



THE MARYLAND-NATIONAL CAPITAL
Park and Planning Commission

COMMISSION MEETING

January 15, 2020

10:00 a.m. – 12:00 p.m.

Montgomery Regional Office

Auditorium

8787 Georgia Avenue

Silver Spring, Maryland 20910

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**MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MEETING AGENDA
Wednesday, January 15, 2020**

**Montgomery Regional Office Auditorium
8787 Georgia Avenue
Silver Spring, Maryland 20910**

10:00 a.m. – 12 noon

		<u>ACTION</u>	
		Motion	Second
1.	Approval of Commission Agenda (10:00 a.m.)	(+*) Page 1	
2.	Approval of Commission Minutes (10:05 a.m.)		
	a) Open Session – December 19, 2019	(+*) Page 3	
	b) Closed Session – December 19, 2019	(++*)	
3.	General Announcements (10:05 a.m.)		
	a) National Blood Donor Month		
	b) National Slavery and Human Trafficking Prevention Month		
	c) Upcoming M-NCPPC Black History Month Events – February 2020		
4.	Committee Minutes/Board Reports (For Information Only) (10:10 a.m.)		
	a) Executive Committee Meeting – Open Session – January 3, 2020	(+) Page 9	
	b) Employees' Retirement System Board of Trustees Regular Meeting – December 3, 2019	(+) Page 11	
5.	Action and Presentation Items (10:20 a.m.)		
	a) Rotation of Commission Chair	(*)	
	b) Nomination of Eli Glazier to the Maryland Bicycle and Pedestrian Advisory Committee	(+*)Page 17	
	c) PowerPoint Presentation on the Comprehensive Annual Financial Report (CAFR) for Fiscal Year End June 30, 2019 (Zimmerman/Rodman/Lehman)		
	d) Diversity Council		
	1. Introduction of 2020 Council (Chiang-Smith)	(+) Page 21	
	2. Certificates of Appreciation for 2019 Council (Chiang-Smith/Bennett)	(+) Page 23	
	3. 2019 Year-end Report (Weiss/Black/Bush)	(+) Page 25	
	e) Government Finance Officers' Association (GFOA) Certificate of Excellence in Financial Reporting for the M-NCPPC FY20 Proposed Annual Budget (Photo) (Kroll)		
	f) Montgomery Planning Project Update (Wright)	(H)	
6.	Officers' Reports (11:45 a.m.)		
	<u>Executive Director's Report</u>		
	a) Late Evaluation Report, December 2020 (For Information Only)	(+) Page 39	
	b) Financial Disclosure Filings		
	<u>Secretary Treasurer</u>		
	No report		
	<u>General Counsel</u>		
	c) Litigation Report (For Information Only)	(+) Page 41	
<i>Pursuant to Maryland General Provisions Article of the Annotated Code of Maryland, Section 3-305(b) (9), a closed session is proposed to consult with counsel for collective bargaining discussions and consider matters that relate to negotiation.</i>			
7.	Closed Session (11:50 a.m.)		
	a) Collective Bargaining Update (Chiang-Smith/Bennett)		

(+) Attachment

(++) Commissioners Only

(*) Vote

(H) Handout

(LD) Late Delivery

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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

Commission Meeting
Open Session Minutes
December 18, 2019

The Maryland-National Capital Park and Planning Commission met at the Prince George's Parks and Recreation Administration Building Auditorium in Riverdale, Maryland.

PRESENT

Prince George's County Commissioners

Elizabeth M. Hewlett, Chair
Dorothy Bailey
A. Shuanise Washington

Montgomery County Commissioners

Casey Anderson, Vice-Chair
Gerald Cichy
Natali Fani-Gonzalez
Tina Patterson

NOT PRESENT

William Doerner
Manuel Geraldo

Partap Verma

Chair Hewlett convened the meeting at 10:02 a.m.

ITEM 1 APPROVAL OF COMMISSION AGENDA

Chair Hewlett acknowledged Secretary-Treasurer Zimmerman, who requested to add Item 6e. Recognition of Award of Excellence in Financial Reporting from the Government Finance Organization Association for the Fiscal Year 2018 Comprehensive Annual Financial Report. The agenda was also amended to move the item, "Prince George's County Zoning Rewrite" from 6e to 6f.

ACTION: Motion of Commissioner Geraldo to approve the amended Commission agenda
Seconded by Commissioner Bailey
The motion was unanimously passed

ITEM 2 APPROVAL OF COMMISSION MINUTES

Open Session – Meeting of November 20, 2019
Closed Session – Meeting of November 20, 2019

ACTION: Motion of Vice-Chair Anderson to approve the minutes
Seconded by Commissioner Bailey
The motion was unanimously passed

ITEM 3 GENERAL ANNOUNCEMENTS

Chair Hewlett announced the following for the month of December:

- a) Universal Human Rights Month
- b) National Drunk and Drugged Driving Prevention Month
- c) AIDS Awareness Month
- d) Prince George's Department of Parks and Recreation's Annual Winter Festival of Lights at Watkins Park (through January 1)

- e) Montgomery Parks Department Winter Garden Walk-Through Holiday Lights Display at Brookside Gardens (through December 31)
- f) Chair Hewlett thanked staff who worked to plan and execute a wonderful One-Commission Employee Appreciation Open House earlier in the month.

ITEM 4 COMMITTEE MINUTES/BOARD REPORTS (For Information Only)
No Executive Committee Meeting held in December

- a) Employees' Retirement System Board of Trustees regular meeting of November 5, 2019

ITEM 5 ACTION AND PRESENTATION ITEMS

- a) Actuarial valuation of Other Post-Employment Benefits (OPEB) (Zimmerman/Bolton Partners)
 Secretary-Treasurer Zimmerman introduced Kevin Binder, Senior Actuary from Bolton Partners to present the annual actuarial valuation of the 115 Trust. Secretary-Treasurer Zimmerman noted the 115 Trust Committee made a recommendation to adjust the employer contribution to the fund for fiscal year 2021. Mr. Binder introduced Tim Barry, Consulting Actuary of Bolton Partners, who worked on the valuation and the resulting recommended adjustment.

Mr. Binder reviewed actuarial valuations between 2018 and 2019, explaining that shifts in contribution levels were due to various factors including increases in medical costs, the discount rate, and other actuarial assumptions. The recommended employer contribution level is intended to maintain a stable trust balance.

Commissioner Fani-Gonzalez thanked Mr. Binder and Mr. Barry for the actuarial work and input during the 115 Trust meetings.

- b) Budget transfer between Chief Information Officer (CIO) and Commission-Wide Information Technology (CWIT) Internal Service Funds (Kroll/Zimmerman)
 No discussion.

ACTION: Motion of Commissioner Washington to approve the transfer
 Seconded by Fani-Gonzalez
 The motion was unanimously passed

- c) Resolution 19-23, Approval of the Fiscal Year 2021 Proposed Operating and Capital Budgets of the Maryland-National Capital Park and Planning Commission (Chiang-Smith/Kroll):
 Corporate Budget Director John Kroll presented the Proposed Fiscal Year 2021 Budget. He noted minor changes to the packet schedule and memo. Changes included minor corrections to the proposed budget amount to Capital Equipment in the staff report; and minor corrections to the Capital Equipment Fund and Group Insurance Fund totals. Mr. Kroll noted the majority of the report has already been before the respective Planning Boards for their input and review.

Mr. Kroll discussed revenue from property taxes. He said the Prince George's County budget is within the tax rate, but the Montgomery County budget requires a tax rate increase due to actual property tax revenue not meeting projections for the 3rd consecutive year. Montgomery County addressed this shortfall by increasing income tax. No revenue increase in Montgomery County is currently projected for Fiscal Year 2021. The County will be providing direction to the M-NCPPC between now and March.

General Counsel Gardner clarified that the minor changes that Mr. Kroll had described did not impact Resolution 19-23 in the originally published packet.

ACTION: Motion of Commissioner Washington to approve Resolution 19-23, noting the changes in supplemental material.
Seconded by Patterson
The motion was unanimously passed

d) Resolution 19-24, Amendment to the Employees' Retirement System Fiscal Year 2020 Operating Budget (Rose)

No discussion.

ACTION: Motion of Commissioner Cichy to approve Resolution 19-24.
Seconded by Bailey
The motion was unanimously passed

e) Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers' Association (GFOA) for the Comprehensive Annual Financial Report (CAFR) for FY2018 (Zimmerman) (item added).

Chair Hewlett praised and congratulated Secretary-Treasurer Zimmerman and his staff on receiving the GFOA Certificate of Achievement for the CAFR for the Fiscal Year that ended June 30, 2018. This award marks the 45th recognition for the agency and represents a significant accomplishment by a government agency and its management. The M-NCPPC is tied with Chicago Metropolitan Water Reclamation District for the greatest number of times an agency has been awarded with this certificate.

