



Commission Meeting
Open Session Minutes
July 18, 2018

The Maryland-National Capital Park and Planning Commission met at the Montgomery Regional Office Auditorium in Silver Spring, Maryland.

PRESENT

Prince George's County Commissioners

Elizabeth M. Hewlett, Vice-Chair
Dorothy Bailey
William Doerner (arrived 9:57 a.m.)
Manuel Geraldo

Montgomery County Commissioners

Casey Anderson, Chair (left at 10:29 a.m.)
Gerald Cichy
Tina Patterson
Natali Fani-Gonzalez (arrived 9:43 a.m.)

NOT PRESENT

A. Shuanice Washington

Norman Dreyfuss

Chair Anderson convened the meeting at 9:33 a.m.

ITEM 1

APPROVAL OF COMMISSION AGENDA

ACTION: Motion of Hewlett to approve the Commission agenda
Seconded by Geraldo
6 approved the motion

ITEM 2

APPROVAL OF COMMISSION MINUTES

Open Session – May 10, 2018
Open Session – June 20, 2018
ACTION: Motion of Hewlett to approve the Commission minutes
Seconded by Bailey
6 approved the motion

ITEM 3

GENERAL ANNOUNCEMENTS

Chair Anderson made the following announcements:

September is Hispanic Heritage Month

Montgomery Parks Speaker Series. Montgomery Parks Director Riley spoke on the joint Montgomery Planning, Montgomery Parks and Montgomery County Department of Recreation speaker series, which was concluding today with a final presentation on the 11th Street Bridge Project, a Public Private Partnership in the District of Columbia.

Introduction of new Montgomery County Park Police Chief Darryl McSwain.

Director Riley gave Chief McSwain's background and thanked Cpt. George Coleman who acted as interim chief and other park police command staff to help run the division, and also thanked several other staff on the hiring and selection committee. Chief McSwain thanked the Commissioners, said he is happy to be with the agency. He has been meeting other division chiefs and has found them helpful and accommodating. He believes they will work well together. Chief McSwain spoke to some of the upcoming plans for the division, including training, outreach, park safety and visibility.

ITEM 4

COMMITTEE MINUTES/BOARD REPORTS (For Information Only)

- a) Executive Committee – Open Session – July 3, 2018
- b) Executive Committee – Closed Session – July 3, 2018
- c) Employees’ Retirement System Board of Trustees Meeting Minutes June 5, 2018

ITEM 5

ACTION AND PRESENTATION ITEMS (taken out of order)

- g) I-495 and I-270 Managed Lanes Study Briefing (Maryland Department of Transportation/State Highway Administration (MDOT-SHA))
(Choplin/Folden/Brookman/Lewis)

R. Earl Lewis (MDOT), Lisa Choplin (MDOT), Jeff Folden, (MDOT), and Caryn Brookman (Blackwater Environmental) presented a power point briefing of their Managed Lanes Study.

Ms. Choplin gave background on Governor Hogan’s initiative toward addressing Maryland’s traffic congestion issues with the Traffic Relief Plan (TRP), and a substantial part of it, the I-495 & I-270 Managed Lanes Study. Ms. Choplin gave statistics on the metropolitan region’s traffic issues compared to the national average, which were rated poorly across all metrics. Part of the proposed solution is the I-495 & I-270 P3 (Public Private Partnership). This partnership would allow the private sector to design, build, finance, operate and maintain 70 miles of improvements to the Maryland Capital Beltway and a section of I-270, with significantly less or no government funding.

Ms. Brookman discussed the NEPA (National Environmental Policy Act) Process, and how it impacts the project. MDOT/SHA, along with the Federal Highway Administration (FHWA), is seeking public and agency input to its draft Purpose and Needs (P&N) statement and have developed a preliminary range of alternatives (along with screening criteria to evaluate the alternatives). After the preliminary alternatives are narrowed by end of 2018, they will conduct a full environmental and cultural impact statement of the alternatives retained for detailed study. The project schedule calls for a selection of the preferred alternative by mid-2019. Public hearings through the mandatory referral process will follow where they will accept more public input. A final environmental impact statement and final decision will be presented in a combined document in mid to late 2019, with the P3 proposed to be awarded in 2020.

Ms. Brookman then described the roles and responsibilities of Lead agencies, Cooperating agencies and Participating agencies. She also described the framework for the Interagency Working Group (IAWG), which facilitates sharing of data and timely and efficient resolution of environmental and regulatory issues. The M-NCPPC is one of nine Cooperating Agencies, and the project requires concurring input from the Cooperating agencies for P&N, Alternatives Retained for Permanent Study, and the Selected Alternative. SHA/MDOT meets with Cooperating and Participating agencies monthly, and schedules several public forums, two of which have already occurred, and have provided 620 comments. Major themes included support for the study, specific recommendations, or fixing congestion; statements/questions about tolls, the partnership with the private sector and environmental impacts; general support for transit improvements; questions on timeline and initial outreach.

