



THE MARYLAND-NATIONAL CAPITAL
Park and Planning Commission

COMMISSION MEETING

February 19, 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, February 19, 2025

10:00 am to 12:00 noon

Wheaton Headquarters Auditorium and via Teleconference

		<u>ACTION</u>	
		Motion	Second
1.	Consent Agenda (10:00 a.m.)	(*)	
	a) Approval of February 19, 2025 Commission Meeting Agenda		Page 1
	b) Resolution #25-02 Land Disposition Correcting Parcel Boundary in Black Hill Regional Park (Sandberg)		LD
2.	Approval of Commission Minutes (10:05 a.m.)		
	a) Open Session – January 22, 2025	(*)	Page 3
3.	General Announcements (10:05 a.m.)		
	a) American/National Heart Month		
	b) Black History Month		
	c) Upcoming Women’s History Month		
	d) Financial Disclosure Filing Requirement April 30 (State and M-NCPPC Deadline)		
4.	Committee and Board Reports (10:10 a.m.)		
	a) Employees’ Retirement System Board of Trustees Regular Meeting Minutes from December 3, 2025 (for Information Only)		Page 7
5.	Action and Presentation Items (10:10 a.m.)		
	a) Recommendation of Polen Capital as a New Investment Manager for the Employees’ Retirement System (Harris)	(*)	Page 11
	b) Diversity Council Membership/Strategic Plan Update (Diversity Council)		Page 13
6.	Officers’ Reports (11:00 a.m.)		
	<u>Executive Director’s Report</u> <i>No report scheduled</i>		
	<u>Secretary-Treasurer’s Report</u> <i>No report scheduled</i>		
	<u>General Counsel</u>		
	a) Litigation Report (for Information Only)		Page 45
	b) Legislative Update (Borden/Baucum-Colbert)		(D)

Pursuant to the Maryland General Provisions Article of the Annotated Code of Maryland, Section 3-305(b)(9) a closed session is proposed to conduct collective bargaining negotiations or consider matters that relate to the negotiations.

7. **Closed Session (11:30 a.m.)**

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

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Commission Meeting
Open Session Minutes
January 22, 2025

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
James Hedrick (left at 10:12 am)
Josh Linden
Mitra Pedoeem

Prince George's County Commissioners

Dorothy Bailey
William Doerner
Manuel Geraldo
A. Shuanise Washington

NOT PRESENT

Shawn Bartley

Peter A. Shapiro, Vice Chair

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

ITEM 1

CONSENT AGENDA

- a) Approval of the January 22, 2025 Commission meeting Agenda
- b) Resolution 25-01 Disposal of M-NCPPC Property (Randall Farm Maintenance Facility)

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

ITEM 2

APPROVAL OF MINUTES

- a) Approval of Commission Minutes – Open Session
Regular Meeting: 12/18/24

ACTION: Motion of Commissioner Washington to approve the 12/18/24 minutes
Seconded by Commissioner Bailey
8 approved the item

ITEM 3

GENERAL ANNOUNCEMENTS

- a) National Blood Donor Month
- b) National Slavery and Human trafficking Prevention Month
- c) Upcoming Black History month
- d) Financial Disclosure Filing Requirement April 30 (State and M-NCPPC Deadline)
- e) Neighborhood Planning Academy: Prince George's Planning Director Hull announced this award-winning program is open for the spring 2025 session to allow residents to learn about

different planning efforts and functions engage with stakeholders and planning staff. The six-week course will be from March 19 – April 30; registrants must file before January 31.

- f) Graduate Assistantship Program with Bowie State University and Prince George’s Planning: Prince George’s Planning Director Hull said this program is launching next week to bring six graduate students to assist with research and work activity/engagements. Students from Information Technology, Public Administration, and Human Resources disciplines will be applying to get Planning Department workplace experience and skills. She looks forward to the program.

ITEM 4

OFFICERS’ REPORTS

Executive Director’s Report

- a) Quarterly Late Evaluation Report (For Information Only)
- 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)
- d) Legislative Update (Borden)

General Counsel Borden noted this year has had a fairly quiet legislative session, from the agency’s perspective. Ms. Borden reported proposed housing legislation has been issued from the governor’s office this morning. This legislation has been expected, and her office will complete final revisions to the M-NCPPC’s position statement now that the bill has been released. The statement will be forwarded for departments to review and approval; after any recommended changes have been made to the position statement, she will share the statement with Commissioners. Ms. Borden noted she has recommendations on three bills she will bring to tomorrow’s planning board meetings and will bring an additional three recommendations on bills to the following planning board meetings.


Pursuant to the Maryland General Provisions Article of the Annotated Code of Maryland, section 3-305(b)(9) a closed session is proposed to conduct collective bargaining negotiations or consider matters that relate to the negotiations.

Item 5. CLOSED SESSION

ACTION: Motion of Commissioner Geraldo to enter closed session
Seconded by Commissioner Bailey
8 approved the items

Open session resumed at 10:28 a.m. Chair Harris said during closed session, Acting Executive Director Spencer briefed Commissioners on the status of negotiations with the Fraternal Order of Police collective bargaining unit and closed session minutes were passed from previous meetings.

Chair Harris adjourned the meeting at 10:30 a.m.


James Adams, Senior Technical Writer


William Spencer, Acting 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: 1/22/2025 Time: 10:11 am
Location: Via Videoconference

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

Members voting in favor: Bailey, Doerner, Geraldo, Harris, Linden, Pedoeem, Washington

Opposed: N/A Abstaining: N/A Absent: Bartley, Hedrick, Shapiro

**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)(12) a closed session is proposed to conduct or discuss an investigative proceeding on actual or possible criminal conduct.

Topics to be discussed:

Commissioners to be briefed on the status of collective bargaining negotiations with the Fraternal Order of Police Collective Bargaining Unit.

This statement is made by:

Artie Harris, Chair, Presiding Officer.

PRINT NAME



1/27/2025

SIGNATURE & DATE



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

BOARD OF TRUSTEES MEETING MINUTES
Tuesday, December 3, 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, December 3, 2024. The meeting was called to order at 10:01 a.m. by CHAIR SHAPIRO.

Board Members Present

Peter A. Shapiro, Board of Trustees Chair, Prince George’s County Commissioner
James Hedrick, Board of Trustees Vice Chair, Montgomery County Commissioner
Gavin Cohen, CPA, M-NCPPC Secretary-Treasurer, Ex-Officio
Pamela F. Gogol, Montgomery County Public Member
Sheila Morgan-Johnson, Prince George’s County Public Member
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
William Spencer, M-NCPPC Acting Executive Director, Ex-Officio
Caroline McCarthy, Montgomery County Open Trustee

Joined at 10:07 a.m.

Joined at 10:26 a.m.

ERS Staff Present

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

Others Present

Michael Aniton, Deputy General Counsel, M-NCPPC OGC

Presenters

Meketa Investment Group – Mary Mustard, CFA and Gloria Hazard

ITEM 1. APPROVAL OF THE DECEMBER 3, 2024 CONSENT AGENDA

ACTION: VICE CHAIR HEDRICK made a motion, seconded by MS. STOOKEY to Approve the Consent Agenda of December 3, 2024. The motion PASSED. (9-0). Mr. Spencer and Ms. McCarthy were absent from this vote. (Motion # 24-39).

