merit Board	-	0	-	0	0.0%	-	0	-	0	-	0	0.0%
Total	154,750	2	-	0	0.0%	50,000	1	-	0	-	0	32.3%
Grand Total	\$ 1,170,006	12	\$ -	0	0.0%	\$ 135,917	3	\$ -	0	\$ -	0	11.6%

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: December 10, 2024
Subject: Budget Transfer Report - Q1 and Q2 2025

BACKGROUND

Commission Practice 9.26?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 (5) approved in FY 2025 through second quarter.

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		
	7/25/2024	510 495	MC Capital Equipment ISF WHQ Building Fund	Planning	Capital Equipment ISF WHQ Building Fund	500,000 2,000,000	510 495	Capital Equipment ISF WHQ Building Fund	Planning	Capital Equipment ISF WHQ Building Fund	500,000 2,000,000	Transfer \$500,00 from Capital Equipment ISF to WHQ Building Fund . Place the \$1.5M from the County in the WHQ Building Fund and appropriate \$2M for buildout and startup costs for the child care facility on the 3rd floor	MCPB
	10/11/2024	101, 102, 103, 201, 202	PGC Admin, Parks & Rec MC Admin & Parks	Various Departments	Non- Departmental	#####	101, 102, 103, 201, 202	PGC Admin, Parks & Rec MC Admin & Parks	Various Departments	Various Departmental Budgets	12,574,453	Transfer salary marker from Non-Departmental accounts to departmental budgets. Transfer unallocated funds to support approved legal settlements	CW
	11/1/2024	201 202	MC Admin MC Parks	Planning Parks	Non- Departmental	118,303 529,942	201 202	MC Admin MC Parks	Various Departments	Various Departmental Budgets	648,245	Transfer reclass marker from Non-Departmental accounts to departmental budgets	MCPB
	11/8/2024	101 201	MC Admin PGC Admin	Finance	Payroll Ops	7,512 7,511	101 201	MC Admin PGC Admin	Finance	Payroll Ops	7,512 7,511	Reallocate vacancy lapse (salaries) to offset fees for temporary agency services	N/A
	11/21/2024	101	PGC Admin	Planning	Countywide Planning & Support Services	200,000 300,000	101	PGC Admin	Planning	Community Planning	500,000	Reallocate available funds due to curtailment of expenses to support the Missing Middle Housing Study	PGCPB

M-NCPPC

Central Administrative Services



FY24 Annual Report



July 1, 2023 –
June 30, 2024



A Note from the Acting Executive Director

I am proud to once again share a few of the highlights of Fiscal Year 2024 for the Maryland-National Capital Park and Planning Commission's Department of Human Resources and Management, Department of Finance, Office of the General Counsel, Office of the Inspector General, Office of the Chief Information Officer, and the Merit System Board.

Within this Annual Report, you will find a brief summary of the work performed by the bi-county Central Administrative Services during the previous Fiscal Year. We are sharing statistics, highlights and awards that provide insight into the functions, programs, services, and tasks that support the Commission's highest standards of excellence across all administrative services.

Our employees are dedicated, award winning, and committed to providing value, support, and innovation to fulfil our mission and goals.

These highlights reflect a small window into the broad spectrum and variety of support services that enable all departments to service our communities in the most impactful, efficient, and meaningful ways.

We are so proud of the dedication and commitment shown by our employees over the past year.

On behalf of the bi-county Central Administrative Services, we appreciate you and look forward to continuing to serve you in FY 2025!