Secretary-Treasurer Zimmerman introduced his team that worked on the Fiscal Year 2018 CAFR, as well as those who are working on the CAFR for Fiscal Year 2019.

f) Prince George's County zoning rewrite update (Checkley)

Prince George's County Planning Director Andree Checkley introduced Acting Deputy Director Derick Berlage, who presented on the history and development of the new 21st century Prince George's County zoning ordinance. Deputy Director Berlage said the zoning ordinance has been approved by the Prince George's County Council and is scheduled to take effect in 2020. He described county's demographics and the transformative changes the county has seen over the past decade in transportation, job growth, and infrastructure growth. These improvements occurred despite the obsolescence of the old zoning code which had become far too complex.

At the direction of the Prince George's Planning Board and County Council, and from the input of the community, the Planning Department began to update the code 5 years ago. This process included more than 400 community meetings and social media campaigns to involve stakeholders. Two documents served as the foundation for the new code – the new General Plan, titled Plan 2035, and the new Economic Development Plan. The new ordinance code was designed to be interactive and user-friendly with flowcharts to supplement the text.

The number of zone types were reduced from 73 to 43, uses were reduced from over 1,000 to fewer than 250, and the overall page count was reduced by half. Other major changes include defining new mixed-use zones. There are still zones designed for single-use, but all other zones in the new code allow for a variety of uses. Innovative new zones include Commercial/General Office Zones, which upgrades the old "office park" and "strip mall"

type zones of the late 20th century to mixed-use zones. Transit-Oriented Development (TOD) and Town Center (TC) zones include accommodation for pedestrians, high-quality design, and close-to-street buildings. All zones will be laid down on transit station areas, based on the General Plan approved 5 years ago. The General Plan flows naturally into the new zones.

Deputy Director Berlage described other aspects of the new zones, including Form and Design Standards, Green Building Standards and reduced parking minimums to reflect the more pedestrian-friendly TOD and TC Zones, particularly in higher-density areas inside the Capital Beltway.

The approval process of zoning rewrites in Prince George's County differs from the process in Montgomery County. Prince George's County follows a two-step approval process. The County has approved the code and the 43 new defined zones. Now that the zones are approved, the final step is to conduct a massive remapping of more than 300,000 properties across the entire county. It is a complex, technical process. The remapping will be coordinated with one last push of community engagement to explain the new zones, including a visual guide. The visual guide will include descriptions of the transitions as most properties in the county will transition to new zones. The project, which started in 2014 and runs through 2020, will culminate with approval of the Countywide Map Amendment, resulting in even more positive development in Prince George's County.

Chair Hewlett thanked Director Checkley and Deputy Director Berlage, adding the team did a spectacular job, particularly considering that an election took place in the middle of the process. Commissioner Cichy also complimented the team, adding the agency may have an opportunity to get surplus land right-of-way from abandoned Department of Transportation projects. He said if the State abandons a transportation project, legislation allows a local jurisdiction to acquire at no cost, state land associated with such a project if it is used for transportation purposes (e.g., a fire station serves the needs of drivers). Under the new TOD Zoning, the agency might be permitted to receive transferred surplus state property for housing or affordable housing projects. Deputy Director Berlage indicated his team would investigate that possibility. Commissioner Cichy added the M-NCPPC's new Executive Director was employed by the Department of Housing and Community Development and might be an asset in that area.

ITEM 6 OFFICERS' REPORTS (For information only)

Executive Director's Report

- a) Employee Evaluations Not Completed by Due Date (November 2019)

Secretary Treasurer Report

No Report

General Counsel

- b) Litigation Report, August 2019
c) Legislative Update

General Counsel Gardner asked for positions from the Commission on certain legislative matters, and provided his recommendations as follows:

- PG/MC 104-20 General Counsel recommended no position;
- PG/MC 101-20 General Counsel recommend supporting the legislation;

- PG/MC 102-20 General Counsel recommend supporting the legislation which changed the date on reporting lobbying activities; Chair Hewlett asked for clarification on what constitutes lobbying. General Counsel Gardner indicated that this clarification is being addressed and will be available for Commissioners and staff.
- PG/MC 105-20 General Counsel recommend supporting the legislation;
- PG/MC 108-20 General Counsel recommend opposing or holding the legislation, requiring the M-NCPPC to undertake a pilot program for math, reading and science; General Counsel Gardner explained the project should be assumed by the school system rather than M-NCPPC. He suggested the M-NCPPC might offer to partner with them. Chair Hewlett agreed, and said the proposal was outside the agency's jurisdiction. After discussion, General Counsel Gardner recommended holding the legislation.
- PG/MC 107-20 bill was withdrawn. No position necessary.

ACTION: Motion of Commissioner Washington to support the General Counsel's recommendations.
Seconded by Bailey
The motion was unanimously passed

Chair Hewlett asked for a motion to enter closed session at 10:57 a.m. Vice Chair Anderson made the motion and Commissioner Bailey seconded. The motion was unanimously passed.

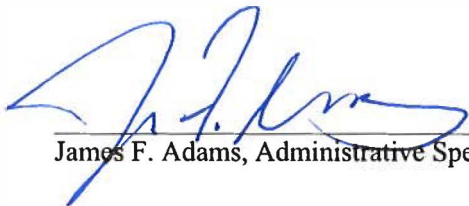
Pursuant to Maryland General Provisions Article of the Annotated Code of Maryland, Section 3-305(b)(7), a closed session is proposed to consult with counsel for legal advice.

Open session resumed at 11:45 a.m.

ITEM 7 CLOSED SESSION ITEM RATIFICATION

ACTION: Vice Chair Anderson moved to ratify the actions taken in closed session.
Seconded by Bailey
The motion was unanimously passed

There being no further business to discuss, the meeting ended at 11:45 a.m. Chair Hewlett wished everyone happy holidays, and a prosperous and happy new year.



James F. Adams, Administrative Specialist II



Asuntha Oniang-Smith, Executive Director

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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

EXECUTIVE COMMITTEE MEETING MINUTES

January 3, 2020

On January 3, 2020, the Maryland-National Capital Park and Planning Commission's Executive Committee met via teleconference. Present were Chair Elizabeth M. Hewlett, Vice Chair Casey Anderson, and Executive Director Asuntha Chiang-Smith. Also present were:

Department Heads

Andree Checkley, Director, Prince George's County Planning (PGPL)

Debbie Tyner, Acting Director, Prince George's County Parks and Recreation (PGPR)

Adrian Gardner, General Counsel

Mike Riley, Director, Montgomery County Parks (MCPK)

Gwen Wright, Director, Montgomery County Planning (via teleconference) (MCPL)

Presenters/Staff

Anju Bennett, Corporate Policy and Management Operations Director

Executive Director Chiang-Smith convened the meeting at 1:00 p.m.

ITEM 1a – APPROVAL OF EXECUTIVE COMMITTEE AGENDA

Discussion	No discussion
ACTION	Agenda approved.

ITEM 1b – APPROVAL OF COMMISSION MEETING AGENDA for January 15, 2020

Discussion	Modifications to the Commission Agenda: <ul style="list-style-type: none">• Move CAPRA Update and Timeline to February 2020.
ACTION	Modified Commission agenda approved

ITEM 1c – ROLLING AGENDA FOR UPCOMING COMMISSION MEETINGS

Discussion	Modifications to the Rolling Agenda: <ul style="list-style-type: none">• Add CAPRA Update and Timeline to February 2020.• Add Cyber Security item to Closed Session Agenda, February 2020. CIO Chilet would like this to be a periodic update.
ACTION	Rolling agenda approved with updates

ITEM 2 – NOVEMBER 6, 2019 EXECUTIVE COMMITTEE MEETING MINUTES

Discussion	Item 2a. November 6, 2019 Open Session. Item 2b. November 6, 2019 Closed Session.
ACTION	Minutes approved.

ITEM 3 – DISCUSSION/PRESENTATION ITEMS

Discussion	Item 3a. Investment Report October 2019 (Zimmerman) (information item only)
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There being no further business to discuss, the meeting adjourned at 1:12 p.m.


Brenda Barge, Administrative Specialist


Asuntha Chiang-Smith, Executive Director

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

**REGULAR BOARD OF TRUSTEES MEETING
MINUTES**

Tuesday, December 3, 2019; 9:00 a.m.
ERS/Merit Board Conference Room

The Maryland-National Capital Park and Planning Commission Employees' Retirement System Board of Trustees ("Board") met in the ERS/Merit Board Conference Room at its office in Riverdale, Maryland on Tuesday, December 3, 2019 and was called to order at 9:00 a.m. by CHAIRMAN HEWLETT.