Mr. Holden discussed the 15 Preliminary Alternatives, including variations within each (described in the power point). SHA will consider and screen these alternatives with their Screening Criteria -- high-level analysis, including engineering considerations, homeland security, movement of goods and services, financial viability, multi-modal connectivity and environmental considerations. Mr. Holden discussed the upcoming steps – evaluating input from public and environmental

agencies; screening the Preliminary Range of Alternatives to the Alternatives Retained for Detailed Study (ARDS); presenting the results of the analysis on the ARDS for public feedback to help inform MDOT SHA in identification of preferred alternative. Public and agency feedback is critical at this point in the process and will be used with SHA's Screening Criteria to consider and evaluate the Preliminary Range of Alternatives. Those retained will go through a more detailed study.

Mr. Holden offered to answer Commissioners' questions. Commissioners asked clarification questions on several different options, and several wanted to know the specific width requirements that were needed for each alternative. Commissioner Fani-Gonzalez noted that the study neglected to show which options would require taking property, if toll lanes would affect exit points along the study area and why the project appears so rushed. Ms. Choplin replied until the ARDS are identified, it would be irresponsible to cite width requirements, or assess environmental or property impacts. Mr. Holden said none of the alternatives with toll lanes would affect current lane widths.

Chair Anderson asked if MDOT could make publicly available cross-sections and widths of the various alternatives, to help people give feedback, saying people should know how much land will be needed for each alternative. Commissioner Patterson suggested MDOT could offer a range that a lane would be altered. Commissioners Fani-Gonzalez and Doerner concurred. Commissioner Cichy suggested a long-range analysis, and an approach from the perspective of being a good neighbor. Commissioner Cichy made suggestions to MDOT staff to consider other alternatives, particularly multi-modal transportation to minimize the community impact.

Earl Lewis of MDOT (joined the meeting at 10:27), added that this traffic relief plan fits in a larger context of long-range planning projects impacting traffic congestion in the region. Mr. Lewis said the National Transportation Planning Board (NTPB) is exploring five "big picture" projects, including Smart Lanes, Managed Lanes, Capital Projects, Rapid Transit, and an Express Toll Networks. Commissioner Cichy wanted to make sure the P3 vendor would not be able to oppose current or future improvements based on the affect it will have on their future revenue.

Commissioner Fani-Gonzalez called attention to the various alternatives that have no toll lanes. She stated that while this has been identified as a P3 project, several alternatives presented would not involve a private vendor or make money. Ms. Choplin replied that the NEPA requires that they consider various alternatives. Commissioner Fani-Gonzalez said MDOT may be required to add the alternatives, but they aren't real alternatives for a P3. Commissioner Gerlado asked what private engineering consulting firms are supporting the NEPA process, and if any have experience in rail options, to support the idea that lower-income individuals will not be able to use the toll lanes; and wanted to know how that issue would be resolved or if any consideration will be given to the issue. Ms. Choplin said MDOT is not able to answer that question at this point in the process, but they plan to take a balanced approach. Vice-Chair Hewlett said there is currently too much missing information for the Commission to make an objective evaluation of the project or address the equity issues.

Commissioner Bailey asked to clarify the dates and locations of upcoming public meetings, which Ms. Brookman provided. Vice-Chair Hewlett asked about the level of participation in the recent public presentations. Ms. Choplin replied that 117 people participated in, or attended their public presentations, but had not yet tabulated what percentage of the participants may have been local government officials versus private citizens.

Commissioner Cichy advised that MDOT needs to get community support in order to move forward. He also noted that money had been taken from Montgomery County's highway budget to fund other state projects, and he thinks this might be an opportunity to get some of that funding invested back into the County with one of these alternatives. Commissioner Patterson said she was curious how this will impact the work that is under way now along I-270, and she looks forward to more informational meetings. Commissioner Doerner noted the term "Luxury Lanes" has a negative connotation and advised MDOT to address that issue before it might be framed that way, by letting people know how lower-income citizens might be able to use the lanes with subsidies or other methods that can be tied to taxes or other refunds. Commissioner Doerner also wanted to know, in the event that the selected alternative is a toll road, would some of the revenues generated go to the road upkeep itself, the negative externalities and other environmental impacts. If so, MDOT should speak to people about how the revenue will benefit communities.

Vice-Chair Hewlett asked if MDOT would provide the M-NCPPC with the slides from their presentation. Commissioner Geraldo asked if MDOT could provide the objective standards that are being used to evaluate the preliminary alternatives, so the Commission could evaluate them as well. Ms. Choplin said MDOT would provide the requested information.

FOLLOW UP: MDOT staff is to provide Commissioners with a copy of their presentation, and the standards used to evaluate the preliminary alternatives.