William "Bill" Spencer, Acting Executive Director

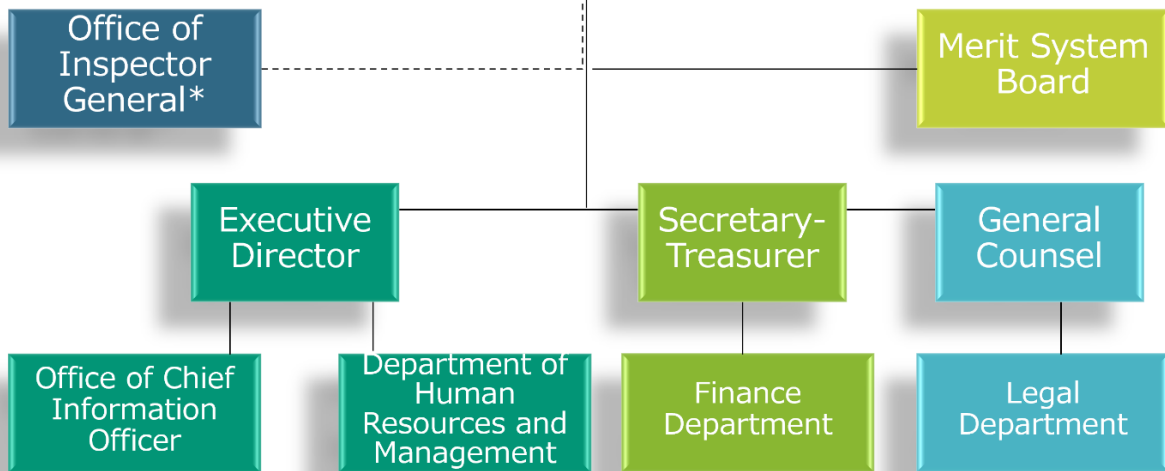
Table of Contents

A Note from the Acting Executive Director	i
Central Administrative Services Organizational Chart	iii
Department of Human Resources and Management	1
Finance Department.....	3
Office of the General Counsel	5
Office of the Chief Information Officer	6
Office of the Inspector General.....	7
Merit System Board.....	8
FY24 Awards	9

Central Administrative Services Organizational Chart

CENTRAL ADMINISTRATIVE SERVICES Our Bi-County Corporate Departments

The Maryland-National Capital Park and Planning Commission



* Office of Inspector General reports to the Audit Committee

Department of Human Resources and Management

The Department of Human Resources and Management (DHRM), which operates under the direction of the Executive Director, provides agency-wide administrative and human resource management, corporate governance and quality corporate budgeting and forecasting. The Department delivers executive and operational leadership through a set of best management practices, strong fiscal planning, and fair employment and compensation programs. It is composed of five cross-functional divisions including the Office of the Executive Director, Corporate Budget, Corporate Policy and Management Operations, Corporate Human Resources, and Corporate Communications.

DHRM FYFY24 Highlights at a Glance



51,902

Job Applications
(28% increase)



22,587

Enrollments in Benefit Plans



26,700

Personnel Actions Processed



4,607

Compensation Changes (52% increase)