Board Members Present

Elizabeth M. Hewlett, Board of Trustees Chairman, Prince George's County Commissioner
Gerald R. Cichy, Board of Trustees Vice Chairman, Montgomery County Commissioner
Asuntha Chiang-Smith, M-NCPPC Executive Director, Ex-Officio
Melissa D. Ford, Prince George's County Open Trustee
Pamela F. Gogol, Montgomery County Public Member
Amy Millar, MCGEO Represented Trustee
Elaine A. Stookey, B -County Open Trustee
Joseph C. Zimmerman, CPA, M-NCPPC Secretary-Treasurer, Ex-Officio

Left the meeting at 12:03 p.m.
Arrived at 9:18 a.m.

Board Members Not Present

Howard Brown, FOP Represented Trustee
Sheila Morgan-Johnson, Prince George's County Public Member
Vacant, Montgomery County Open Trustee

ERS Staff Present

Andrea L. Rose, Administrator
Heather D. Van Wagner, Senior Administrative Specialist
Sheila S. Joynes, ERS Accounting Manager

Presentations

Wilshire Associates - Bradley A. Baker, Managing Director and
Martell McDuffy, Senior Analyst

PGIM - Todd Petersen, EMD Portfolio Manager and Kwad Acheampong, Client Advisory

TCW - Brian K. Dwyer, Senior Vice President Institutional Marketing;
Penny Foley, Group Managing Director and Portfolio Manager; and,
Dave Robbins, Group Managing Director and Portfolio Manager

Payden & Rygel - Beth Westvold, CFA, Principal; Damon Eastman, CFA, Principal;
and, Vladimir Milev, CFA, Senior Vice President

Others Present

M-NCPPC Legal Department – William C. Dickerson, Principal Counsel

Arrived at 11:28 a.m.

ITEM 1

APPROVAL OF THE NOVEMBER 5, 2019 CONSENT AGENDA

- A. Approval of the December 3, 2019 Board of Trustees Meeting Agenda
- B. Minutes of Open Session, November 5, 2019
- C. Minutes of Closed Session, November 5, 2019 (**Trustees Only**)
- D. Disbursements Granted Reports – October 2019
- E. 2020 Board of Trustees Meeting Dates

Confidential

ACTION: VICE CHAIRMAN CICHY made a motion, seconded by MS. GOGOL to approve the Consent Agenda. The motion PASSED unanimously (7-0). (Motion #19-62)

Andrea Rose reported the January 7, 2020 Board meeting is tentative. There may be one item for the Board's action that can be discussed in a special meeting via conference call.

ITEM 2 CHAIRMAN'S ITEMS

A. Board of Trustees Conference Summary

The Board joined CHAIRMAN HEWLETT in welcoming the Commission's new Executive Director, Asuntha Chiang-Smith.

CHAIRMAN HEWLETT reminded Board members that attending training events is a requirement.

ITEM 3 MISCELLANEOUS

No miscellaneous reported.

ITEM 4 MANAGER REPORTS/PRESENTATIONS

Wilshire Associates

Presentations by Bradley A. Baker, Managing Director and Martell McDuffy, Senior Analyst

Wilshire conducted an emerging market debt (EMD) fixed income manager search. At its November 5, 2019 meeting, the Investment Monitoring Group (IMG) reviewed the top EMD managers and selected three finalists, PGIM, TCW, and Payden & Rygel, to present to the Board. The ERS is looking for a hard/local currency strategy. The initial asset allocation is a 5% dedicated allocation (approximately \$50 million).

MS. MILLAR arrived at 9:18 a.m.

PGIM

Todd Petersen, Emerging Market Debt Portfolio Manager and Kwad Acheampong, Vice President Client Advisory presented PGIM's Emerging Markets Hard/Local Currency Blend Strategy that is a blend of hard/local currency, including corporate debt. PGIM was established in 1984; is headquartered in Newark, New Jersey with four global offices. PGIM has 888 employees worldwide, including 298 investment professionals, of which there are 126 portfolio managers (includes senior executives, investment strategists and product managers), 118 fundamental research analysts, and 54 quantitative analysis and risk management analysts. As one of the largest fixed income managers, PGIM manages \$838 billion in assets under management with \$26 billion in the Emerging Markets Hard/Local Currency Blend Strategy.

PGIM began managing emerging markets strategies in 1996 and investing in local markets in 2003. The EMD investment team includes 35 specialists in portfolio management, economics/sovereign analysts, and corporate credit with an average of 12 years with the firm and 17 years investment experience.

PGIM believes what makes them different is their strong track record since 1996 from diversified sources of alpha; a well-resourced investment management team with extensive experience and tenure; and, a deep culture of risk management, quantitative research, and bottom up credit research with an independent risk management/quantitative research team of 54 and an extensive credit research team of 86. One hundred percent of research is generated internally with external perspectives incorporated. Proprietary sovereign analysis incorporates Environmental, Social, and Governance (ESG) assessments.

Performance for this strategy has been strong and consistent through various market cycles since inception with positive alpha generated in down market environments.

MS. MILLAR arrived at 9:18 a.m.

TCW

Brian K. Dwyer, Senior Vice President Institutional Marketing; Penny Foley, Group Managing Director and Portfolio Manager; and, Dave Robbins, Group Managing Director and Portfolio Manager presented TCW's Emerging Markets Fixed Income Total Return Strategy. This strategy encompasses hard currency sovereign debt, corporate debt (15-35% of the portfolio), and local currency (0-30% of the portfolio). TCW was established in 1971; offers a broad range of products across fixed income, equities, emerging markets, and alternative investments; is headquartered in Los Angeles, California with four other offices in the United States and four global offices; and, has 600 employees worldwide. TCW manages \$211 billion in assets under management with \$16.8 billion in the Emerging Markets Fixed Income.

TCW began managing emerging markets in 1994. The EMD investment team has three portfolio managers with over 33 years of experience in emerging markets investing and an average of 21 years with the firm, seven sovereign research analysts, five corporate research analysts with long-standing contacts in more than 80 countries, three traders, and a portfolio specialist.

TCW takes a total return, benchmark-aware approach to investing with top-down/bottom-up fundamentals research and a strong focus on risk management which includes monitoring and quantifying ESG risk on a monthly basis.

This strategy has one of the longest track records in the industry. It has performed well historically but tracking error has increased in recent years as corporate issuance has grown. Wilshire Associates reports this increased tracking error is not uncommon in total return emerging market products because there are no benchmarks that include the full emerging market opportunity set.

Payden & Rygel

Beth Westvold, CFA, Principal; Damon Eastman, CFA, Principal; and, Vladimir Milev, CFA, Senior Vice President presented Payden & Rygel's Emerging Market Debt Strategy. This strategy invests in the broad EMD universe, including all sovereign, quasi-sovereign, corporate, and local bonds issued in emerging market countries. Payden & Rygel was established in 1983; manages bond and equity portfolios including mutual funds; is headquartered in Los Angeles, California with an office in Boston, and two global offices; and, has 200 employees worldwide. Payden & Rygel manages \$119 billion in assets under management with \$11.9 billion in the Emerging Market Debt Strategy.

Payden & Rygel began managing emerging market bond strategies in 1998. The firm is 100% employee owned by 30 shareholders with majority ownership held by women. The firm's executive management team have been working together, on average, for nearly 25 years. The EMD strategies team is led by two portfolio managers who are supported by three strategists and six analysts. The head of EMD strategies has lead the team since inception in 1998. Multiple members of the EMD team have been at the firm for over 10 years. This is one of the longest tenured teams in the EMD space with little turnover.

Payden & Rygel offers customized portfolios. They believe their willingness to tailor portfolios, rather than offering a standard product, sets them apart from many of their peers. Some distinguishing features of their EMD strategy as presented by Payden & Rygel include: an excellent long-term track record under the same leadership with top quartile absolute and risk-adjusted returns across market cycles; steady leadership, consistent growth, and low turnover; search for value across dollar-pay and local markets; ability to allocate meaningfully to smaller countries; experienced analysts delivering objective investment analysis; and, exceptional reporting and communication.

MS. GOGOL left the meeting at 12:03 p.m.

The Board discussed the differences of the three firms in terms of risk, return, scale, and fees.

ACTION: MS. MILLAR made a motion, seconded by MR. ZIMMERMAN to approve PGIM as the new Emerging Market Debt Fixed Income manager. The motion PASSED unanimously (6-0-1) MS. CHIANG-SMITH abstained from voting. (Motion #19-63)

The Board was provided with an Executive Summary of Investment Performance for the quarter ending September 30, 2019 and Mr. Baker reported on the fund's performance. The ERS' total fund return was 1.0% (net of fees) for the quarter, outperforming the target policy index return of .9%. For the one, three, five, and ten-years ended September 30, 2019 the ERS fund return was 5.6%, 8.6%, 6.5%, and 8.2%, respectively, compared to the target policy return of 5.1%, 7.6%, 5.9%, and 7.5%, respectively. The total market value through September 30, 2019 was \$980.8 million.