Mr. Spencer joined the meeting at 10:07 a.m.

ITEM 2. CHAIR'S ITEMS

CHAIR SHAPIRO announced two vacancies on the IMG and the Administration & Personnel Oversight Committee. FOP Represented Trustee, Anton White, agreed to serve on the IMG, while Acting Executive Director (Ex-Officio), William Spencer, agreed to serve on the Administration & Personnel Oversight Committee.

ITEM 3. CONSULTANT/MANAGER PRESENTATIONS

Ms. Mustard reviewed the Quarterly Executive Summary ending September 30, 2024. The ERS Total Fund return was 4.4% (net of fees) for the quarter, underperforming the target policy index return of 5.7% by 130 basis points. For the YTD, trailing one, three, five, and ten-year periods ending as of September 30, 2024, the ERS Total Fund return was 7.4%, 12.8%, 4.8%, 7.4%, and 6.9%, respectively; compared to the target policy index return of 10.7%, 18.8%, 5.0%, 7.1%, and 6.5%, respectively. While the Total Fund returns underperformed for the quarter, YTD, and trailing one and three-year periods ending September 30, 2024, the portfolio outperformed the target policy index for the trailing five and ten-year periods. As of September 30, 2024, ERS total assets stood at \$1.2 billion.

In terms of market performance, according to the International Monetary Fund's (IMF) July report, global growth this year is expected to match the 2023 estimate at around 3.2% with most major economies predicted to avoid a recession. Key economic data in the U.S. has largely weakened and come in below expectations, causing markets to expect an additional two rate cuts this year after the Fed's initial 0.5% reduction. Uncertainty remains regarding the timing and pace of interest rate cuts in the coming year. U.S. consumers could feel pressure as certain components of inflation (e.g., shelter) remain high, borrowing costs stay elevated, and the job market may weaken further. A focus for U.S. equities going forward will be whether earnings can remain resilient if growth slows. Also, the future paths of the large technology companies that have driven market gains will be important. Meketa has started to see divergences in monetary policy. Some central banks, such as the Fed, European Central Bank, and the Bank of England, have started to cut interest rates and others, like the Bank of Japan, have increased interest rates. This disparity will likely influence capital flows and currencies. China appears to have shifted focus to more policy support for the economy/asset prices with a new suite of policy stimulus and signals for more support ahead. It is still not clear what the long-term impact of these policies will be on the economy and if policy makers remain committed to these efforts.

Ms. McCarthy joined the meeting at 10:26 a.m.

ITEM 4. COMMITTEE REPORTS/RECOMMENDATIONS

ITEM 4.A. Investment Monitoring Group

Ms. Morgan-Johnson reported that during the November 19, 2024 meeting, the IMG reviewed the final drafts of the Investment Policy Statement and Investment Manager Monitoring Policy, which incorporated recommended changes from Meketa Investment Group and were vetted for legal sufficiency by counsel. A key change in the Investment Manager Monitoring Policy was the transfer of responsibility from the Board to the IMG for adding and removing investment managers from the Watchlist.

ACTION: MS. MORGAN-JOHNSON made a motion, seconded by MS. GOGOL to Approve Changes to the Investment Policy Statement and Investment Manager Monitoring Policy. The motion PASSED. (11-0). (Motion # 24-40).

ITEM 4.B. Administration and Personnel Oversight Committee

Ms. Harris reported that during the meeting on November 19, 2024, the Personnel Committee reviewed and discussed an initial draft of the ERS Executive Director Contingency Policy. The Committee requested that staff revise the policy to provide further clarification on its purpose, procedural steps, and review the language for alignment with prior similar resolutions. The Personnel Committee also reviewed updates to the IMG Charter in the Governance Manual, which included language regarding the responsibility for changes to the Watchlist. These changes were made to coincide with the updated Investment Manager Monitoring Policy. Lastly, Ms. Harris stated that the Committee discussed and reviewed a staff-recommended Talent Acquisition proposal from CBIZ/EFL Associates for recruiting the next ERS Deputy Executive Director.

ACTION: MR. WHITE made a motion, seconded by VICE CHAIR HEDRICK to Approve the Governance Manual dated December 2024, which Incorporates Updates to the IMG Charter. The motion PASSED. (11-0). (Motion # 24-41).

ACTION: VICE CHAIR HEDRICK made a motion, seconded by MR. RUSSELL to Approve Hiring CBIZ/EFL Associate to Recruit for the Deputy Executive Director Position. The motion PASSED. (11-0). (Motion # 24-42).

ITEM 5. CLOSED SESSION

ACTION: At 10:43 a.m., VICE CHAIR HEDRICK made a motion, seconded by MS. GOGOL to go into closed session under authority of the General Provisions Article of the Annotated Code of Maryland Section 3-305(b)(5) to consider matters directly concerning the actual investment of public funds under the authority of this Board; and Section 3-305(b)(7) to consult with counsel on a legal matter under the authority of this Board. The motion PASSED (11-0). (Motion # 24-43).

During Closed Session, the following occurred:

During the Closed Session, the Board considered matters related to the investment of public funds. *Board of Trustees in Closed Session:* Chair Shapiro, Vice Chair Hedrick, Gavin Cohen, Sheila Morgan-Johnson, Theodore Russell III, Elaine Stookey, Caroline McCarthy, Pamela Gogol, Anton White, Lisa Blackwell-Brown, and William Spencer.

The Board ratified the ACTION taken in Closed Session.

ITEM 6. EXECUTIVE DIRECTOR'S REPORT

Ms. Harris reported that the ERS will be recruiting a new Senior Retirement Analyst due to the resignation of the previous employee. The position is set to be posted in early December. She also reported that the Office Renovation Project has been completed and the Annual Statements were mailed via U.S. mail, but they are also available through MemberDirect for active members who are enrolled in the portal. Lastly, Ms. Harris shared that Staff successfully renewed the Cyber Insurance Policy with Travelers and Corvus Insurance companies. The policies provide coverage for computer and funds transfer fraud, social engineering, and telecom fraud.

The Board meeting of December 3, 2024, adjourned at 10:57 a.m.

Respectfully,

Alicia C. Stanford

Alicia C. Stanford
Administrative Specialist

Jaclyn Harris

Jaclyn F. Harris
Executive Director

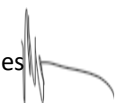
MEMORANDUM




EMPLOYEES' RETIREMENT SYSTEM
The Maryland-National Capital Park and Planning Commission
6611 Kenilworth Avenue, Suite 100
Riverdale, Maryland 20737

(301) 454-1415 - Telephone
(301) 454-1413 - Facsimile
<http://ers.mncppc.org>
ERSBoard@mncppc.org

To: The Maryland-National Capital Park & Planning Commission Date: February 4, 2025

Via: Peter A. Shapiro
Chair, Board of Trustees 

From: Jaclyn F. Harris 
Executive Director

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

RECOMMENDATION

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

BACKGROUND AND EVALUATION

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

At its meeting on December 3, 2024, the Board selected Polen Capital U.S. Opportunistic High Yield Fund to manage a \$115 million allocation in support of the High Yield Fixed Income mandate in the portfolio. The allocation is approximately 9.7% of the total fund’s assets of \$1.2 billion as of December 31, 2024.