- a) Resolution #18-18: Amendments to the 2013 Largo Town Center Approved Sector Plan (Checkley/Umeozulu). Passed without discussion.
ACTION: Motion of Geraldo to approve Resolution #18-18
Seconded by Bailey
7 approved the motion
- b) Resolution #18-22: Washington Gas Light Easement (Sun). Passed without discussion.
ACTION: Motion of Geraldo to approve Resolution #18-22
Seconded by Patterson
7 approved the motion
- c) Resolution #18-23: Approval of Fiscal Year 2018 Employer Contribution for retiree Group Health Insurance (Zimmerman/Barney). Passed without discussion.
ACTION: Motion of Geraldo to approve Resolution #18-23
Seconded by Patterson
7 approved the motion
- d) Recommendations for Benefit Changes for Calendar Year 2019 (Spencer McDonald)
Benefits Manager McDonald discussed changes to the employee benefit plans for calendar 2019 described in the packet, which included the change in cost share for the UHC EPO plan as well as broadening of coverage in some plans, and a cost savings to several plans by changing vendors based on a joint RFP with Montgomery County Government, Montgomery County Public Schools, Montgomery College and WSSC. Vice-Chair Hewlett gave general appreciation for the Benefits staff and consensus that the agency offered an excellent benefits package, saying the improvements to the benefits and wellness package are a benefit to the agency overall. Commissioner Patterson asked to clarify if employees will see a reduction in premiums, as well as the agency. Ms. McDonald confirmed that the life insurance, dental plan and vision plan rates would be reduced for employees and the Commission.
ACTION: Motion of Geraldo to approve Benefits Changes
Seconded by Patterson

7 approved the motion

At 11:30 am, Commissioner Geraldo moved to enter closed session. Patterson seconded, 7 approved the motion. The Commission went into Closed Session at 11:30 a.m. Open Session resumed at 11:43 a.m.

f) Resolution #18-21: Amendments to M-NCPPC Employees' Retirement System – Plans B&E Surviving Spouse Benefits (Non-Union) (Barney)

ACTION: Motion of Bailey to approve Resolution #18-21

Seconded by Geraldo

7 approved the motion

h) Executive Office Building (EOB) Feasibility Study Update (Gensler/Barney/Knaupe/Shearer)

Executive Director Barney thanked Commissioners Doerner and Dreyfuss for their help and input in getting to this point in the process. She requested direction for the EOB Feasibility Workgroup to finalize the selection requirements to produce a list of properties, five in Prince George's and five in Montgomery, which would meet those requirements. Bob Peck of Gensler presented a summary of his company's space analysis for CAS/EOB which included space needs, cost efficiency of purchasing versus leasing a building versus remaining at the current EOB building, staffing requirements and operational/renovation costs. Using a 10-year operating cost analysis, Gensler concluded that remaining at EOB is the highest cost versus renting or relocating via purchase. Executive Director Barney added if the operating analysis was extended to 20 years, there are additional benefits to purchasing.

Commissioner Geraldo asked if there was an analysis made of the impact to an existing economic development zone. Mr. Peck replied they did. Executive Director Barney asked Commissioners to consider a smaller district for the new EOB site (narrow from 10 miles to 3-5 miles from the county line), and consideration of other factors such as economic development zones and public transit. General Counsel Gardner added any proposed properties must be within the Metropolitan District, eliminating several independent municipalities. Commissioner Cichy asked if there was any opportunity for support from the state to grant surplus TOD (transit-oriented development) land from other projects for government/transportation use. Executive Director Barney said Commissioner Doerner suggested the agency consider M-NCPPC-owned property and could look into TOD options as well. Commissioner Geraldo asked if mixed-use buildings were considered, to allow the agency defer costs through other rentals to other governmental agencies or private sector. Executive Director Barney thanked the Commissioners for their support and said Gensler's team will suggest five properties within each county at the September Commission meeting. Commissioners could evaluate benefits, drawbacks and cost/savings at that time.

FOLLOW UP: Adding to consideration of the selection process:

- State support for granting surplus TOD land
- Cost/benefit of proximity to metro/mass transit
- Cost/benefit of proximity of economic development zones
- Consideration of mixed-use building for rental to government or commercial entities

Gensler will present detailed analysis to Commissioners at future meeting.

ACTION: Motion of Fani-Gonzalez support to proceed to next step of project

Seconded by Geraldo

7 approved the motion


- i) Resolution #18-24: Amendments to Collective Bargaining Agreements for Service/Labor, Office and Trades Units and Park Police Unit (Barney). Passed without discussion.

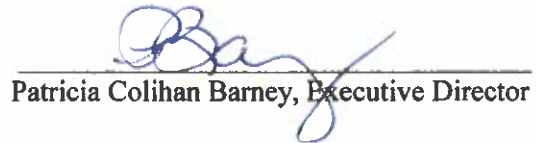
ACTION: Motion of Geraldo to approve Amendments
Seconded by Patterson
7 approved the motion

ITEM 6 OFFICERS' REPORTS

- a) Executive Director's Report (For information only)
Employee Evaluations Not Completed by Due Date (June 2018)
- b) Secretary Treasurer (For Information only)
Investment Report (April and May 2018)
- c) General Counsel (For information only)
Litigation Report

There being no further business to discuss, the meeting ended at 12:14 p.m.


James F. Adams, Technical Writer (Acting)


Patricia Colihan Barney, Executive Director