ITEM 5

CLOSED SESSION

At 12:20 p.m. CHAIRMAN HEWLETT requested a motion to go into Closed Session under authority of the General Provisions Article of the Annotated Code of Maryland Section 3-305(b)(7) to consult with counsel to obtain legal advice on a legal matter.

ACTION: MS. STOOKEY made a motion, seconded by MS. FORD to go into Closed Session. The motion PASSED unanimously (6-0). MS. MILLAR was out of the room. (Motion #19-64)

During Closed Session, the following action was taken:

1. The Board approved the Master Agreement for Software License and Services Between the Board of Trustees and Levi, Ray & Shoup, Inc.

The Board moved back into Open Session at 12:35 p.m.

ACTION: VICE CHAIRMAN CICHY made the motion, seconded by MS. FORD to ratify the actions taken in Closed Session. The motion PASSED unanimously (7-0). (Motion #19-67)

ITEM 6

COMMITTEE REPORTS/RECOMMENDATIONS

Administration & Personnel Oversight Committee – Report of November 19, 2019 Meeting

The committee reviewed an amendment to the ERS' FY2020 operating budget to fund the initial costs of its new pension administration system ("system"). The amendment proposes overall spending at \$2,326,220, an increase of \$266,532, or 12.9%. Developing the system will be a multi-year project with both one-time and recurring costs. The project kick-off is expected in January 2020; therefore, a budget amendment is required to fund costs through June 30, 2020.

ACTION: MR. ZIMMERMAN made the motion, seconded by MS. STOOKEY to approve an amended FY2020 operating budget of \$2,326,220, an increase of \$266,532, or 12.9%. The motion PASSED unanimously (7-0). (Motion #19-68)

The committee provided its proposed 2020 work program and meeting dates to the Board and is open to any changes.

Investment Monitoring Group – Report of November 5, 2019 Meeting

No discussion.

Investment Monitoring Group – Report of November 19, 2019 Meeting

No discussion.

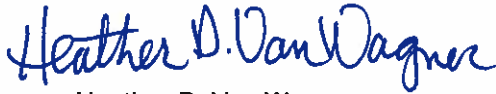
ITEM 7

REPORT OF THE ADMINISTRATOR

Andrea Rose presented the Administrator's Report dated November 21, 2019 which included a copy of the Public Pension Standards Award for Funding and Administration 2019 awarded to the ERS by the Public Pension Coordinating Council.

The Board meeting of December 3, 2019 adjourned at 12:41 p.m.

Respectfully,

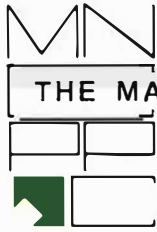


Heather D. Van Wagner
Senior Administrative Specialist



Andrea L. Rose
Administrator

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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

MEMORANDUM

January 8, 2020

TO: The Maryland-National Capital Park and Planning Commission 

VIA: Gwen Wright, Director, M-NCPPC Montgomery County Planning

FROM: David Anspacher, Transportation Supervisor, M-NCPPC Montgomery County Planning

RE: **Nomination of Eli Glazier to the Maryland Bicycle and Pedestrian Advisory Committee**

Recommendation

Nominate Eli Glazier of the Montgomery County Planning Department to be the Commission's representative on the Maryland Bicycle and Pedestrian Advisory Committee.

Background

The Maryland Bicycle and Pedestrian Advisory Committee (MBPAC) was formed in December 1991 as the Bicycle Advisory Committee. In July 2000, the Committee became the Bicycle and Pedestrian Advisory Committee. The Committee advises State government agencies on issues directly related to bicycling and pedestrian activity including funding, public awareness, safety and education (Code Transportation Article, sec. 2-606).

The twenty-two member committee is appointed by the Governor, combining the experience of citizens with the expertise of representatives from nine State agencies. Committee members represent geographical regions throughout the State and specific interests, including those of visually and mobility impaired individuals. The agency representatives include one member from the Maryland-National Capital Park and Planning Commission. Each term is four years and at the end of a term, the member continues to serve until a successor is appointed and qualifies.

Montgomery County and Prince George's County have traditionally alternated membership on the MBPAC. Fred Shaffer of the Prince George's County Planning Department represented the Commission on the MBPAC starting in 2011. Mr. Shaffer completed his term in 2015 and continued to represent the Commission until the time of his retirement at the end of 2019. The Maryland Department of Transportation (MDOT) has requested that the Commission nominate a new representative. Once the Commission has nominated this individual, an online application with the Governor's Appointment Office is completed. After the review of the application is complete, the representative receives formal notification of their appointment to MBPAC by the Governor.

Qualifications of Eli Glazier

The Montgomery County Planning Department would like to nominate Eli Glazier to be the Commission's new representative on the MBPAC. Mr. Glazier has been a Transportation Planner Coordinator for the Montgomery County Planning Department since August 2018. In this role he is managing the development of Montgomery County's first pedestrian master plan to improve the safety and comfort of walking for people of all ages and abilities. Previously, Mr. Glazier was employed by Toole Design Group, a nationally recognized firm focusing on bicycle and pedestrian issues, where he worked on numerous bicycle and pedestrian projects, including Montgomery County's Bicycle Master Plan.

Attachments

Attachment A: Eli Glazier Resume

Eli Glazier

AICP

Contact

✉ eli.glazier@montgomeryplanning.org
☎ 301.495.4548

Education

- May 2014 University of Southern California, Los Angeles, CA
Master of Planning
- May 2012 Pennsylvania State University, University Park, PA
Schreyer Honors College
Bachelor of Arts in International Politics with Highest Honors
- Spring 2011 Charles University, Prague, Czech Republic

Experience

- August 2018 to Present
Transportation Planner Coordinator
Maryland-National Capital Park and Planning Commission, Silver Spring, MD
 - **Serves** as Project Manager for the Pedestrian Master Plan, the County's effort to improve pedestrian safety and comfort for people of all ages and abilities
 - **Reviews** capital and regulatory projects to ensure best practices pedestrian and bicycle accommodations and master plan conformance, with particular attention paid to the Bicycle Master Plan.
- June 2014 to August 2018
Transportation Planner
Toole Design Group, Silver Spring, MD
 - **Served** as Project Manager for the Fairfax County Bike Suitability Map project, responsible for writing Python and SQL code to correctly classify roadway segments into suitability categories, for conducting online and in-person community outreach, and for coordinating with the client and subconsultants
 - **Applied** advanced GIS techniques, including network analysis, to define transit station walksheds and bikesheds to identify bike parking need for SMART Rail and the Southwest Light Rail and help determine potential transit line routing for the Ramsey County Rush Line project
 - **Developed** a series of Requests for Proposals for the City of Baltimore to identify the operations, equipment, and sponsorship vendors best suited to bring bikesharing to the City
 - **Identified and prioritized** transit access improvements for various clients, including Metro Washington COG and WMATA, through plan review, fieldwork, and data analysis
 - **Drafted** compelling street cross section graphics using Sketchup and Adobe Illustrator for the Montgomery County Bicycle Master Plan Design Toolkit
 - **Curated** an idea book published by FHWA to highlight best practices in creating existing and proposed bicycle facility maps

Skills

ArcGIS
QGIS
Adobe Illustrator
Adobe InDesign
Adobe Photoshop
Adobe Premiere Pro
Microsoft Office Suite
Wikimapping
Python
SQL
SketchUp
Streetmix
Wordpress
Twitter
Facebook
Google Apps
Data Analysis
Data Visualization
Site Analysis
R
Leaflet
Mapbox
Fusion Tables
HTML/CSS
Bike/Ped Data Coll.
Grant Writing
AutoCAD

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DIVERSITY COUNCIL

2020



MANY
CULTURES
ONE
COMMISSION



ASUNTHA CHIANG-SMITH
Executive Director



ANJU BENNETT
Corporate Policy and Management Operations Director



TINA PATTERSON
Commissioner Montgomery County Planning Board Special Adviser



CALISTA BLACK, *Term: 2019-2020*

Principal Public Affairs and Marketing Specialist | Office of the Chairman | Prince George's County Planning Board
I look forward to contributing my perspectives and suggestions based on my life experiences and 20-year professional background in communications and marketing. As a parent of a teenager with special needs, I hope to be a strong advocate for colleagues with unique abilities.



JONATHAN BUSH, *Term: 2019-2020*

Senior Planner | Development Review Division | Prince George's County Planning Department
I desire to bring an understanding of urban planning that will benefit the MNCPPC community, specifically understanding the inherent socio-economic issues and the people we are designing/planning for.



JILLIAN CHAPMAN, *Term: 2019-2020*

Human Resources Information Systems Specialist | Dept. of Human Resources & Management | EOB - M-NCPCC
As a member of the Diversity Council, I hope to bring another unique perspective to the Council and its initiatives. I will strive to emphasize the value of diverse perspectives in problem solving, and I hope to learn and share enthusiastically how beneficial bridging gaps with this attitude can be!