3,000

Employees Trained in Drug/Alcohol Policies



2,250

Employment Verifications



606

MPIA, Policy and Research Requests



500 +

Instructor-led Training Sessions hosted /offered via LMS



425

Workers Comp and Liability Claims



40

Union and Management Topics



20

Policies Issued/updated



12

Agency-wide, Employee Newsletters

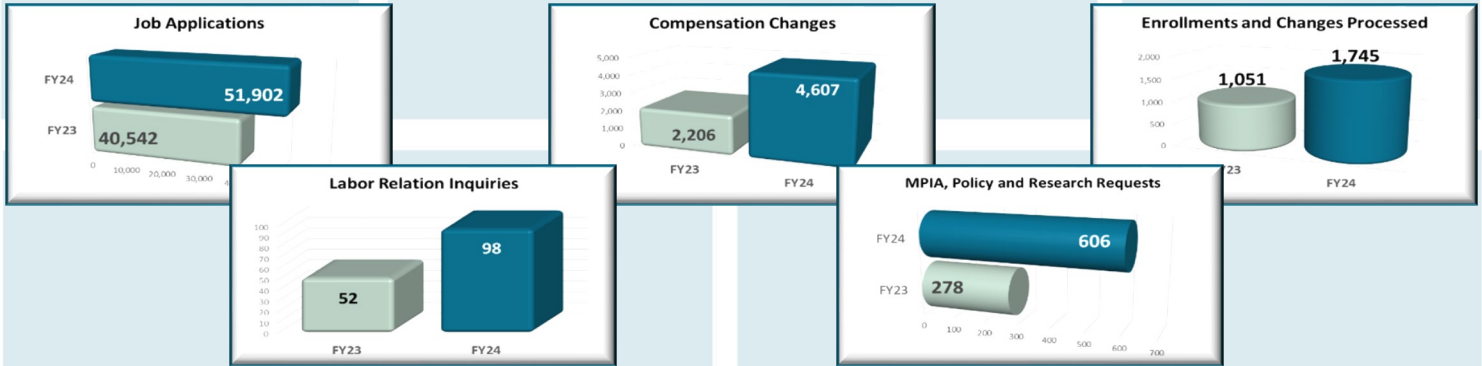


Developed the Annual Budget for the Commission

Additional DHRM FY24 Highlights

Throughout FY24, DHRM staff from Risk Management and Safety, Corporate Policy, and Performance and Administrative Services served on CAPRA (Commission for Accreditation of Park and Recreation Agencies) committees and worked with departments in support of the agency’s CAPRA Reaccreditation and National Recreation and Parks Association’s National Gold Medal Award application. In addition, Classification and Compensation staff worked with departments in completing the CAPRA Accreditation.

Notable Increases Over the Previous Fiscal Year



Corporate Human Resources

- Recruitment Processed **51,902 Job Applications** (28% increase); 550 hires.
- Employee Records/HRIS Processed **26,700 Personnel Actions**.
- Health & Benefits Managed **22,587 enrollments** in Benefit Plans for employees, retirees, and survivors.
- Classification and Compensation processed **4,607 Compensation Changes** (52% increase).
- Employee Records/HRIS Processed **2,250 Employment Verifications**.
- Employee and Labor Relations covered **40 Union and Management Topics**.
- Learning and Organizational Development hosted/offered as an agency more than **500 instructor-led Training Sessions** on our LMS Platform.

Corporate Budget

Developed the Commission’s Annual Budget over an 11-month process: **6 presentations** to the Planning Boards and Commission; **6 presentations** to Montgomery and Prince George’s counties; **2 public budget forums** for Prince George’s operations.

Corporate Communications

- Published **12 agency-wide, monthly employee newsletters**.
- Monitored/routed/shared **1,306 agency-wide social media posts and emails**.

Corporate Policy and Management Operations

- Risk Management: Reviewed and processed **425 workers compensation and liability claims**.
- Archives: Processed **494 MPIA and research requests** (56% increase).
- Risk Management: **Trained 3,000 employees** in Drug/Alcohol policies.
- Corporate Policy Office: Issued/updated **20 policies**.
- Organized **27 agency-wide management meetings**.

FY24

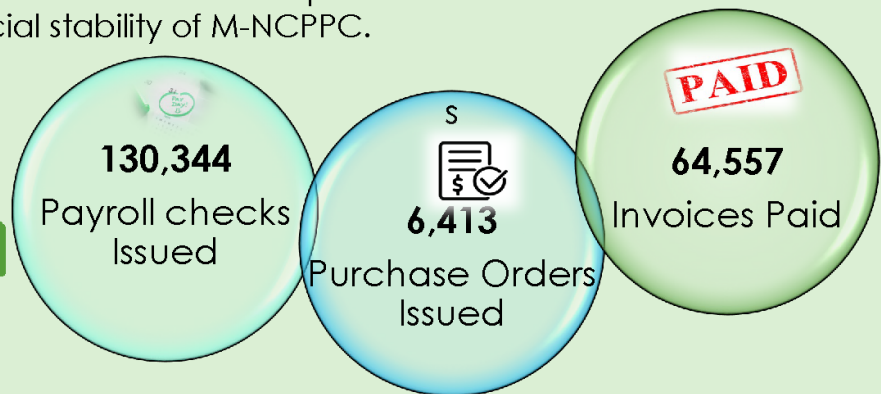
Corporate Finance Department

Did You Know?

The **Department of Finance**, under the Secretary-Treasurer, is organized into three divisions: Corporate Financial Services & Finance Administration, Corporate Accounting Services, and Corporate Procurement Services. The department is responsible for Corporate Financial Policy, Debt and Investment Management, Payroll Administration and Disbursements, Accounting and Financial Reporting, Procurement, and Enterprise Resource Planning (ERP) Program Management.

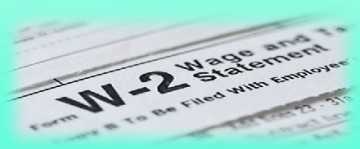
The Finance Department provides financial expertise and serves as a technical resource to ensure the financial stability of M-NCPPC.

