



Commission Meeting
Open Session Minutes
April 19, 2023

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

PRESENT

Prince George's County Commissioners

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

Montgomery County Commissioners

Jeffrey Zyontz, Vice Chair
Shawn Bartley
James Hedrick
Mitra Pedoeem
Roberto Piñero

NOT PRESENT

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

ITEM 1 APPROVAL OF COMMISSION AGENDA

ACTION: See item 2

ITEM 2 APPROVAL OF COMMISSION MINUTES

Open Session – March 15, 2023

Motion by Commissioner Geraldo to pass the 4.19.23 Agenda and the 3.15.23 Open Session Minutes

Seconded by Commissioner Bailey

10 approved the 4.19.23 agenda

9 approved the 3.15.23 minutes

1 abstention (Pedoeem)

ITEM 3 GENERAL ANNOUNCEMENTS

a) Stress Awareness Month

b) Alcohol Awareness Month

c) Arab-American Heritage Month

d) Upcoming National Prevention Week (Mental and/or Substance Use Disorders) May 7-13

e) Financial Disclosure Statements due Apr 30

ITEM 4 ACTION/PRESENTATION ITEMS

- a) Resolution 23-06 Disposition of Former WMATA Property through a Land Exchange for the Future of Wheaton Urban Recreational Park (Sandberg/Coppola)

Montgomery County Real Estate Supervisor Brenda Sandberg briefed Commissioners since the former MCPB approved this land exchange in 2019. Ms. Sandberg explained the process

for land transfers/disposition to Commissioners and provided background and history of this land exchange and the original MCPB Resolution 19-103 as included in the packet. She asked for the Commission's support and approval of the disposition and conveyance of the former WMATA property in the Resolution as part of a land exchange to support affordable housing and parks.

Commissioner Bartley asked about the planned building of Moderately Priced Dwelling Units (MPDU) versus non-MPDU units. Acting Director Stern and Ms. Sandberg said the Montgomery Housing Partnership (MHP) Development Project will go through the regulatory review process to be approved by the Montgomery County Planning Board at a future date.

Commissioner Pedoeem asked about the construction schedule for the Parks Department and if it is in the CIP. Ms. Sandberg said it would have been completed by now, but was delayed because of COVID-19. She said the project's development process is now moving forward at a rapid pace. Montgomery Parks Department Director Riley said the department will closely monitor the work of MHP and county government on the project's development. Montgomery Parks will try to time the planning and design process to be ready when the construction site is available. It will be a multi-year process.

Commissioner Pinero noted the size of MHP parcel and the plans for including even more MPDUs. Wheaton has an over-concentration of affordable housing in this area. He was looking for more market housing than affordable housing. There needs to be a better distribution of affordable housing to places that currently lack affordable housing. Acting Director Stern asked Commissioners to bring those concerns up when the matter is before the Montgomery County Planning Board. She will share Commissioner Pinero's concerns with the Regulatory Review team.

Vice-Chair Zyontz asked about the timing and liability issues when the M-NCPPC takes over apartments. Ms. Sandberg said the signed letter of intent between MC Parks and MHP indicates a staggered exchange. After the exchange, we will put the deed in escrow and MHP will continue to own, operate and manage the property until the residents are out and the buildings are demolished. The M-NCPPC will have a clean slate before it takes full ownership. The M-NCPPC will not have any ownership of that parcel while it has any structures on it.

ACTION:

Motion by Commissioner Washington to approve Resolution 23-06 to adopt the Montgomery County Planning Board's findings, accept the Planning Board's recommendations, and approve the disposition and conveyance of the former WMATA property as recommended and imposed in MCPB Resolution 19-103 as part of a land exchange to support affordable housing and parks within the Wheaton CBD.

Seconded by Commissioner Geraldo

10 voted in favor

b) Central Administrative Services Salary Savings Requests (Kroll/Chiang-Smith)

Corporate Budget Director Kroll requested Commissioners' support to efficiently utilize extra resources in the CAS salary budget amounting to approximately \$2.047M. The savings would be used to pay down items in the FY24 budget to meet the expected Montgomery County budget reductions along with certain other requests. Any savings dollars would

directly flow to and pre-pay for FY24 items in the ERP replacement project. The current budget will likely be insufficient for that project and this will be a way to offset the shortfall.

Vice Chair Zyontz asked is the prepaid payment for FY24 maximized or is there anything else we can shift. Mr. Kroll said this is the current savings projection. More funds may become available if people leave before the end of the fiscal year.