CATHERINE COELLO, *Term: 2019-2020*

Administrative Assistant | Commissioners Office | Montgomery County Planning Board
I look forward to taking on bigger projects. Specifically, I would like to help with leading and organizing upcoming Diversity Council sponsored events that engage staff thoughtfully and memorably, all while bringing attention to the importance of inclusion and diversity within the Commission and our communities.



MONDRIAHN MILLER, *Term: 2019-2020*

Recruitment Specialist | Management Services | Montgomery County Planning Department
During my time with the Diversity Council I hope to promote the importance of inclusion Commission-wide. I look forward to using my personal and Human Resources experience advocating that representation matters. My goal is for our communities to see themselves in M-NCPCC staff and feel connected to our work.



CARLOS OCASIO, *Term: 2019-2020*

Acting Program Superintendent | Northern Area Operations | Dept. of Parks and Recreation, Prince George's County
As a Diversity Council member, I'm looking forward to use my experiences and skills to provide our Commission employees with more inclusive programs, opportunities and create a safe environment where we can enjoy and respect our many cultures.



SELINA PRADHAN, Term: 2019-2020

Programmer Analyst | Office of Chief Information Officer | Central Administration Services | EOB - M-NCPPC

I hope to bring awareness of diversity, and to continue creating an open working environment. Looking forward to working on upcoming projects and events.



NATALIE SMART, Term: 2019-2020

Facility Director | Bowie Community Center | Department of Parks and Recreation, Prince George's County

I desire to be a channel to help expand Commission employees' understanding of the definition of diversity. Additionally, I hope to be able to initiate meaningful conversations through trainings and outreach that bridge gaps and connect people who would have otherwise never interacted with one another.



SHIRL SPICER, Term: 2019-2020

Museum Manager | Park Planning & Stewardship Division | Department of Parks, Montgomery County

In serving the Commission for the past decade as one who brings history to life, I'd like my service on the Diversity Council to help bridge a connection between the varied lives within the Commission. All of us, as different as we may appear, share similar stories and experiences, and I will work to help sustain and develop programs that will bring to life this rich diversity.



MISHELLE CARSON, Term: 2020-2021

Programmer Analyst II | Information Management Division | Prince George's County Planning Department

I would like to bring a level of awareness and bravery when addressing diversity and Inclusion concerns in the workplace. I desire to be a servant of less lip service and more action. Thereby; helping the Diversity Council reach their inclusion goals.



CARLOS DE LA TORRE, Term: 2020-2021

Park Naturalist | Meadowside Nature Center | Department of Parks, Montgomery County

I am excited to positively influence a change towards creating comfortable workplaces and celebrating cultural richness, in able to connect people with diverse perspectives and increase a sense of community. I hope to channel the voices of the staff to meet the needs of a healthy diverse work environment.



GENEVIEVE JENNAI, Term: 2020-2021

Countywide Program Access Specialist | Management Services Division | Department of Parks, Montgomery County

I plan to bring my enthusiasm and dedicated work ethic to enhance the Council's initiatives to promote behavior in the workplace that contributes to understanding, respecting, and valuing all people, especially those with differing abilities, including mental health.



SHAWN MILLER, Term: 2020-2021

Park Maintenance Leader | Central Area Maintenance | Department of Parks and Recreation, Prince George's County

I will be committed to achieving and sustaining a diverse and inclusive workplace environment. It is my belief that M-NCPPC is more effective when its workforce embraces and includes individuals whose backgrounds reflect the rich diversity of the communities it serves. I hope to promote the inclusion of every employee, regardless of individual differences, which I project will be evident in all aspects of business operations.



CAROL RUBIN, Term: 2020-2021

Special Project Manager | Director's Office | Montgomery County Planning Department

Recent events have elevated hate crimes aimed toward religious bias, particularly motivated by anti-Semitism. Through the Diversity Council, I would like the Commission employees to learn that diversity takes many forms, and elevate the Commission's efforts toward knowledge growth to create a community in which we all belong, regardless of our differences.

DIVERSITY COUNCIL

2019



MANY
CULTURES
ONE
COMMISSION



ASUNTHA CHIANG-SMITH
Executive Director
Appointed Nov. 2019



ANJU BENNETT
Acting Executive
Director
Nov. 2018 - Nov. 2019



TINA PATTERSON
Commissioner
Montgomery County
Planning Board
Special Adviser



JEREMY WEISS, Diversity Council Chair 2019, Term: 2018-2019
Facility Director | Bladensburg Community Center | Department of Parks and Recreation, Prince George's County
Within a collaborative frame of thinking, I hope to promote the importance of respecting differences in an inclusive environment to improve the quality of work for M-NCPPC employees. I hope to encourage and foster the Commission's positive efforts in embracing diversity birthed from our trail blazers of the past and encourage diversity for years to come.



CALISTA BLACK, Diversity Council Co-Vice Chair, Term: 2019-2020
Principal Public Affairs and Marketing Specialist | Office of the Chairman | Prince George's County Planning Board
I look forward to contributing my perspectives and suggestions based on my life experiences and 20-year professional background in communications and marketing. As a parent of a teenager with special needs, I hope to be a strong advocate for colleagues with unique abilities.



JONATHAN BUSH, Diversity Council Co-Vice Chair, Term: 2019-2020
Senior Planner | Development Review Division | Prince George's County Planning Department
I desire to bring an understanding of urban planning that will benefit the MNCPPC community, specifically understanding the inherent socio-economic issues and the people we are designing/planning for.



CATHERINE COELLO, Term: 2018-2019
Administrative Assistant | Commissioners Office | Montgomery County Planning Board
I look forward to taking on bigger projects. Specifically, I would like to help with leading and organizing upcoming Diversity Council sponsored events that engage staff thoughtfully and memorably, all while bringing attention to the importance of inclusion and diversity within the Commission and our communities.



WENDY IRMINGER, Term: 2018-2019
Planning Coordinator | Community Planning Division | Prince George's County Planning Department
What is important to me is building a better community as a planner; which is not unlike building a better workplace as a member of the Diversity Council. As a member of the Diversity Council in the coming year, I hope to work on a training program that provides Commission staff with tools to better communicate and understand each other.



RICHARD KHARMAN, Term: 2018-2019
Park Manager II | Southern Parks | Department of Parks, Montgomery County
In the past, I have enjoyed working on Women's History Month and Veteran's Day events. In 2019, I hope to introduce more diversity and inclusion to the rest of our fellow workers by helping to make the presence of our Council more visible. Also by introducing diversity to our new hires.



MARY ELIZABETH O'QUINN, Term: 2018-2019

Planner Coordinator | ITI Division | Montgomery County Planning Department

In the past my interest in the Diversity Council focused on Inclusion for Persons with Disabilities, as a citizen, employee and public servant. For 2019, I wish to enlarge my understanding of our role, particularly regarding a respectful culture, hidden or overt bias, along with inclusion and acceptance of all others.



GRACE TAN, Term: 2018-2019

Administrative Specialist | Horticulture Forestry & Environmental Education Div. | Dept. of Parks, Montgomery Co.

It's an honor for me to be a part of the Diversity Council and I look forward to contributing to a more diversified and inclusive workplace by helping to create positive experiences and influence attitudes related to diversity. I enjoyed working at the Commission-wide Women's History Month 2018 and I look forward to lead and support impactful programs and initiatives in 2019.



JILLIAN CHAPMAN, Term: 2019-2020

Human Resources Information Systems Specialist | Dept. of Human Resources & Management | EOB - M-NCPPC

As a new member of the Diversity Council, I hope to bring another unique perspective to the Council and its initiatives. I will strive to emphasize the value of diverse perspectives in problem solving, and I hope to learn and share enthusiastically how beneficial bridging gaps with this attitude can be!



MONDRIAHN MILLER, Term: 2019-2020

Recruitment Specialist | Management Services | Montgomery County Planning Department

During my time with the Diversity Council I hope to promote the importance of inclusion Commission-wide. I look forward to using my personal and Human Resources experience advocating that representation matters. My goal is for our communities to see themselves in M-NCPPC staff and feel connected to our work.



CARLOS OCASIO, Term: 2019-2020

Acting Program Superintendent | Northern Area Operations | Dept. of Parks and Recreation, Prince George's County

As a Diversity Council member, I'm looking forward to use my experiences and skills to provide our Commission employees with more inclusive programs, opportunities and create a safe environment where we can enjoy and respect our many cultures.



SELINA PRADHAN, Term: 2019-2020

Programmer Analyst | Office of Chief Information Officer | Central Administration Services | EOB - M-NCPPC

I hope to bring awareness of diversity, and to continue creating an open working environment. Looking forward to working on upcoming projects and events.