Polen Capital was founded in 1998 and is 72% employee owned. Currently, the firm’s U.S. Opportunistic High Yield strategy has \$5.3 billion in assets under management. The U.S. Opportunistic High Yield Fund investment strategy is anchored in the belief that lower-rated segments of the high yield market (rated B and below) are the most inefficient and provide ample investment opportunities. Polen Capital’s investment process attempts to identify fundamentally sound middle market companies that are “mis-rated” by rating agencies resulting in valuation inefficiencies. The portfolio management team is highly tenured and possesses deep expertise in the U.S. credit market. The fund has an impressive performance history and will invest across both high yield bonds and bank loans to capitalize on relative value.

Meketa Investment Group analyzed its database of U.S. high yield managers to identify investment managers who generate top-tier performance within this asset class. Qualitative and quantitative screens were applied to narrow down the list of candidates to investment managers who could add value and were complementary to the existing ERS investment portfolio. The Investment Monitoring Group, along with Meketa Investment Group, narrowed the four (4) identified preliminary candidates to two (2) semi-finalists. Polen Capital demonstrated 1) favorable differentiation from the index; 2) consistent and time-tested philosophy, process, and execution of their high yield investment strategy; 3) low standard deviation and proven ability to offer downside protection despite being more opportunistic than peers; and 4) an opportunity to consolidate the high yield investment mandate in a way that complements the existing ERS investment portfolio.

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To: M-MNPPC

From: Ashlyn Thompson, Inclusion and Community Outreach Specialist

Date: February 19, 2025

Subject: Diversity Council Documents

Dear Commissioners,

As we continue our commitment to fostering a more inclusive and equitable workplace, I am pleased to introduce three key Diversity Council documents that will guide our efforts moving forward in 2025:

1. **2024 Year in Review** – A summary of our efforts and achievements in 2024.
2. **2025-2026 Strategic Plan** – Our roadmap for the next two years, outlining key priorities and initiatives to advance diversity, equity, and inclusion.
3. **Survey Action Plan** – A data-driven response to feedback from our most recent employee survey, detailing concrete steps to address opportunities for training and concerns among our colleagues.

These documents reflect our collective dedication to progress and will serve as essential tools. I encourage you to review them and share any thoughts or questions.

Thank you for your continued support.

Best,

Ashlyn Thompson

2025 Chair, Diversity Council

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2024

Year in Review

diversity
council

The logo for M-NCPPC, featuring a stylized green and white geometric shape above the text "M-NCPPC".

Mission and Vision

Mission

Advise the Commission on developing and implementing a diversity policy framework that promotes an inclusive workplace.

Measure progress and ensure effective programming and services, both internally and externally, through the lens of diversity.

Vision

Promote behavior in the workplace that contributes to understanding, respecting, and valuing all people.





Our Role and Responsibility

- Empower and Support Diversity Efforts
- Educate and Raise Awareness
- Advocate for Diversity Priorities



Ongoing Tasks

- Sharing resources via SharePoint, newsletter, and Diversity Corner
- Supporting Commission wide trainings
- Supporting Commission wide cultural events
- Suggesting policy changes to reflect DEIB initiatives
- Ensuring representation by coordinating with DHRM



2024 Highlights

- Hosted the Inclusion Palooza event in May.
- Launched Commission-wide employee survey.
- Supported Commission staff events and cultural committees.
- Attended Capital Pride 2024.
- Attended the Commission's Employee Appreciation Holiday Party.
- Created survey action plan to be initiated in 2025.





Outgoing Members



- Carly Brockington, Chair, February – August (*resigned*)
- Zubin Adrianvala, Outgoing Chair
- Adam Dodgson (2023-2024)
- Caleb Garcia (2023-2024)
- Rita Grindle (2023-2024)
- Elizabeth McKinney de Burgos (2023-2024)
- Steven Muse (2024-2025, *dismissed*)
- Shawn Owens (2024-2025, *dismissed*)
- Lakeisha Robinson (2023-2024)
- Kimberly Young (2023-2024)



Looking forward to 2025...



2025-2026 Strategic Plan



Survey Action Plan



Cross Department Collaboration



Diversity Council - Home

Our SharePoint page



Members

The Maryland-National Capital Park and Planning Commission



Shettima Abdulmalik



Ilana Branda



Calvin Charles



Lucila Fernandez



Sponsors:

William Spencer
Acting Executive Director



Todd Allen
Corporate Human Resources
Director



Kathi Edwards
DHRM Organizational
Development/Diversity, Equity,
Inclusion Specialist



Jessica Gause



Jelani Ginyard



Radhika Gore



Samantha Hays



Frederick Johnson



Ruwan Karunaratne



Atara Margolies



Ugonna Njeze



Charles Smith



Rachel Solomon



Chair, Ashlyn
Thompson

2025



BE YOURSELF HERE

mncppc.sharepoint.com/sites/DiversityCouncil

Strategic Plan 2025-2026

Updated December 2024

About the Diversity Council

The purpose of the M-NCPPC Diversity Council is to promote M-NCPPC employees' understanding of the importance of respecting differences and working together productively. The Council is the guiding body charged to help the Commission embrace diversity as part of an overall business model. The Council supports an inclusive environment to improve the quality of work, boost morale, and maximize the contributions of all employees.

To guide the Diversity Council's work program, the Commission reviews and approves the Council's Strategic Plan.

What is DEIB?

On May 19, 2021, The Commission adopted M-NCPPC Resolution 21-07, Commitment to Diversity, Equity, and Inclusion (Appendix 1). The updated Diversity, Equity, and Inclusion Statement serves as guiding philosophy that will be used to support the Diversity Council's strategic plan, recruitment and onboarding of the workforce, development of services/programs, training, and communications.

M-NCPPC:

- Recognizes **DIVERSITY** as a dynamic mix of personal and cultural characteristics, perspectives, and relationships as a vital organizational resource. In the workplace, diversity includes all differences that define each of us as unique individuals. These differences include culture, ethnicity, race, sex, gender identity, nationality, age, religion, abilities, sexual orientation, experiences, opinions, and beliefs, and any protected groups.
- Believes **EQUITY** is an active commitment to unbiased treatment while providing access and opportunity for people of all backgrounds to participate and thrive in the workplace.
- Strives to enhance **INCLUSION** with a true sense of belonging that encourages the participation of all individuals by removing barriers, building a culture of connectedness, and recognizing that every voice adds value to our organization.

It is not enough to understand diversity: rather, one should strive to achieve diversity competency. **DIVERSITY COMPETENCY** is defined as skills, behaviors, and attitudes that demonstrate the value of individual and group differences to organizational effectiveness and the commitment to be included. Additionally, it is the willingness to learn about self and others, to value the unique attributes that each person possesses, and to recognize diversity as a core, essential business, and organizational practice.