FY24 Department Highlights and Initiatives



Corporate Financial Services & Finance Administration

- 6,196 W-2s issued
- Paychecks issued in FY 2024 totaled 130,344 of which: 9,198 were printed checks (26% less than in FY23)
- 121,146 were Direct Deposits.



Corporate Accounting Services

- 28,705 receipts processed totaling \$655,547,222
- Receipts by ACH/Wire: 78%
- Offered 58 Infor Enterprise Financial Management (EFM) Training courses for 611 attendees
- 571 ACH signups for Accounts Payable (AP)
- 82% of invoices processed in 30 days or less
- \$441,972,083 in invoice payments processed
- 16,646 payments processed; 45% by ACH/Wire transfer



Corporate Procurement Services

- \$16,999,512 processed in 34,010 purchase cards transactions
- 507 NEW vendors registered and onboarded
- 64 solicitations processed across seven Commission departments
- 801 contracts routed
- Total active vendors – 10,856
- 6,413 Purchase Orders issued with \$3.5 million in documented cost savings



Finance, continued

FY24

Corporate Finance Department



Corporate Financial Services & Finance Administration

- RFP for Bond Counsel Services was completed and awarded to McGuireWoods LLP.
- General Obligation Bond Sale: Montgomery Co. \$8 million.



Corporate Procurement Services

- Modernized the Commission's Waiver Form and process.
- Launched the new Procurement 101 and Purchase Card Training Programs.



Corporate Accounting Services

- 51st consecutive year to receive GFOA Certificate of Achievement for Excellence in Financial Reporting for the Annual Comprehensive Financial Report (ACFR) for FY 2023.
- Policy and Practice Updates: Issued the 115 Trust Purchasing Policy; Investment Policy update
- Annual Audit for Fiscal year 2023 resulted in a "Clean" Opinion.
- GASB 96 Implemented for accounting and reporting Subscription Based Information Technology Arrangements (SBITA).
- ACH Conversion Project: 222% increase in ACH signups from prior year:
 - Employee ACH Project: converted all employee reimbursements payments to ACH.
 - Vendor ACH Project: converted established vendors and new vendors directed to select ACH payments.



Welcome new Finance Team Members:

Eric Cobbs
Yusef Ibrahim
Patricia Morrison

Jackie Council
Emily Mitchell
Roberto Quintero





OFFICE OF THE GENERAL COUNSEL ABOUT US

The Office of the General Counsel (OGC or Legal Department) guides the Commission’s internal corporate operations; advises planning staff and the Planning Boards as they navigate their important quasi-judicial and regulatory responsibilities. New to OGC:

Lucy Bansal: Associate General Counsel
Litigation and Employment law team

Laura Tallerico: Associate General Counsel
Prince George’s County Land Use Team

Jessica Homer: Senior Counsel - Compliance

FY24 HIGHLIGHTS



LEGAL SUPPORT FOR COMMISSION POLICIES & INITIATIVES

- Legal support to rewrites of Prince George’s County’s new Zoning Ordinance, with a focus on clarifying the transitional provisions and ensuring the goal of Plan 2035

- Legal support and advise on Montgomery Planning’s Attainable Housing Strategies, the Growth and Infrastructure Policy, and the implications of the U.S. Supreme Court’s recent rulings related to Fifth Amendment regulatory takings and race-based policies under the Equal Protection Clause

- Legal support for a Loan Funding Cooperation Agreement with Montgomery County and Maryland Water Infrastructure Financing Administration to secure funding for the Commission’s MS4 Permit Water Quality Projects (Round 1) in the amount of \$4.8 mil for the construction of stormwater retrofits, outfalls and streams restorations



Litigation Matters

- 29 New Cases
- 32 Closed Cases
- 19 Pending State and Federal Cases



Closed Cases in 2024

- 5 Closed Tort Claims
- 4 Closed Employment Claims
- 7 Closed Worker’s Compensation Appeals
- 7 Closed Judicial Reviews
- 2 Closed Contract Disputes
- 2 Debt Collection Matters
- 5 Miscellaneous Matters



LEGISLATIVE SUPPORT

- The Montgomery Delegation introduced 23 bi-county and local bills while Prince George’s Delegation introduced 30 bi-county and local bills. The Commission submitted written and oral testimony and provided drafting assistance to both County delegations relating to several bills potentially impacting the Commissions operations

FY24

OCIO

Prince George's Planning and MNCPPC.org Website Redesigns

100% Compliance Quarterly Security Awareness Training (5,545 modules)

Results through Relationships (R-Squared) Training

Digitized Performance Evaluations

Improved Office 365 Security for Teams

Completed Annual CSaaS Assessments

Thwarted 20,000+ threats

MCGEO security and computer training - approx. 400 employees

The Chief Information Officer maintains an unwavering commitment to security.

