



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

Commission Meeting
Open Session Minutes
February 17, 2021

The Maryland-National Capital Park and Planning Commission met via videoconference with the Chair initiating the meeting at the Wheaton Headquarters Auditorium in Wheaton, Maryland. The meeting was broadcast by the Montgomery Planning Department.

PRESENT

Prince George's County Commissioners

Elizabeth M. Hewlett, Chair
Dorothy Bailey
William Doerner
Manuel Geraldo
A. Shuanise Washington (departed 10:55 am)

Montgomery County Commissioners

Casey Anderson, Vice-Chair (absent 10:11- 10:35 am)
Gerald Cichy
Natali Fani-Gonzalez
Tina Patterson (departed 10:55 am)
Partap Verma

Chair Hewlett called meeting to order at 10:08 a.m. General Counsel Gardner noted for the record that technical staff were having streaming issues with the meeting and said the meeting would be recorded and posted publicly after the meeting concluded.

ITEM 1

APPROVAL OF COMMISSION AGENDA

No modifications

ACTION: Motion of Vice-Chair Anderson to approve the agenda
Seconded by Commissioner Bailey
10 approved the motion

ITEM 2

APPROVAL OF COMMISSION MINUTES

Open Session – January 20, 2020

ACTION: Motion of Commissioner Geraldo to approve the minutes
Seconded by Commissioner Bailey
9 approved the motion (Vice-Chair Anderson not present for vote)

ITEM 3

GENERAL ANNOUNCEMENTS

- a) M-NCPPC Black History Month Observances
- b) National Blood Donor Month
- c) American/National Heart Month
- d) Upcoming Women's History Month (March 2021)
- e) Teen Dating Abuse Awareness and Prevention Month
- f) Financial Disclosure Filing Requirement April 30 (State and M-NCPPC)

ITEM 4

COMMITTEE MINUTES/BOARD REPORTS (For Information Only)

- a) Executive Committee – Open Session – February 3, 2021
- b) Employees' Retirement System Board of Trustees Regular Meeting, January 5, 2021

ITEM 5

ACTION AND PRESENTATION ITEMS

a) Resolution 21-02 Golf Cart Easement Agreement (Sun)

No Discussion

ACTION: Motion of Commissioner Geraldo to adopt Resolution 21-02

Seconded by Commissioner Washington

9 approved the motion (Vice-Chair Anderson not present for vote)

b) Resolution 21-03 Riverview Park – Vista Way Storm Drain Easement (Sun)

No Discussion

ACTION: Motion of Commissioner Washington to adopt Resolution 21-03

Seconded by Commissioner Geraldo

9 approved the motion (Vice-Chair Anderson not present for vote)

c) Comprehensive Annual Financial Report (CAFR) for Fiscal Year Ended June 30, 2020

Secretary-Treasurer Zimmerman introduced Chris Lehman of auditors SB & Company, and Abbey Rodman, M-NCPPC Corporate Accounting Manager. Secretary-Treasurer Zimmerman said this process was a collaborative effort between the Finance Department and the operating departments who help with critical aspects for this front-facing document for the agency. He noted two items – first, the Finance Department was concerned the projected Montgomery Park Fund balance for contingencies would not be available, but Montgomery Parks fund management team maintained a \$70,000 fund balance. Despite this balance, the fund is still at the lowest point it's been for more than 10 years. Second, regarding Prince George's Enterprise, which has depleted their available resources and will require an infusion of money from the Recreation Fund in order to continue operations at its current level.

Presentation by Auditor SB & Company (Lehman)

Mr. Lehman presented from the report included in the packet that described the audit of the annual financial report for the M-NCPPC for Fiscal Year ending 6/30/20. SB & Company issued their opinion on the financial report, which they found free of misstatement, fraud, and material weakness in internal controls. Auditors received full management cooperation, no audit questions posed to the financial statements, which speaks to the quality of the accounting information presented.

Presentation by M-NCPPC Finance Department (Zimmerman/Rodman)

Ms. Rodman touched on the highlights of the CAFR, as presented in the report included in the packet.

Commissioner Doerner asked for an explanation of the difference in Enterprise Funds, why the Prince George's County Enterprise Fund required such a large transfer, and whether this is expected again in the future. Secretary-Treasurer Zimmerman explained Prince George's County subsidizes the Enterprise Fund by about 50% by long-standing public policy. Prince George's County tried to keep operations running more than Montgomery County. Prince George's County Parks and Recreation has different staffing pattern from Montgomery County Parks enterprise programs, with larger number of staff. He said these programs are more aptly described as recreation programs with a fee, rather than revenue-generators.

Historically they have been described as Enterprise activities so they could be highlighted in the financial reporting. Chair Hewlett agreed, noting it's a misnomer to call the programs Enterprise activities, since the stress has always been affordability and access to keep fees down. Consequently, the program has always subsidized to keep user costs low.

d) Briefing of Preliminary FY22 Spending Affordability Guidelines for Montgomery County (Kroll)

Corporate Budget Manager Kroll referred to the brief included in the packet to describe the Montgomery County Council's approval of the County's Spending Affordability Guidelines for the Fiscal Year 2022 Operating Budget which he stated projects a 9.1 % reduction from the agency's proposed budget in Montgomery County funded budgets, including portions of the bi-county departments. He explained this follows a 7 % reduction in Fiscal Year 2021. The amount may change with the release of the County Executive's budget on March 15.