History

In 1999, Executive Director Trudye Morgan Johnson and Commissioners Allison Bryant and Zola Boone, and several employees met to establish the Diversity Policy Initiative Committee, with the purpose of establishing the Diversity Council.

The group presented its report and recommendations to the Commission and on December 15, 1999, the Commission approved a Commission-wide diversity policy, program, and process to nurture and celebrate diversity in our workforce and the communities we serve.

Mission, Vision, and Strategy

Mission

The Diversity Council is dedicated to creating an inclusive and fair environment. We address concerns, support Diversity, Equity, Inclusion, and Belonging (DEIB) initiatives, and advise leadership on diversity matters. Our goal is to drive positive change and promote a culture of respect and understanding within the Commission.

Vision

The Diversity Council envisions a workplace where diversity is celebrated, equity is upheld, and inclusion is standard. We aim to ensure that all employees' unique qualities enhance the overall value of our workforce, leading to a fair workplace and better service to our communities.

Strategy

To achieve our vision, we will:

- Provide a platform for submitting and addressing diversity-related concerns
- Offer support and resources for DEIB events and training initiatives throughout the Commission
- Collaborate with Departments to amplify and coordinate diversity efforts
- Develop and maintain an educational diversity calendar to raise awareness
- Offer informed recommendations on diversity issues to senior leadership
- Actively participate in Commission meetings to ensure diversity remains a top priority

Roles and Responsibilities

Members: Appointed for 2-year staggered terms beginning in January

The Diversity Council consists of representatives from each department who express an interest in serving. Members apply through an online application. The applications are reviewed by the existing Diversity Council members and leadership. The Executive Director appoints the selected new members in consultation with the respective Department Heads. A welcome letter from the current Chair to the newly selected members is sent out.

To generate a broad and inclusive view, Council membership should always reflect the diversity of the Commission and the communities we serve. Members are appointed to a two-year term to offer more Commission staff the opportunity to participate on the Diversity Council.

The departments shall be represented as follows:

- Montgomery County Department of Parks—three members
- Prince George’s County Department of Parks and Recreation—three members
- Montgomery County Planning Department—two members
- Prince George’s County Planning Department—two members
- Central Administrative Services – two members from two different departments
- Prince George’s County Chair’s Office—one member
- Montgomery County Chair’s Office—one member
- Montgomery County Park Police – one member
- Prince George’s County Park Police – one member

Members from each department shall be assigned to serve as liaisons to their Department Heads. These liaisons shall meet at least quarterly with directors to keep them informed and to receive feedback on their respective departmental diversity initiatives.

Member Responsibilities

Members are expected to actively take part in meetings, provide guidance and resolution suggestions, participate in events throughout the year, and be an employee resource.

- Dedicate an average of two hours a week to Diversity Council work
- Attend the monthly meeting, which may be in person
- In-person attendance at some DEIB events/training to represent Diversity Council
- Serve as a DEIB ambassador within your Department

Leadership

Diversity Council leadership consists of a three-person leadership each year. This rotation allows for a learning, doing, teaching method of leadership.

- **Incoming Chair:** (Learning) Serves as a vice chair in the current year and takes over as the Chair in the following year.
- **Chair:** (Doing) Current chair for one year and leader of the Diversity Council
- **Outgoing Chair:** (Teaching) Previous year’s chair who stays on the Diversity Council to provide guidance, consultation, and assistance to the current chair.

The leadership is responsible for facilitating and providing guidance to the Diversity Council and working with members to implement the strategies in the Strategic Plan to achieve the Diversity Council’s mission.

The Council member term may be extended for chairs to serve all three roles (Incoming, Chair, and Outgoing) to ensure a successful succession plan.

Leadership Responsibilities

In addition to regular member duties, the chairs are expected to:

- Report to the Executive Director and provide recommendations
- Attend Full Commission meetings and be aware of any DEIB-related concerns
- Guide the work of the full Diversity Council and ensure action items in the Strategic Plan are completed
- Provide feedback to Diversity Council members and ensure the Council works well together, functions as a team, and each member is growing and contributing

Joining the Diversity Council

Joining the Diversity Council is an honor and a responsibility. The members are appointed by the Executive Director and work closely with the top leadership of the Commission.

We encourage all employees to consider if membership on the Council is the right fit for them. In general, new members should be prepared to: actively participate, share ideas and insights, have an open mind, consider multiple viewpoints, and have time in their work schedule to dedicate to the important work of the Diversity Council.

Application process

To ensure applicants understand the purpose and work of the Diversity Council, they are required to fill out an online [application form](#) that is linked from the Diversity Council SharePoint page. That application opens each year in September.

Current Diversity Council members should be encouraging new members and represent the Council at in-person meetings around the Commission to tout the opening of applications.

It is important to create flyers/posters, emails, and table at events to ensure that all employees are aware of the opportunity and are given a chance to apply.

Action	Full Council	Council leaders	Executive Director	When
Make any edits to the application and open it annually for submissions.		✓		Edit in August, open in September

Action	Full Council	Council leaders	Executive Director	When
Conduct ongoing recruitment throughout the year, staff events to raise awareness and recruit. (For example: Fitness day, Holiday party, other staff meetings and trainings)	✓			ongoing
Share the Diversity Council rack card with EOB HR and request that copies be distributed to all new hires		✓		May
Reviewing applications each year and submit an application package to the Executive Director that includes: <ul style="list-style-type: none"> • All applications • A list of recommended appointees that include a diverse mix of personnel from each of the Departments with varied interests in the Council • Get approval from Department Heads for each recommended applicant 		✓		November
Appoint members to the Council in consultation with the respective Department Heads.			✓	December
Conduct new member orientation and explain the Strategic Plan and roles and responsibilities including an appreciation acknowledgement of outgoing members.		✓		Annually in January
Accept nominations for Incoming chair and create a ballot		✓		Annually in February
Vote on new Incoming Chair	✓			Annually in March

Strategic Action Items

Action	Full Council	Council leaders	Executive Director	Timeframe
Attend monthly Diversity Council meetings and provide perspective, experience, and advice. Participation is necessary.	✓	✓	✓	monthly
Dedicate an average of 2 hours per week to Diversity Council work.	✓	✓		weekly
Attend in-person DEIB events/trainings as a representative of the Diversity Council	✓	✓		1-2 times a year
Assist with raising Diversity Council awareness, being available as a resource, directing employees to our resources, and recruiting new members	✓	✓	✓	ongoing
Create or edit annual member self-evaluation form. Receive and review results.		✓		November
Complete member annual self-evaluation form.	✓			December
ADDRESS EMPLOYEE CONCERNS				
Serve as an ambassador from your department, be available to talk to and understand issues, bring issues from those small group/one-on-one meetings to light at the larger stage of the Diversity Council	✓	✓		Ongoing
Monitor Diversity Council email for questions, concerns, and other messages from employees.		✓	✓	Ongoing
If reports of issues/complaints are received through, add to monthly meeting agenda, discuss, and write recommendations for resolution		✓		Ongoing
Within one week of each full council meeting, write and submit recommendations for issue resolution. Recommendations should be submitted to the Executive Director and copy to: EOB HR manager, Legal, Departments Heads, and Commissioners.		✓		Monthly