NATALIE SMART, Term: 2019-2020

Facility Director | Bowie Community Center | Department of Parks and Recreation, Prince George's County

I desire to be a channel to help expand Commission employees' understanding of the definition of diversity. Additionally, I hope to be able to initiate meaningful conversations through trainings and outreach that bridge gaps and connect people who would have otherwise never interacted with one another.



SHIRL SPICER, Term: 2019-2020

Museum Manager | Park Planning & Stewardship Division | Department of Parks, Montgomery County

In serving the Commission for the past decade as one who brings history to life, I'd like my service on the Diversity Council to help bridge a connection between the varied lives within the Commission. All of us, as different as we may appear, share similar stories and experiences, and I will work to help sustain and develop programs that will bring to life this rich diversity.

2019 DIVERSITY COUNCIL

YEAR END REVIEW

January 15, 2020



Presented By: Jeremy Weiss (2019 Chair),
Calista Black (2019 Co-Vice Chair) &
Jonathan Bush (2019 Co-Vice Chair)

The Diversity Council: Who We Are



The Diversity Council is comprised of representatives from each department of the Commission:

- Montgomery County Department of Parks
- Montgomery County Planning Board
- Montgomery County Planning Department
- Prince George's County Department of Parks and Recreation
- Prince George's County Planning Board
- Prince George's County Planning Department
- Departments of the Bi-County Corporate Operations

Mission, Vision & Values



MISSION:

- Advise the Commission on developing and implementing a diversity policy framework that promotes an inclusive workplace
- Measures progress and ensures effective programming and services, both internally and externally, through the lens of diversity

VISION & VALUES:

- Promote behavior in the workplace that contributes to understanding, respecting and valuing all people
- Fairness, equal treatment, leveling the playing field, integrity & understanding

Faces of the 2019 Diversity Council



ASUNTHA CHIANG-SMITH
Executive Director
Appointed Nov. 2019
EOB - MNCPPC
Executive Sponsor



ANJU BENNETT
Acting Executive Director
Nov 2018-Nov 2019
EOB - MNCPPC
Executive Sponsor



TINA PATTERSON
Commissioner
Montgomery County
Planning Board
Special Adviser



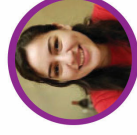
JEREMY WEISS
Diversity Council
Chair 2019
Facility Director
Bladensburg
Community Center



CALISTA BLACK
Diversity Council
Co-Vice Chair 2019
Public Affairs Spec.
Office of Chairman
Prince George's Co.



JONATHAN BUSH
Diversity Council
Co-Vice Chair 2019
Senior Planner
Prince George's Co.
Planning Dept.



CATHERINE COELLO
Term: 2018-2019
Administrative Asst.
Commissioners Office
Montgomery County



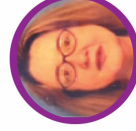
WILLIAM DUNN
Diversity Council
Chair Jan/Feb 2019
Facility Director
Marlow Heights
Community Center



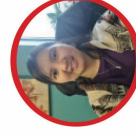
WENDY IRMINGER
Term: 2018-2019
Planning Coordinator
Prince George's Co.
Planning Dept.



RICHARD KHORMAN
Term: 2018-2019
Park Manager II
Dept. of Parks
Montgomery County



MARY ELIZABETH O'QUINN
Term: 2018-2019
Planner Coordinator
Montgomery County
Planning Dept.



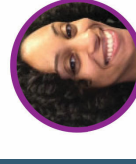
GRACE TAN
Term: 2018-2019
Administrative Specialist
Dept. of Parks
Montgomery County



JILLIAN CHAPMAN
Term: 2019-2020
HR Information Systems Specialist
Dept. of Human Resources & Mgmt.



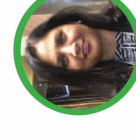
LOLETA HOLMES
Term: Jan/Feb 2019
Assistant to the Director's Office
Dept. of Parks
Montgomery County



MONDRIAH MILLER
Term: 2019-2020
Recruitment Spec.
Montgomery County
Planning Dept.



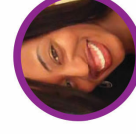
CARLOS OCASIO
Term: 2019-2020
Acting Program Superintendent
Dept. of Parks & Rec.
Prince George's Co.



SELINA PRADHAN
Term: 2019-2020
Programmer Analyst
Office of CIO - CAS



ROBERT REESE
Term: Jan-Aug 2019
Mail Courier
Montgomery County
Planning Dept.



NATALIE SMART
Term: 2019-2020
Facility Director
Bowie Comm Cntr.
Dept of Parks & Rec.
Prince George's Co.



SHIRIL SPICER
Term: 2019-2020
Museum Manager
Dept. of Parks
Montgomery County

Strategic Plan



- Drafted and collaborated with Commission leadership to produce the 2019-2021 Diversity Council Strategic Plan
- Delivered presentations to M-NCPPC's:
 - Department Heads – May
 - Executive Committee – July
 - Full Commission – July
- **Received approval on July 16, 2019 from Full Commission**

29

2019-2021

M-NCPPC Diversity Council Strategic Plan



Communication Efforts



Enhanced Diversity Council Outreach!

- Contributed to **UPDATE Employee News** – publication accessible to **ALL** employees
- Provided content for intranet: **inSite.mncppc**
- Participated on diversity panels
- Attended education sessions on unconscious bias
- Served as moderators



UPDATE Feature Articles

- Wrote feature articles for **UPDATE Employee News**.
- Provided recaps of:
 - 2018 Diversity Council accomplishments
 - 2019 Women's History Month Commission-wide celebration



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
EMPLOYEE NEWS

Update

A BALTIMORE COUNTY COMMISSION SERVING MONTGOMERY AND PRINCE GEORGE'S COUNTIES
VOLUME XXVIII • ISSUE 1
FEBRUARY 2019
WWW.MNCPCC.ORG

Look Inside

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PGPR's Dinosaur Park Inspires Winning	page 5
Doodle 4 Google	page 6
Health & Benefits Update	pages 6-7
ERS LifeTimes	page 8

The deadline for submissions to the next issue of *Update* is close of business Friday, March 1. Thank you!



Diversity Council. Photo by Khalil Gill.

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
EMPLOYEE NEWS

Update

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MARCH 2019
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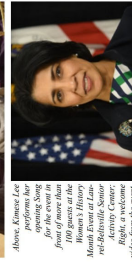
Look Inside

Diversity Corner – Meet Carlos Decio	page 3
Health & Benefits Update	pages 4
ERS LifeTimes	page 5

The deadline for submissions to the next issue of *Update* is close of business Friday, March 29. Thank you!



See Women's History, page 6



Click the image to play the video at <http://www.youtube.com/watch?v=48TDE-1R2Q4&feature=youtu.be>
Alpha Bennett, Executive Director

Diversity Council Hosts M-NCPPC Women's History Month Celebration

On March 8, 2019, the M-NCPPC's Diversity Council hosted the annual Bi-County Women's History Month Celebration at the Montgomery County Executive Center. In conjunction with International Women's Day, women from the agency's workforce were celebrated at the event, with the theme *Her Intersectional Path to M-NCPPC*. PC Ladies (and gentlemen) enjoyed healthy mocktails, hot yoga, and a presentation by the Montgomery County Executive Center's Women's History Month Committee. The event featured dynamic presentations, including the journeys of women from various locations to the Commission. The stories included adversities, challenges, celebra-

Alpha Bennett, Executive Director, performs her opening song "I Am a Woman" in front of more than 100 guests at the 2019 Women's History Month Event at the Montgomery County Executive Center. Right: a welcome video from the event.

Representation & Support



Increased Diversity Council visibility!

- Asian-American Pacific Islander Heritage Month Panel – Montgomery County – May
- Racial Equity & Social Justice Policy for Montgomery County – August
- Hispanic-Heritage Month Event – Montgomery County – October
- M-NCPPC Employee Hispanic-Heritage Month Reception – October
- M-NCPPC One Commission Employee Appreciation and Open House – December



Collaboration



Coordinated within M-NCPPC
Departments to continue to enhance
unified efforts:

- M-NCPPC Diversity & Inclusion Study (Montgomery & Prince George's Planning)
- DPR Workplace Culture Program
- DPR Special Programs Division



Women's History Month



Event Theme:
Her International Path to M-NCPPC


Attendance:
200+

Keynote Speaker:
Commissioner Natali Fani-González

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
DIVERSITY COUNCIL PRESENTS

WOMEN'S HISTORY MONTH
CELEBRATION!
"Her International Path to M-NCPPC!"