Results through Relationships (R-Squared) Training:

All 5 modules are under development for the LMS. They will be available for all Commission staff to further strengthen their listening, time management, and conflict resolution skills.

Website Redesign:

Worked closely with the Prince George's County Planning web team in cleaning up the content on the department's website and the Commission's external website (mncppc.org). The team redesigned the websites to ensure that the migrated data is in the best shape and compliant with current web and ADA standards. These website redesigns perfectly complement our previous Parks and Rec web redesign.

Additional Highlights:

- Initiated the Intranet Upgrade Project, whereby the entire intranet will eventually be transitioned to SharePoint. This change brings several benefits, the most significant being that the new Intranet on SharePoint can be accessed even when not connected to the Commission network.
- Continued to tweak and enhance the Digitized Performance Evaluation automation to address issues and for greater efficiency.
- Responded to 1,254 OnPoint tickets for EOB IT issues, with excellent response rate and high customer service satisfaction.

ERP Replacement Project:

A modern ERP will enable us to be able to attract, hire and retain young talent by implementing systems that are easy to use.

- Established Cross-Functional Teams (per Mega-Process): Representation from Department Subject Matter Experts and other active system users.
- ERP Project RFP Release Date: Mosaic RFP is at final stages of readiness, with a release date set for winter 2024.

FISCAL YEAR 2024 HIGHLIGHTS OFFICE OF THE INSPECTOR GENERAL



Performance Audits



Fraud, Waste, & Abuse Investigations



Limited Investigations



Management Advisories



Audit Recommendations



Major Audit Findings

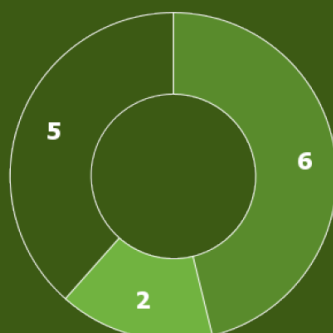


Internal Fraud Courses Taught



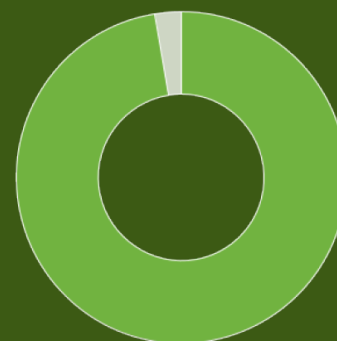
Reviewed Recommendations During Follow-Ups

Performance Audits



● Prince George County ● Montgomery County ○ Commission Wide

Resolved Follow-Up Recommendations



● Resolved ● Unresolved

Merit System Board

FY24 Highlights



19
Cases on
Docket

13
New
Cases

14
Cases
Closed

21
Classification
Series Reviews

11
Position
Reviews

The Merit System Board is authorized by M-NCPPC's enabling legislation. The Board makes recommendations and decisions regarding M-NCPPC's Merit System. Its mission is to oversee the Commission's Merit System, uphold employee rights guaranteed under the Merit System, recommend employment and compensation policies to the Commission, and serve as the final administrative appellate body for employment matters pertaining to non-represented Merit System career employees. Board Members are experienced in personnel and employment issues, and committed to fair and impartial research, due diligence, and decisions on M-NCPPC policy and systems that adhere to best practices in employment.