Action	Full Council	Council leaders	Executive Director	Timeframe
Receive recommendations from the Diversity Council and implement changes based on recommendations			✓	monthly
Maintain Diversity Council SharePoint page (employee-facing) to ensure it contains up-to-date information and resources for employees, including events, council member information, and other data and news.	✓			monthly
Ensure consistent communication, branding, and awareness of the Council to remain an important resource. Consider new outreach efforts.	✓			ongoing
Draft short news updates for the Diversity Council SharePoint page related to DEIB.	✓			monthly
Approve and publish news updates for the SharePoint page		✓		monthly
ADVISE THE COMMISSION				
Attend all Full Commission meetings and report any areas of concern to Diversity Council		✓		Monthly
Serve as a liaison from the Department Heads to the Full Council	✓			ongoing
Annually report Diversity Council actions and initiatives to the Full Council		✓		January
SUPPORT DEIB EVENTS AND TRAININGS				
Create and maintain relationships with different ERGs and Committees in each Department to establish an information flow back and forth.	✓			monthly

Action	Full Council	Council leaders	Executive Director	Timeframe
Provide updates to a master list/database of all upcoming DEIB-related events/trainings hosted throughout the Commission (and within all Departments)	✓			ongoing
Approve and release updates to the master list/database		✓		Every two months
Dedicate some Council budget to providing small-scale monetary support for DEIB programs and trainings throughout the Commission.	✓			ongoing
Provide 1-2 staff to help with the day-of execution of the event/training	✓			ongoing
Provide umbrella marketing of DEIB events, list them on the Diversity Council calendar, and keep all staff informed	✓			ongoing
Identify gaps in DEIB-related celebrations and trainings and discuss and create recommendations for filling those gaps.	✓			monthly
Within two weeks of identifying gaps in DEIB programming or training, write and submit recommendations to Department head(s) for filling those gaps. Outline the resources available through the Diversity Council to help establish those programs.		✓		monthly
Liaise with Departments to receive copies of training/event post evaluations, completion rates, and assessment scores to evaluate effectiveness of programs.	✓			Every 3 months
DIVERSITY CALENDAR				
Create an online calendar via SharePoint to inform staff of upcoming events/holidays		✓		November 2024
Maintain Diversity Calendar and provide useful information for key dates – such as if observers typically fast during a particular holiday	✓			Every 3 months

Action	Full Council	Council leaders	Executive Director	Timeframe
Receive input on items that should be included in the annual calendar, and add items as determined necessary to the online calendar	✓			ongoing

Measures of Success

Metric	Desired outcome	Frequency to measure	Next due
Employee survey related to DEIB issues in the Commission	Increase satisfaction of these areas: <ul style="list-style-type: none"> 🟢 Understanding of DEIB 🟢 Availability of training/events 🟢 Sentiment 	Every 5 years	2029
Town Hall style open meetings	🟢 Participation in meetings up	Every 6 months	April 2025
Number of issues reported	<ul style="list-style-type: none"> 🟢 Increased reporting for first 1 year, this shows awareness of the new system 🔴 Future years will want a decrease in incidents 	Annually	December 2024
Percent of issues resolved	🟢 Percent of resolutions above 75%	Every 6 months	January 2025
DEIB-related training facilitated/supported	<ul style="list-style-type: none"> 🟢 Participation rates up 🟢 Completion rates up 🟢 Assessments show improved knowledge 	Annually	December 2025
DEIB-related events coordinated/supported	<ul style="list-style-type: none"> 🟢 Attendance rates up 🟢 Post evaluations are positive 	Annually	December 2025
Member self-evaluation	<ul style="list-style-type: none"> 🟢 Overall satisfaction with the Diversity Council 🟢 Increased participation in Council activities 🔴 Decrease in absenteeism from Council meetings 	Annually	December 2024
End of year annual report	<ul style="list-style-type: none"> 🟢 Increase in metric reporting (such as issue resolution) 🟢 Increase in satisfaction from Commissioners related to Diversity Council work product. 	Annually	December 2024
Employee awareness and satisfaction	🟢 Increase in effectiveness and visibility among employees through engagement at events	Every six months	Holiday Party 2024

M-NCPPC Diversity Council Survey Report

December 2024

Background

In May 2024, M-NCPPC's Diversity Council initiated a Commission-wide survey to receive feedback from Commission employees on their experiences with diversity and inclusion within the Commission. The survey was streamlined with limited questions at the request of the Executive Director, HR Director and Office of General Counsel. The survey was open for the entire month and advertised via email blasts, flyers, and postcards throughout the commission. One hundred and seventy-seven responses were received. Given the questions, we do not have specific information on the departments represented. However, based on the narrative responses we do believe the survey reflects a cross section of Commission staff.

Survey Questions

The following questions were asked:

1. When thinking about race, ethnicity, religion, abilities, gender, and more - What does Diversity, Equity, Inclusion and Belonging (DEIB) mean to you?
Response Option: Open text box
2. Thinking about your experiences with the Commission over the past 6-12 months, what have you seen/experienced the Commission doing well as it relates to Diversity, Equity, Inclusion and Belonging (consider race, ethnicity, religion, abilities, gender, and more)?
Response Option: Open text box
3. Thinking about your experiences with the Commission over the past 6-12 months, what have you seen/experienced that you would like the Commission to improve on as it relates to Diversity, Equity, Inclusion and Belonging? (consider race, ethnicity, religion, abilities, gender, and more)
Response Option: Open text box
4. Thinking about the next 6-12 months, what would you like to see the Commission do, or how would you like to see the Commission change as it relates to Diversity,

Equity, Inclusion and Belonging? (consider race, ethnicity, religion, abilities, gender, and more)

Response Option: Open text box

5. Are you aware of the Commission's diversity and inclusion policies?

Response Option: Yes or No selection

6. Within the past 12 months have you attended any DEIB trainings provided through the Commission/Agency Departments?

Response Option: Yes or No selection

Based on the selection you received one of the following questions:

a. If yes, please share any general feedback on the value of these trainings.

Response Option: Open text box

b. If no, please select any of the reasons why you haven't attended any of the trainings offered.