Mr. Kroll said the magnitude of these reductions on the bi-county departmental budgets will almost certainly have an impact on the entire agency. Unlike FY21, no further reductions have been identified to cut the bi-county budget. The Montgomery County Planning Board is scheduled to begin discussions on this impact at tomorrow's Planning Board meeting.

Chair Hewlett acknowledged Commissioners in both counties are aware of the SAG reductions and anticipate the Planning Board's preliminary discussions to be helpful. She thanked Mr. Kroll for the report.

e) Legislative Update (Gardner)

General Counsel Gardner requested Commissioners to consider positions on three bills in front of the state legislature:

HB857 - Environment – Synthetic Turf and Turf Infill – Chain of Custody and Reuse. Delegate Lehman asked for input from Parks Directors Riley and Tyler, to be consistent with environmental stewardship policy. Director Riley and Director Tyler said it was a pleasure to work with each other on this bi-county and state-wide issue, supporting our environmental mission and that it was a great opportunity to collaborate. Commissioner Doerner asked if the bill would be applicable to Public-Private Partnerships. General Counsel Gardner replied he thought it would. Commissioner Doerner advised the agency should convey this information to affected parties.

HB1114 – Illegal Dumping and Litter Control Law – Yard Waste – Disposal on Highways. This bill fixes a loophole to make dumping yard waste in public parks illegal.

HB67/SB843. I-495/I-270 Public-Private Partnership - Partnership Agreement. This initiative of Delegate Korman and Senator Benson codifies a series of promises made by the Secretary of MDOT to the Board of Public Works related to the managed lanes project. There is an element of the bill that the sponsors and M-NCPPC staff agree should be changed, involving how the toll revenue is calculated, based on discussions between the

governor and Secretary of MDOT. Toll revenue should be agreed upon in MOUs between MDOT and the governing bodies of the counties to be used only for Transit Projects.

Commissioner Cichy said he supported the legislation, noting the MDOT is supposed to be a multi-modal department. He discussed the history of allocation of transportation funds generated by certain Public-Private Partnerships in Maryland. He suggested a transit provision that would be funded up-front from an extension to the time frame of the project. General Counsel Gardner noted the bill's amendment would give the Counties the jurisdiction and flexibility to assess the best transit projects for the project.

ACTION: Motion of Commissioner Cichy to support HB857, HB1114 and HB67/SB843, with modifications as noted by the General Counsel.

Seconded by Commissioner Geraldo

10 approved the motion

ITEM 6

OFFICERS' REPORTS

Executive Director's Report

a) Late Evaluation Report (January 2021) (For information only)

Memo to Department Heads (Chiang-Smith/Spencer)

Executive Director Chiang-Smith shared a memo issued to Department Heads and Deputies to address concerns about rising numbers of late evaluations raised by Commissioner Washington in December. She thanked the CIO for launching an automated system to remind supervisors and their managers via email of upcoming evaluations that are upcoming or late. The letter also described how to hold supervisors accountable for late performance evaluations through their own evaluations.

Secretary Treasurer Report

b) 4th Quarter Investment Report (For information only)

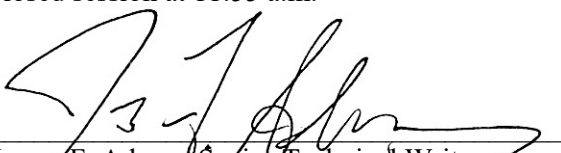
General Counsel Report

c) Litigation Report (For information only)

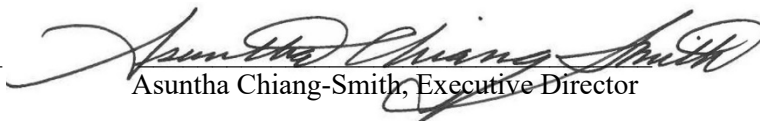
General Counsel Gardner asked for a moment to introduce new Principal Counsel Emily Vaias. He said it speaks well of the agency that it is able to attract staff of this caliber.

Pursuant to Maryland General Provisions Article of the Annotated Code of Maryland, Section 3-305(b) (7) & (9), a closed session is proposed to consult with counsel for legal advice, discuss public security issues related to the agency's information systems and consider matters that relate to negotiation.

Chair Hewlett asked for a motion to move to closed session. Commissioner Bailey moved, Commissioner Geraldo seconded. All Commissioners in attendance voted for the measure and the meeting moved to closed session at 10:50 a.m. There being no further business in open session Chair Hewlett adjourned the meeting from closed session at 11:55 a.m.



James F. Adams, Senior Technical Writer



Asuntha Chiang-Smith, Executive Director