Total Caseload: 19 (13 new appeals; 6 appeals from FY23)

13 New Appeals:

- 8 Reclassifications
- 2 Terminations
- 2 Suspensions
- 1 Change to a Lower Grade

New FY 24 Appeals by Department:

- Parks and Recreation, Prince George's County : 7
- Montgomery Parks: 5
- Prince George's County Planning: 1

6 Appeals Carried over from FY23

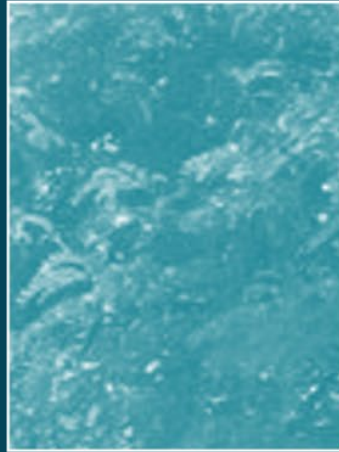
Case Status: Closed 14 Cases; 5 Appeals carried over to FY25

Reviewed and Approved 21 Classification Series Reviews/ Classification Review from Classification and Compensation

Reviewed and Approved 11 Individual Position Classifications/ Classification Review from Classification and Compensation

FY24 Awards





M-NCPPC
Department of Human Resources and Management
Corporate Communications, Office of the Executive Director
6611 Kenilworth Avenue
Riverdale, MD 20737





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

December 3, 2024

MEMORANDUM

TO: The Maryland-National Capital Park and Planning Commission
FROM: Debra S. Borden
General Counsel
RE: Litigation Report for November 2024 – FY 2025

Please find the attached litigation report we have prepared for your meeting scheduled for Wednesday, December 18, 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.

Table of Contents – November 2024, Fiscal Year 2025 Report

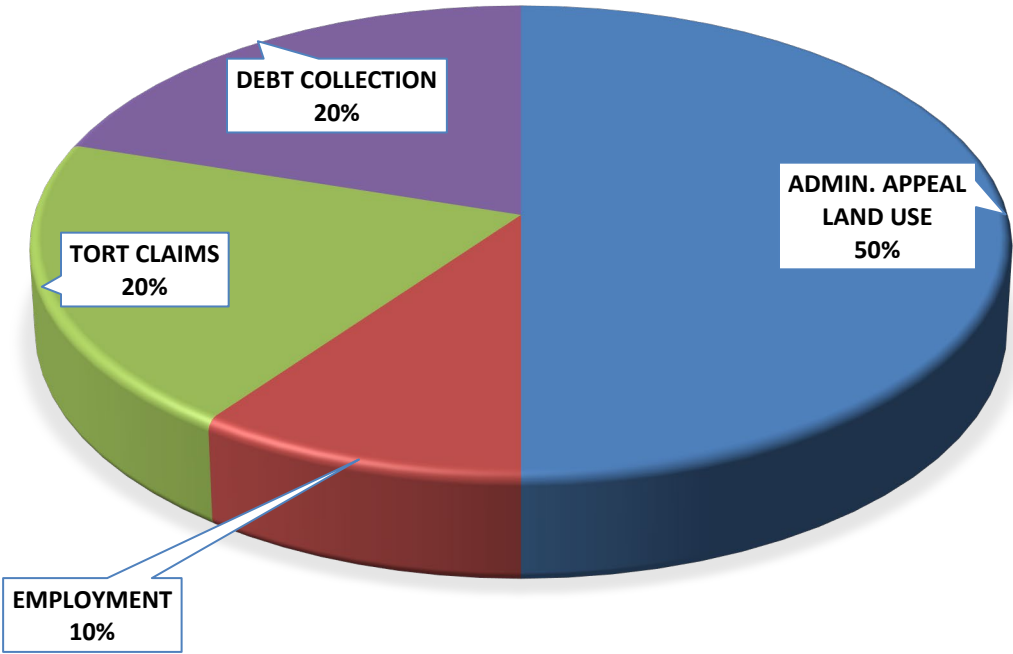
Composition of Pending Litigation Page 01
Overview of Pending Litigation (Chart)..... Page 02
Litigation Activity Summary Page 03
Index of YTD New Cases Page 04
Index of YTD Resolved Cases Page 05
Disposition of FY25 Closed Cases Sorted by Department Page 06
Index of Reported Cases Sorted by Jurisdiction..... Page 08
Litigation Report Ordered by Court Jurisdiction..... Page 09