March 8, 2019
Laurel-Beltsville Senior Activity Center



**KEYNOTE
SPEAKER**

Commissioner Natali Fani-González



Appointed in October 2014, Natali Fani-González is the first Latina and first national to serve on the Montgomery County Planning Board. She leads a dynamic public engagement firm named Matea Group, which has managed multimillion dollar campaigns across the nation. Among her clients are the Maryland Department of Health and Mental Hygiene, CASA de Maryland/CASA in Action, Center for Community Change, NextGen funded by Tom Steyer, Amnesty International, Capital Area Food Network, Women's Leadership Initiative, Virginia Consumer Voices for Healthcare, Iron Workers Local Union and the Service Employees International Union.

Women's History Month



Video:

Featured interviews of Commission women sharing their interesting stories & photos highlighting women across M-NCPPC

Performances:

Showcasing M-NCPPC talent through song & spoken word

Mapping Story:

Large maps illustrating national & international journeys of attendees



Christine Osei
Planner Coordinator
M-NCPPC



Planning for 2020



LOOKING FORWARD!

37 Women's History Month Celebration – March 2020

- Triennial One Commission Diversity Event
- “Beyond Race” – Spring/Summer 2020
- Diversity Conversations
- LGBTQIA Pride Month – June 2020
- Broader Messaging
- “Unconscious Bias” Training



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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
EMPLOYEE PERFORMANCE EVALUATIONS NOT COMPLETED BY DUE DATE
BY DEPARTMENT AS OF DECEMBER 2019

	<u>31 - 60 DAYS</u>		<u>61 - 90 DAYS</u>		<u>91 + DAYS</u>		<u>DEPARTMENT TOTALS</u>	
	Nov-19	Dec-19	Nov-19	Dec-19	Nov-19	Dec-19	Nov-19	Dec-19
CHAIRMAN, MONTGOMERY COUNTY	1	0	0	0	0	0	1	0
CHARIMAN, PRINCE GEORGE'S COUNTY	0	0	0	0	0	0	0	0
OFFICE OF CIO	0	0	0	0	0	0	0	0
OFFICE OF INSPECTOR GENERAL	0	0	0	0	0	0	0	0
EXECUTIVE COMMITTEE/CHAIRS	0	0	0	0	0	0	0	0
DEPT. OF HUMAN RESOURCES & MGT.	2	1	0	0	0	0	2	1
LEGAL DEPARTMENT	5	1	0	2	0	0	5	3
FINANCE DEPARTMENT	5	3	0	1	0	0	5	4
PRINCE GEORGE'S PLANNING	6	1	2	4	0	2	8	7
PRINCE GEORGE'S PARKS & RECREATION	17	19	0	0	0	1	17	20
MONTGOMERY COUNTY PARKS	13	9	2	4	0	3	15	16
MONTGOMERY COUNTY PLANNING	13	11	3	3	0	1	16	15
DEPARTMENT TOTAL BY DAYS LATE	62	45	7	14	0	7		
COMMISSION-WIDE TOTAL							69	66

**DEPARTMENTS HAVE BEEN NOTIFIED OF LATE EVALUATIONS.

ITEM 6a

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Office of the General Counsel
Maryland-National Capital Park and Planning Commission

Reply To

January 2, 2020

Adrian R. Gardner
General Counsel
6611 Kenilworth Avenue, Suite 200
Riverdale, Maryland 20737
(301) 454-1670 • (301) 454-1674 fax

MEMORANDUM

TO: The Maryland-National Capital Park and Planning Commission

FROM: Adrian R. Gardner
 General Counsel

RE: Litigation Report for December 2019 – FY 2020

Please find the attached litigation report we have prepared for your meeting scheduled on Wednesday, January 15, 2020. 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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Disposition of FY20 Closed Cases Sorted by Department	Page 04
Index of Reported Cases Sorted by Jurisdiction.....	Page 06
Litigation Report Ordered by Court Jurisdiction.....	Page 07

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December 2019

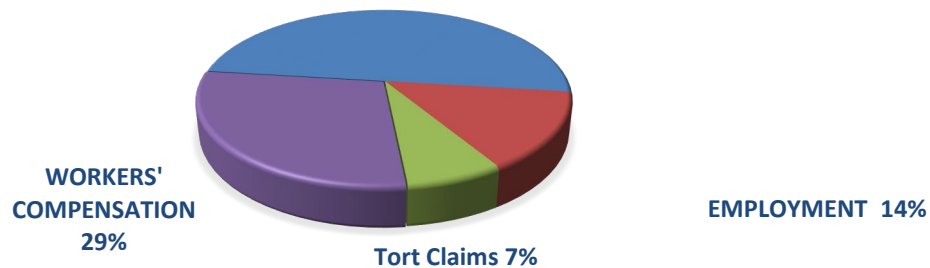
Composition of Pending Litigation

(Sorted By Subject Matter and Forum)

	State Trial Court	Maryland COSA	Maryland Court of Appeals	Federal Trial Court	Federal Appeals Court	U.S. Supreme Court	Subject Matter Totals
Admin Appeal: Land Use	4	2	1				7
Admin Appeal: Other							
Land Use Dispute							
Tort Claim	1						1
Employment Dispute	1			1			2
Contract Dispute							
Property Dispute							
Civil Enforcement							
Workers' Compensation	3	1					4
Debt Collection							
Bankruptcy							
Miscellaneous							
Per Forum Totals	9	3	1	1			14

OVERVIEW OF PENDING LITIGATION

LAND USE 50%



By Major Case Categories

December 2019 Litigation Activity Summary

	COUNT FOR MONTH			COUNT FOR FISCAL YEAR 2019			
	Pending In Oct. 2019	New Cases	Resolved Cases	Pending Prior F/Y	New Cases F/YTD**	Resolved Cases F/YTD**	Pending Current Month
Admin Appeal: Land Use (AALU)	5	2		6	5	4	7
Admin Appeal: Other (AAO)							
Land Use Disputes (LD)							
Tort Claims (T)		1		1	1	1	1
Employment Disputes (ED)	2				2		2
Contract Disputes (CD)							
Property Disputes (PD)							
Civil Enforcement (CE)							
Workers' Compensation (WC)	4			5	3	5	4
Debt Collection (D)							
Bankruptcy (B)							
Miscellaneous (M)				2		2	
Totals	11	3		14	11	12	14

INDEX OF YTD NEW CASES (7/1/2019 TO 6/30/20)

A. <u>New Trial Court Cases.</u>	<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>
Milbourne v. Commission	PG	WC	July 19
Commission v. Batson	PG	WC	July 19
Commission v. Sommer	PG	WC	Aug 19
McCourt v. Commission	PG	ED	Aug 19
Neighbors for an Improved Kensington, et al. v. Montgomery County Planning Board	MC	AALU	Aug 19
King v. Commission	PG	WC	Sept 19
Estreicher v. Montgomery County Planning Board	MC	AALU	Sept 19
Evans v. Commission	MC	ED	Sept 19
Pumphrey v. Wilson	PG	Tort	Sept 19
Benton v. Woodmore Overlook Commercial, LLC	PG	AALU	Nov 19
Kosary v. Montgomery County Planning Board	MC	AALU	Dec 19

B. <u>New Appellate Court Cases.</u>	<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>
Pletsch, et al v. Commission	MC	AALU	

INDEX OF YTD RESOLVED CASES (7/1/2019 TO 6/30/20)

A. <u>Trial Court Cases Resolved.</u>	<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>
Commission v. Ferrante	PG	WC	July 19
Commission v. Ferrante	PG	WC	July 19
Bradley Boulevard Citizens Association Inc. v. Montgomery County Planning Board	MC	AALU	July 19
Critical Area Commission v. MNCPPC	PG	AALU	Aug 19
Commission v. Sommer	PG	WC	Oct 19

B. <u>Appellate Court Cases Resolved.</u>	<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>
The Town of Forest Heights v. Commission	PG	Misc.	June 19
Pletsch, et al. v. Commission	PG	AALU	July 19
Ross v. Commission	PG	WC	Oct 19

Disposition of FY20 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 Planning		
Bradley Boulevard Citizens Association, Inc. v. Montgomery County Planning Board	Appeal of Planning Board approval of WMAL Site Plan 820170170.	07/17/19 – Joint Motion to Dismiss granted.
Montgomery County Department of Parks		
Montgomery County Park Police		
Montgomery County Planning Board		
Prince George's County Department of Parks and Recreation		
Commission v. Sommer	Claimant and Commission filed Joint Petitions for Judicial Review appealing the several denials of a proposed settlement agreement by the WCC.	10/30/19 – Court remanded back to WCC in line with settlement agreement between the parties. Commission to pay a lump sum payment.
Ferrante v. Commission (two separate cases)	Appeal from WCC Order requiring Commission to pay indemnity benefits corresponding to medical treatment.	07/25/19- Court affirmed the decision of the orders dated April 11, 2018 and October 19, 2018 issued by the Workers' Compensation Commission
Ross v. Commission	Defense of appeal from order granting a credit for overpayment of temporary total disability from June 26, 2013 to March 23, 2016.	10/22/19 – Appeal dismissed by Ross.