Response Option: Select from the following-

Was not aware of the trainings

Timing didn't work

Topics weren't of interest

Already completed these trainings

Other, please specify:

7. What diversity topics would you like to see more training about:

Response Option – select all that apply:

Unconscious bias

Cultural competence

Active allyship

Disability awareness

Microaggressions

Generational diversity

Intentional Inclusion

Bystander Intervention

Other, please specify:

8. What do you see as the TOP THREE challenges you are currently facing as it relates to DEIB?

Response Option: Open text box

9. How comfortable do you feel expressing your authentic self at work?

Response Option – select from the following:

Extremely comfortable
Very comfortable
Somewhat comfortable
Very uncomfortable
Extremely uncomfortable

10. What did we not ask that we need to know about DEIB needs in the Commission?

Response Option: Open text box

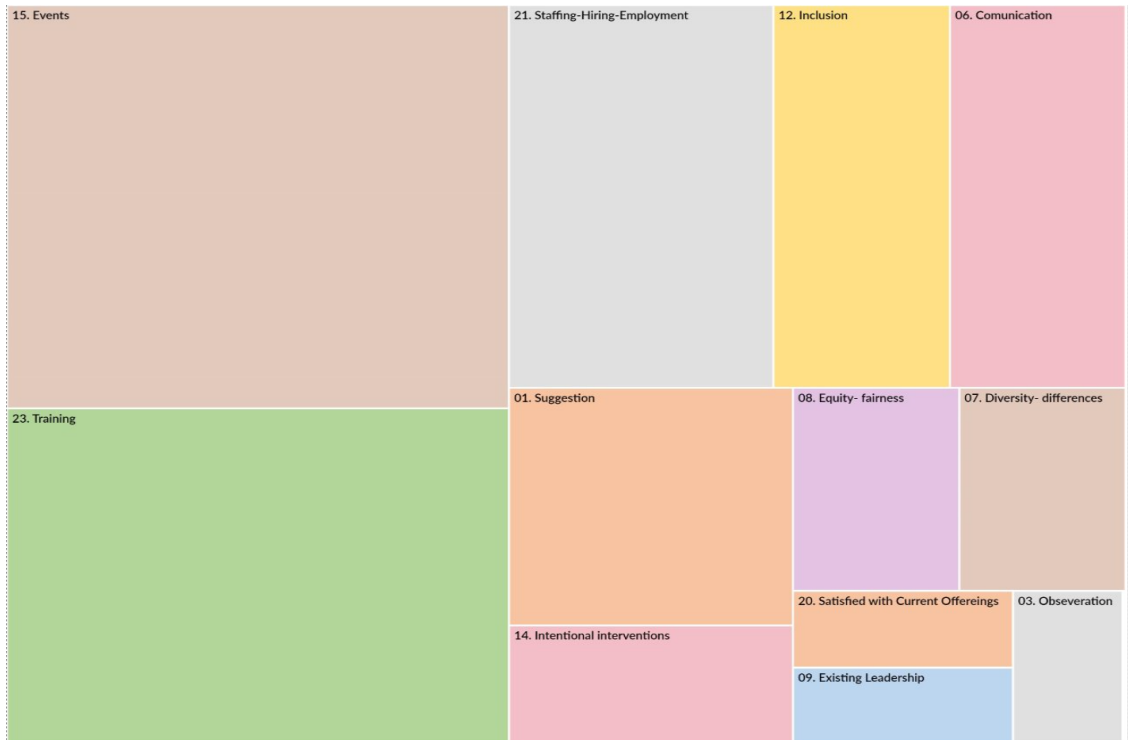
Results

The following reflects an overview of the data collected in the survey. We do acknowledge with only 177 responses, there are many voices they were not captured here. We hope that future surveys will have a greater response rate. With the responses we did receive, a reoccurring theme in the survey was an inconsistency of experience across departments, and even within specific supervisory chains. Additional feedback was provided on gaps in DEIB training.

In looking at themes across the first three questions, we were able to identify the following areas. The number represents the number of times that theme came up.

	A : Thinking about the n...	B : Thinking about your ...	C : Thinking about your ...
0. Criticism	8	8	9
01. Suggestion	80	75	22
02. Praise	9	6	75
03. Obseveration	3	1	23
04. Apathy	3	0	2
05. Belonging	6	7	0
06. Comunication	17	16	6
07. Diversity- differences	9	6	3
08. Equity- fairness	7	1	1
09. Existing Leadership	13	11	3
10. General DEIB Skepticism	8	6	3
11. Growth	0	0	0
12. Inclusion	13	10	5
13. Insensitivity	2	8	2
14. Intentional interventions	11	3	0
15. Events	6	13	24
16. Program Sckepicism	3	0	0
17. Representation	1	0	0
20. Satisfied with Current Offereings	2	0	0
21. Staffing-Hiring-Employment	25	30	15
22. Supervisors	11	6	1
23. Training	40	32	23
24. Values	2	0	0

This led us to look at areas where comments could be categorized as praise and as suggestions. The highest areas of praise were around events, training and staffing-hiring employment. Interestingly, training and staffing-hiring employment were also the top areas noted for suggestions. (see the next two figures)

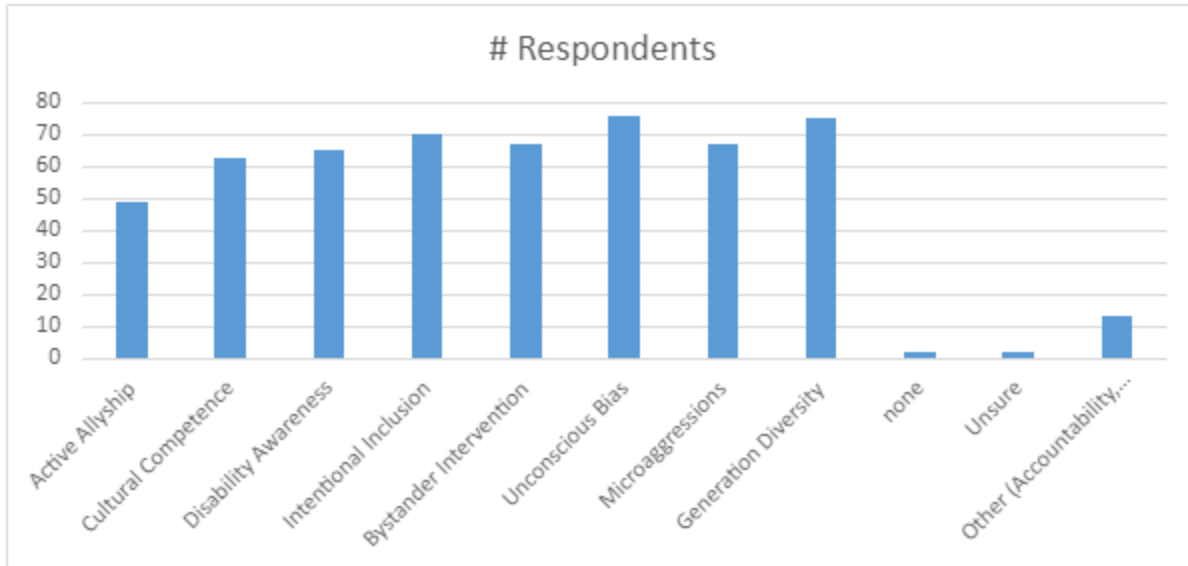


In looking at the suggestions around staffing, hiring and employment there were four areas that stood out: training and mentoring support; promoting existing and seasonal employees; more diversity; and intentional diversity. Lower mentioned areas, but still with multiple responses included: improve pay and parity; hiring ethics; hiring communications; and HR and process issues.