November 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	4	1					5
ADMIN APPEAL: OTHER							0
BANKRUPTCY							0
CIVIL ENFORCEMENT							0
CONTRACT DISPUTE							0
DEBT COLLECTION	2						2
EMPLOYMENT DISPUTE	1						1
LAND USE DISPUTE							0
MISCELLANEOUS							0
PROPERTY DISPUTE							0
TORT CLAIM	2						2
WORKERS' COMPENSATION							0
PER FORUM TOTALS	9	1					10

OVERVIEW OF PENDING LITIGATION



November 2024 Litigation Activity Summary

	COUNT FOR MONTH			COUNT FOR FISCAL YEAR 2024			
	Pending Oct. 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		4	1		5
Admin Appeal: Other (AAO)	0			2			0
Bankruptcy (B)	0			0			0
Civil Enforcement (CE)	0			0			0
Contract Disputes (CD)	1		1	1		1	0
Debt Collection (D)	2			0			2
Employment Disputes (ED)	2		1	4		1	1
Land Use Disputes (LD)	0			0			0
Miscellaneous (M)	0			0			0
Property Disputes (PD)	0			0			0
Tort Claims (T)	2			3			2
Workers' Compensation (WC)	0			5			0
TOTALS	11	1	2	19	1	2	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.
Commission v. Denis	MC	DC	Sept.
Hallman v. Cowell, et al.	PG	CD	Sept.
Greater Capitol Heights Improvement Corporation, Inc. v. Commission	PG	AALU	Sept.
Commission v. Brewer	PG	DC	Oct.
In the Matter of Glenn Dale Citizens' Association, Inc., et al.	PG	AALU	Nov.
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
(7/1/2024 TO 6/30/2025)**

A. <u>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
Evans v. Braveboy, et al.	PG	Tort	Aug.
Weisman v. Commission, et al.	MC	ED	Aug.
Hallman v. Cowell, et al.	PG	CD	Oct.
Wallace v. Commission, et al.	PG	ED	Oct.
B. <u>Appellate Court Cases Resolved</u>	<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>
Paige Industrial Services, Inc. v. Commission	MC	AAO	Sept.

Disposition of FY25 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.
Paige Industrial Services, Inc. V. Commission	Appeal of decision affirming the decision of the administrative agency (CCRC). Contractor’s claim for additional payments for construction at Rock Creek Maintenance Yard.	09/04/2024 Case dismissed by Order of the Appellate Court of Maryland.
Montgomery County Park Police		
Weisman v. Commission, et al.	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.	08/12/2024 – Motion to Dismiss granted.

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.
Evans v. Braveboy, et al.	Plaintiff alleged she tripped and fell at Fairwood Community Park due to uneven sidewalk pavement resulting in injuries.	08/07/2024 – Motion to Dismiss granted.
Hallman v. Cowell, et al.	Action for payment of services rendered at Suitland Community Center	10/03/2024 – Stipulation of dismissal.
Wallace v. Commission, et al.	Former employee alleges discrimination and wrongful termination relating to her COVID vaccination status.	10/16/2024 – Stipulation of dismissal.
Prince George's County Planning Board		
Prince George's Park Police		
Office of Internal Audit		

INDEX OF REPORTED CASES

DISTRICT COURT FOR MONTGOMERY COUNTY, MARYLAND 9
Commission v. Denis 9
DISTRICT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND 9
Commission v. Brewer 9
CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND 10
In the Matter of Cameron Hill Owner's Association, Inc., et al..... 10
In the Matter of Forest Grove Citizens Association, et al..... 10
CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND 11
Aisha Asare v. Commission 11
Tiffany Celey v. Maryland-National Capital Park and Planning Commission 11
In the Matter of Glenn Dale Citizens Accociation, Inc., et al..... 12
Greater Capitol Heights Improvement Corporation, Inc. v. Commission 12
Louise Vester v. Bowie Baysox Baseball Club, et al. 13
APPELLATE COURT OF MARYLAND..... 14
Bhargava, et al. v. Prince George's Cnty. Public Schools Proposed S. K-8 Middle School, et al..... 14
SUPREME COURT OF MARYLAND 14
U.S. DISTRICT COURT OF MARYLAND..... 14
U.S. COURT OF APPEALS FOR THE FOURTH CIRCUIT 14

DISTRICT COURT FOR MONTGOMERY COUNTY, MARYLAND

Commission v. Denis

Case No. D-06-CV-24-022979 (DC)

Lead Counsel: Johnson
Other Counsel:

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

Status: Complaint filed and service pending.