ACTION:

Motion by Commissioner Geraldo to approve the requests

Seconded by Commissioner Hedrick

10 voted in favor

c) Annual Legislative Update (Borden)

General Counsel Borden presented the results of the annual legislative work program. The legislative work program lasts for the General Assembly session from January through April to work on legislation that either applies to or impacts the M-NCPPC. The agency needs to monitor the legislative session closely and work with sponsors and legislators to develop position statements, etc. This year, the Legal Department assigned the program to Jordan BaucumColbert, whose public affairs background strongly supports the position of the Government Affairs Liaison. Overall, General Counsel Borden said the legislative session was a great success due to the work of Ms. BaucumColbert.

This year's session dealt with substantial legislative issues. Three Commission-focused legislative bills from Sen. Kramer threatened to be very impactful, particularly the task force bill, which aimed to break apart the agency. The legal department testified, put together position statements, spoke with the sponsor, and identified areas of compromise.

The M-NCPPC proposed substantial changes and concessions to the forest conservation act bill with the help of the agency's environmental planners that were approved. There were extensive negotiations with the sponsors, the Chesapeake Bay Foundation, and the Maryland Association of Counties (MACo).

The Legal Department will now focus on follow-up from any of the bills. As an example, General Counsel Borden cited the employment ramifications of the cannabis bill. They are working to get recommendations on policy changes to make sure the agency's drug policy is adjusted to comply with the changes in the bill. She will come to Department Heads for recommendations, including identifying safety-sensitive exempt jobs.

Chair Shapiro said this approach is the right way to go. Commissioners Washington, Doerner, Pedoeem and Bartley and Directors Tyler, Riley and Stern agreed with the Chair and congratulated the legal team. Several Commissioners added that the new reporting format is terrific – very interactive, intuitive and informative.

Commissioner Doerner asked about the status of HB1057 on the recommendations of the Recreation Blue Ribbon Work group. General Counsel Borden said the report was due after the close of the legislative session. The report was sent 5 days ago, and the panel unanimously agreed they did not recommend a separate sports authority for Prince George's County. Chair Shapiro praised the Parks and Recreation team for transparently providing all the information to the task force saying it was a testament to the effectiveness of the department. Commissioner Doerner this is a testament to the need for a bi-county agency. The M-NCPPC has been mirroring state legislation and aligning policy across county lines,

ensuring the counties do not have two different sets of rules. He commended the Department of Parks and Recreation for making sure they have practices similar to their counterparts adding the agency is doing exactly what it should be doing.

ITEM 5 OFFICERS' REPORTS

Executive Director's Report

- a) Late Evaluation Report (February 2022) (For information only)
Executive Director Chiang-Smith thanked departments for greatly reducing the number of delinquent evaluations.

Secretary-Treasurer's Report

No report scheduled

General Counsel's Report

- b) Litigation Report (For information only)
Commissioner Bartley and General Counsel Borden discussed the circumstances and needs of employing outside counsel to represent the agency to avoid conflicts of interest.

Pursuant to Maryland General Provisions Article of the Annotated Code of Maryland, Section 3-305(b) (9) and (15) the closed session considered matters relating to collective bargaining negotiations in order to preserve privileged and confidential deliberations required to manage ongoing collective bargaining negotiations; and to discuss cybersecurity matters and personnel items.

The following individuals were also present (in person or via videoconference):

Also present:

Asuntha Chiang-Smith, Executive Director
Gavin Cohen, Secretary-Treasurer
Debra Borden, General Counsel
Suzanne King, Acting Director, Prince George's Planning
Bill Tyler, Director, Prince George's Parks and Recreation
Mike Riley, Director, Montgomery Parks
Tanya Stern, Acting Director, Montgomery Planning

James Adams, Senior Technical Writer, DHRM
Mazen Chilet, Chief Information Officer
Miti Figueredo, Deputy Director, Montgomery Parks
Tracey Harvin, Corporate Policy and Management Operations Director
John Kroll, Corporate Budget Director
Robert Kronenberg, Deputy Director, Montgomery Planning
Alvin McNeal, Deputy Director, Prince George's Parks and Recreation
Dana Philips, Chief of Staff, Prince George's Planning Board
Wanda Ramos, Deputy Director, Prince George's Parks and Recreation
William Spencer, Acting Deputy Executive Director

Chair Shapiro requested a motion to move the meeting into Executive Session. Commissioner Geraldo moved; Commissioner Washington seconded. All Commissioners in attendance voted in favor of moving to closed session. Open session adjourned and re-convened in closed session at 11:20 a.m.

The meeting returned to open session at 12:51 pm.


Commissioners noted the actions taken in closed session:

- Approval of the March 2023 Closed Session minutes.

With no other business to discuss, Chair Shapiro adjourned the meeting at 12:51 pm.



James F. Adams, Senior Technical Writer



William Spencer, Deputy Executive Director,
for Asuntha Chiang-Smith, Executive Director