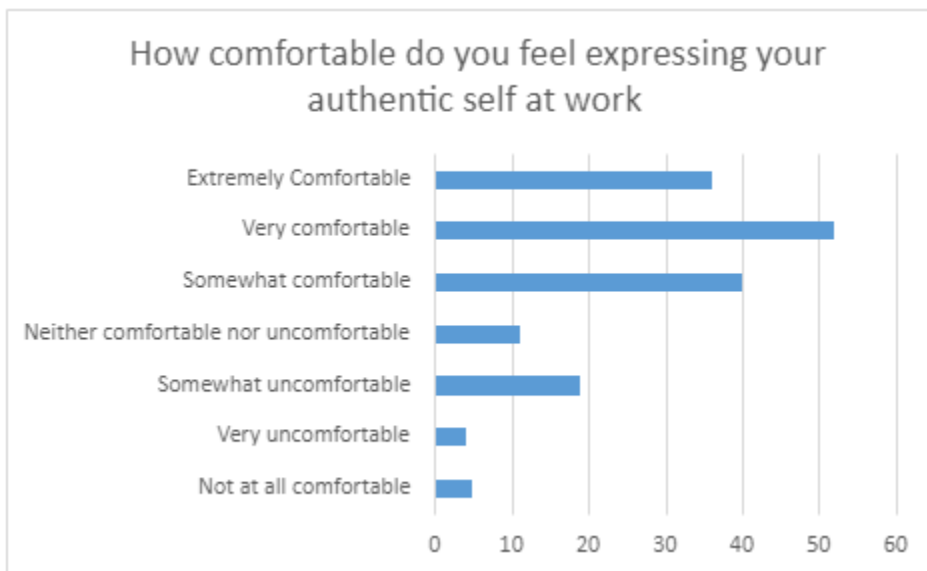
Focusing on training, we found that 101 respondents had not attended any DEIB training through the commission in the preceding 12 months, with 71 having attended a training. When asked why not, the most common answer was the timing didn't work out. More concerning however, was the second highest rated response that respondents were not aware of the training being offered. This speaks to the need to ensure all training offerings are timely and comprehensively noticed.



Majority of comments around training focused on the need to make training mandatory and spoke to the type of training needed. A significant portion of respondents also spoke to the need for training for leadership and availability of training for seasonal staff. We saw a high level of interest in many topics for future training, with no particular topic standing out. This demonstrates a high level of interest in many DEIB areas.



Eighty-one percent of respondents are aware of the Commission’s Diversity and Inclusion Policies. Just over half of respondents were either very comfortable or extremely comfortable expressing their authentic self at work. While there is definitely room for growth in this area, we were very excited to see majority of respondents feeling comfortable within the Commission.



As noted above, we attempted to pull out themes from the many written comments provided by respondents. A few additional areas of comments that stood out to us included:

- Training and understanding around neurodivergent staff, including how managers can support their staff.
- Supporting front-line staff that must interact with the public that may present racist, ageist or sexist comments.
- Need for an update on Commission policies that use binary gender pronouns and define family only by the traditional sense.
- Importance of ensuring that all internal documents, including policies, spreadsheets, newsletters, etc. are accessible to staff with various vision and/or processing challenges.
- Deeper connection between Diversity Council and culture groups within different departments.
- Ensuring that there are comfortable spaces for people to report issues.

Suggested Actions

Based on the survey responses, the Diversity Council recommends the following action items/areas of improvement for the Commission. We value the partnership that has been established with DHRM, specifically with the recently added position of an Organizational Development/Diversity, Equity, and Inclusion Specialist. The current incumbent, Kathi Edwards, has already begun working on many of these recommendations.

1. Representation. The committee recommends that DHRM’s “new” position – Organizational Development/Diversity, Equity, and Inclusion Specialist have a permanent seat on the Diversity Council. This position is critical to actualizing many of the recommendations and activities of the Diversity Council. Having them permanently on the Council will support Commission-wide investment and continuity.
2. Coordination. Host regular meetings with training staff throughout the commission to share resources, topics, successes, and leverage training contracts. Note: DHRM is already coordinating these meetings and has committed to representing the Diversity Council in the meetings and reporting back to us on meeting topics/action items.

3. Training Topics. Identify area of training to offer to all Commission staff, highlighted by staffing levels. Specifically, identifying areas of training that survey respondents highlighted as gaps or where there are reoccurring conflicts/challenges. These recommendations should focus both on topics (ageism, abilities, etc.) and problem areas (hiring/promotion practices, retaliation, etc.)
4. Trainings Standards. Recommend training standards for DEIB training offered to commission staff. The Diversity Council will also set up an ad-hoc committee to review DEIB training already provided by each department and provide a review against the standards, and recommendations for enhancements.
 - a. Standards should cover quality in facilitation and content design.
 - b. A list of recommended facilitators shall be developed.
 - c. Suggestions on marketing and timing to ensure deeper access to the training opportunities.
5. Work with HR to develop training requirements for staff at various levels (front-line staff, managers, etc.) and as part of the onboarding process. This should include a look back at the respectful workplace training that was required for managers in the commission in the 2017-2019 years.
 - a. Note: HR is currently developing a curriculum of required manager training, which includes DEIB elements.
6. Training Catalogs. Review available training options in LinkedIn Learning and develop recommended training playlists for various staff levels.
 - a. Focus on “snack size” training that can provide learning to staff with non-standard schedules and work responsibilities.
 - b. Explore pushing out DEIB training similar to the quarterly security training with a tie to disciplinary action if not completed.
7. Training Evaluation. Currently, all training offered has a standard evaluation form that is not topic specific. We recommend exploring with HR opportunities to create custom forms to ensure that we are asking content area specific evaluation questions. This should include specific questions on the value of the training, its ability to support our DEIB goals, and other DEIB training they would like to see. All evaluation for DEIB training should also be shared with the Diversity Council’s Training Committee so further review and recommendations can be developed.
8. Ongoing Surveys. It is our recommendation that regular surveying of staff around DEIB issues is important to ensuring that we are supporting all staff at all levels. The training committee should work with DHRM, CAS and OGC to craft questions that allow for a broadening of data gathering.