Docket:

09/17/2024	Complaint filed
09/23/2024	Summons issued
10/22/2024	Affidavit of non-service
10/22/2024	Request for Summons Renewal
11/07/2024	Summons issued
01/22/2025	Tentative hearing date

DISTRICT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

Commission v. Brewer

Case No. D-05-CV-24-044346 (DC)

Lead Counsel: Johnson

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

Status: Hearing set.

Docket:

10/22/2024	Complaint filed
11/08/2024	Affidavit of Service filed
01/27/2025	Hearing set

CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND

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

Case No. C-15-CV-24-004664 (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: Hearing set.

Docket:

08/26/2024	Petition for Judicial Review
09/13/2024	Answer to Petition for Judicial Review
09/20/2024	Answer to Petition for Judicial Review
02/06/2025	Hearing set

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: Case taken under advisement.

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
09/12/2024	Respondent's Memorandum filed
10/02/2024	Reply in Support of the Petition for Judicial Review
11/06/2024	Hearing held. Court takes under advisement.

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: Tort suit alleging injuries at Southern Recreation Center as a result of a physical altercation while participating in Xtreme Teen’s program.

Status: Case dismissed.

Docket:

08/02/2024	Complaint filed
08/20/2024	Commission served
09/12/2024	Motion to Dismiss and supporting memorandum filed
10/21/2024	Request for extension of time to respond to Motion to Dismiss
11/13/2024	Order of Court. Motion to Dismiss Granted
11/14/2024	Plaintiff’s Request for Case to Remain Open
11/18/2024	Memorandum of Law in Support of Motion to Continue Case
11/25/2024	Commission’s Response and Opposition to Request for Case to Remain Open
11/26/2024	Order of the Court – Request for Case to Remain Open Moot and case to remain closed.

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: Settled in principle.

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.
10/17/2024	Notice of Appearance
11/08/2024	Consent Request for Modification of Trial Dates
11/26/2024	Settlement Conference held
11/20/2024	Case settled in principle

In the Matter of Glenn Dale Citizens Accociation, Inc., et al.

Case No. C-16-CV-24-005361 (AALU)

Lead Counsel: Warner
Other Counsel:

Abstract: Petitioners seek Judicial Review of the Prince George's County Planning Board's Decision with regard to Preliminary Plan of Subdivision No. 4-22051.

Status: Petition for Judicial Review filed.

Docket:

11/07/2024	Petition for Judicial Review
11/27/2024	Response to Petition for Judicial Review filed

Greater Capitol Heights Improvement Corporation, Inc. v. Commission

Case No. C-16-CV-24-003895 (AALU)

Lead Counsel: Warner
Other Counsel:

Abstract: Petitioners seek Judicial Review of the Prince George's County Planning Board's Decision approving Preliminary Plan of Subdivision No. 4-22014.

Status: Hearing set.

Docket:

08/21/2024	Petition for Judicial Review
09/24/2024	Response to Petition for Judicial Review filed.
10/21/2024	Scheduling Order
07/28/2025	Hearing set

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 Bowie Baysox game at Prince George's Stadium.

Status: Commission served.

Docket:

06/21/2024	Complaint filed
10/23/2024	Complaint received via certified mail
11/12/2024	Affidavit of Service filed as to the Commission
11/12/2024	Affidavit of Service filed as to Maryland Baseball Holding Company, LLC
11/12/2024	Affidavit of Service filed for Bowie Baysox
11/12/2024	Affidavit of Service filed for Attain Sports and Entertainment
11/22/2024	Consent Motion to Extend Deadline to file and initial responsive pleading

APPELLATE COURT OF MARYLAND

Bhargava, et al. v. Prince George's Cnty. Public Schools Proposed S. 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:

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.

SUPREME COURT OF MARYLAND

No Pending Matters

U.S. DISTRICT COURT OF MARYLAND

No Pending Matters

U.S. COURT OF APPEALS FOR THE FOURTH CIRCUIT

No Pending Matters