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

February 5, 2025

MEMORANDUM

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

Please find the attached litigation report we have prepared for your meeting scheduled for Wednesday, February 19, 2025. 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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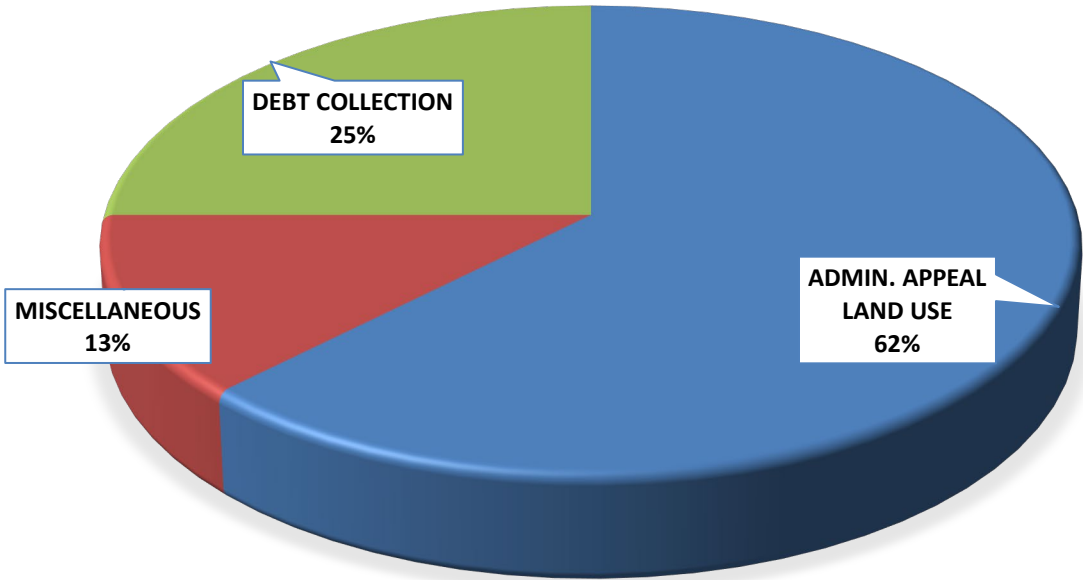
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January 2025
Composition of Pending Litigation

(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							0
LAND USE DISPUTE							0
MISCELLANEOUS				1			1
PROPERTY DISPUTE							0
TORT CLAIM							0
WORKERS' COMPENSATION							0
PER FORUM TOTALS	6	1	0	1	0		8

OVERVIEW OF PENDING LITIGATION



January 2025 Litigation Activity Summary

	COUNT FOR MONTH			COUNT FOR FISCAL YEAR 2025			
	Pending Dec. 2024	New Cases	Resolved Cases	Pending Fiscal Year 24	New Cases FY To Date	Resolved Cases FY To Date	Pending Current Month
Admin Appeal: Land Use (AALU)	5			4	1		5
Admin Appeal: Other (AAO)	0			2		2	0
Bankruptcy (B)	0			0			0
Civil Enforcement (CE)	0			0			0
Contract Disputes (CD)	0			1		1	0
Debt Collection (D)	2			0	2		2
Employment Disputes (ED)	1		1	4		4	0
Land Use Disputes (LD)	0			0			0
Miscellaneous (M)	0	1		0	1		1
Property Disputes (PD)	0			0			0
Tort Claims (T)	1		1	3		3	0
Workers' Compensation (WC)	0			5		5	0
TOTALS	9	1	2	19	4	15	8

**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	D	Sept.
Hallman v. Cowell, et al.	PG	CD	Sept.
Greater Capitol Heights Improvement Corporation, Inc. v. Commission	PG	AALU	Sept.
Commission v. Brewer	PG	D	Oct.
In the Matter of Glenn Dale Citizens' Association, Inc., et al.	PG	AALU	Nov.
In re: Insulin Pricing Litigation	MC/PG	Misc.	Jan.
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.
Asare v. Commission	PG	Tort	Nov.
Celey v. Commission	PG	ED	Dec.
Louise Vester v. Bowie Baysox Baseball Club, et al.	PG	Tort	Dec.

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 – Commission’s Motion to Dismiss granted by 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.
Asare v. Commission	Tort suit alleging injuries at Southern Recreation Center as a result of a physical altercation while participating in Xtreme Teen's program.	11/13/2024 – Motion to Dismiss granted.
Celey v. Commission	Defendant alleged employment discrimination based upon race, sex, and disability, as well as retaliation.	12/19/2024 - Joint Notice of Dismissal

Louise Vester v. Bowie Baysox Baseball Club, et al.	Tort suit for injuries allegedly sustained while attending a Bowie Baysox game at Prince George's Stadium.	12/17/2024 – Case dismissed.
Prince George's County Planning Board		
Prince George's Park Police		
Office of Internal Audit		

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DISTRICT COURT FOR MONTGOMERY COUNTY, MARYLAND

Commission v. Denis

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

Lead Counsel: Johnson
Other Counsel:

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

Status: Case sent to Judge for ruling.

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
12/17/2024	Summons served
12/31/2024	Amended Complaint filed
01/22/2025	Case to be sent to Judge's chambers for ruling based upon Affidavit filing.

DISTRICT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

Commission v. Brewer

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

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
01/14/2025	Amended Complaint 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: Case dismissed.

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
12/13/2024	Respondent 8676 Georgia Avenue LLC's Motion to Dismiss
12/17/2024	Montgomery County Planning Board's Motion to Dismiss
12/30/2024	Motion for Modified Briefing Schedule
12/30/2024	Opposition to Motions to Dismiss and Request for Hearing
01/03/2025	Opposition to Petitioner's Motion to Modify Schedule
01/10/2025	Order of Court – Motion denied
01/22/2025	Stipulation of Dismissal

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: Decision of Planning Board Affirmed.

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.
01/10/2025	Court to announce ruling from the bench.
01/27/2025	Order of Court Affirming Montgomery County Planning Board's Decision

CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

In the Matter of Glenn Dale Citizens Association, 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: Hearing set.

Docket:

11/07/2024	Petition for Judicial Review
11/27/2024	Response to Petition for Judicial Review filed
12/12/2024	Scheduling Order
12/19/2024	Glen Dale Holding Company LLC and WFC Flagship LLC Response to Petition for Judicial Review
04/11/2025	Hearing set

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.
10/29/2024	Scheduling Order
11/18/2024	Deficient Filing
11/18/2024	Corrected Memorandum in Support of Petition for Judicial Review

12/18/2024	Motion to Dismiss
12/18/2024	Respondents' Memorandum
12/18/2024	Motion to Dismiss tasked to Judge Woodall
12/18/2024	Respondent MNCPPC Answering Memorandum
12/22/2024	Stipulation Modifying Briefing Deadlines
01/17/2025	Stipulation Modifying Briefing Deadlines
01/31/2025	Reply Memorandum in Support of Petition for Judicial Review
02/14/2025	Hearing set

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 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: Judgment of the Circuit Court dismissing the Appellants' Petition for Administrative Mandamus Affirmed. Motion to Publish 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.
12/31/2024	Unreported Opinion Affirming Judgment of Circuit Court
01/29/2025	Motion to Publish Opinion

SUPREME COURT OF MARYLAND

No Pending Matters

U.S. DISTRICT COURT OF MARYLAND

No Pending Matters

U.S. DISTRICT COURT DISTRICT OF NEW JERSEY

In Re: Insulin Pricing Litigation

Case No. 2:25-cv-00389 (Misc.)

Lead Counsel: Ko
Other Counsel: Rupert, Bansal

Abstract: Affirmative litigation brought by the Commission against Pharmacy Benefits Managers and drug manufacturers alleging an illegal pricing and kickback scheme involving insulin and related drugs, harming the Commission in its capacity as a third-party payor of pharmacy benefits.

Status: Complaint filed.

Docket:

01/13/2025	Complaint filed
01/31/2025	Waiver of Service returned executed by Commission