Prince George's County Planning Department		
Pletsch, et al. v. Commission	Two separate appeals filed. Citizens filed an appeal of order affirming the underlying decision and resolution. The developer filed an appeal of the denial of the motion to dismiss for lack of standing. The Commission did not join in the appeal of the denial of the motion to dismiss.	07/22/19 – Court vacated the judgment of the Circuit Court and remanded with direction to dismiss the Petition for Judicial Review.
Critical Area Commission v. MNCPPC	Petition for Judicial Review regarding the Prince George's County Planning Board's approval of the Indian Queen Overlook Conservation Plan CP-16002.	08/19/19 - matter voluntarily 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

No Pending Cases

DISTRICT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

Milbourne v. Commission

Case No. 050200086602019 (WC)

Lead Counsel: Dickerson
Other Counsel: Foster

Abstract: Milbourne alleges Commission owes him for amounts withheld from annual leave upon leaving employment.

Status: Case dismissed.
Docket:

03/25/19	Complaint filed
07/19/19	Commission served
07/31/19	Notice of Intent to Defend filed by Commission
10/23/19	Settlement reached in principle for payment to the Commission by Milbourne for overpayment of wages, in light of the Commission's contemplated counter-claim for said overpayment of wages. Commission Demand for Jury trial
11/13/19	Case Dismissed. Awaiting receipt of payment per agreement.
12/17/19	Payment received pursuant to agreement.

CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND

Estreicher v. Montgomery County Planning Board

Case No. 472672-V (AALU)

Lead Counsel: Mills
Other Counsel:

Abstract: Judicial Review of Montgomery County Planning Board's approval of Sketch Plan 320190100 8015 Old Georgetown Road.

Status: Awaiting Scheduling Order.

Docket:

09/24/19	Petition for Judicial Review filed
10/08/19	Commission's Response filed
10/10/19	JLB Realty, LLC's Response to Petition for Judicial Review filed
11/21/19	Administrative record filed

Kosary v. Montgomery County Planning Board

Case No. 476283-V (AALU)

Lead Counsel: Sorrento
Other Counsel:

Abstract: Judicial Review of Montgomery County Planning Board's approval of Primrose School Preliminary Forest Conservation Plan CU-18-08.

Status: Awaiting Decision on Motion to Dismiss.

Docket:

12/06/19	Petition for Judicial Review filed
12/11/19	Planning Board's Motion to Dismiss filed
12/12/19	Response to Petition for Judicial Review filed
12/19/19	Petitioner's Supplemental Petition for Judicial Review filed
12/23/19	Petitioner's Response to Motion to Dismiss filed.

Neighbors for an Improved Kensington, et al. v. Montgomery County Planning Board

Case No. 472049-V (AALU)

Lead Counsel: Coleman
Other Counsel: Mills

Abstract: Judicial Review of Montgomery County Planning Board's approval of Knowles Manor Site Plan 820190080.

Status: Awaiting Oral Argument.

Docket:

08/29/19	Petition for Judicial Review filed
09/09/19	Commission's response filed
10/04/19	Kensington Manor Senior Housing, LLC's Response to Petition for Judicial Review filed.
12/02/19	Joint Motion for Continuance filed.
12/05/19	Motion for Continuance granted.
03/20/20	Oral Argument scheduled.

CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

Benton v. Woodmore Overlook Commercial, LLC

Case No. CAL19-14488 (AALU)

Lead Counsel: Borden

Other Counsel:

Abstract: Judicial Review of decision of the Prince George's County Planning Board.

Status: Appeal filed.

Docket:

04/30/19	Petition for Judicial Review filed
05/16/19	Commission's response filed
06/04/19	Delmarva Site Development, Inc Notice to Participate
06/25/19	Opposition to Motion to Participate
06/25/19	Supplemental Petition for Judicial Review
06/26/19	Amended Petition for Judicial Review
06/28/19	Motion to Strike Petitioner's Supplement to Petition for Judicial Review
07/11/19	Commission's Second Motion to Strike
08/02/19	Delmarva's Motion to Dismiss Amended Petition for Judicial Review
08/02/19	Delmarva's Motion to Strike
08/09/19	Petitioner's Motion for Extension of Time to respond to Commission's Motions to Strike
08/26/19	Petitioner's Joint Rebuttal to Commission's 1 st and 2 nd Motions to Strike
09/26/19	Motion to Consolidate with CAL19-29156
09/27/19	Opposition to Motion to Consolidate
10/02/19	Opposition to Motion to Consolidate
10/07/19	Petition for Injunctive Relief
10/25/19	Order of Court – Petition for Injunctive Relief denied
10/25/19	Order of Court – Motion to Consolidate is denied
10/25/19	Order of Court – Petition for Judicial Review denied. Motion to Dismiss moot.
11/04/19	Motion to Reopen case, motion for reconsideration and motion for hearing
11/15/19	Commission's Response to Motion to Reopen, motion for reconsideration and motion for hearing
12/16/19	Order of Court – Motion to Reopen, motion for reconsideration and motion for hearing denied
12/19/19	Notice of Appeal filed.

Commission v. Batson
Case No. CAL19-24204 (WC)

Lead Counsel: Foster
Other Counsel:

Abstract: The Commission filed for Judicial Review on the record of WCC order regarding surgical authorization for leg causally related to accidental injury.

Status: In discovery.

Docket:

07/26/19	Petition for Judicial Review filed
08/08/19	Order of Court Permitting Omission of Record
08/19/19	Batson's Notice of Intent to Participate, Jury Demand
08/22/19	Commission's Motion to Strike Request for De Novo Review and Request for Jury Demand
09/03/19	Opposition to Motion to Strike filed
09/06/19	Memo in Support of on the record Judicial Review filed
09/19/19	Memo in Support of Opposition filed
10/02/19	Order of Court- Commission's Motion to Strike Request for De Novo Review and Request for Jury Trial denied. Case to proceed De Novo before a jury.
11/21/19	Motion to Bifurcate filed by Commission in an attempt to litigate the dispositive legal issue preliminarily before any de novo trial.
11/25/19	Opposition to Motion to Bifurcate filed by Claimant.
12/12/19	Scheduling Order issued.
12/16/19	Motion to Bifurcate denied.
12/30/19	Commission's Expert Designation filed.
10/07/20	Trial

King v. Commission
Case No. CAL 19-30096 (WC)

Lead Counsel: Foster
Other Counsel:

Abstract: Claimant seeks judicial review of an order from the Workers' Compensation Commission denying authorization for neck surgery.

Status: In discovery.

Docket:

09/23/19	Petition for Judicial Review filed
09/26/19	Order of Court Permitting Omission of Record
10/03/19	Response of Commission filed.
06/30/20	Trial

McCourt v. Commission
Case No. CAL 19-27903 (ED)

Lead Counsel: Dickerson
Other Counsel: Foster

Abstract: Petition for Judicial Review of Merit Board decision on a classification matter filed.

Status: In discovery.

Docket:

08/23/19	Petition for Judicial Review filed
09/04/19	Commission notified of filing of Petition
09/24/19	Response to Petition for Judicial Review
10/07/19	Petition for Judicial Review filed by Patricia McCourt
12/18/19	Consent Motion to Continue date of Oral Argument
12/30/19	Continuance granted.
03/27/20	Oral argument.

Pumphrey v. Wilson
Case No. CAL 19-30161 (Tort)

Lead Counsel: Dickerson
Other Counsel: Foster

Abstract: Automobile accident with vehicle driven by Commission employee.

Status: Commission has yet to be served.

Docket:

09/16/19	Complaint filed
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MARYLAND COURT OF SPECIAL APPEALS

Bradley Boulevard Citizens Assn, Inc. v. Montgomery County Planning Board

September Term 2018, No. 1034 (AALU)
(Originally filed under 436463-V in Montgomery County)

Lead Counsel: Sorrento
Other Counsel:

Abstract: Petitioner appealed Montgomery County Circuit Court June 4, 2018 Order affirming the Planning Board's approval of WMAL Preliminary Plan 120160290.

Status: Case affirmed.

Docket:

07/03/18	Civil Information Report filed
10/26/18	Order that Appeal proceed without a prehearing conference or ADR
10/09/19	Oral Argument held.
12/06/19	Judgment of Circuit Court affirmed.

Gaspard v. Montgomery County Planning Board

September Term 2019 Case No. 0579 (AALU)

Lead Counsel: Mills
Other Counsel:

Abstract: Appeal of decision affirming Planning Board's approval of Preliminary Plan 120160180 Glen Mill – Parcel 833

Status: Appeal filed.

Docket:

05/23/19	Appeal filed
11/07/19	Stipulated Briefing Schedule filed.

Green v. Commission

September Term 2019 Case No.0709 (WC)

Lead Counsel: Foster
Other Counsel:

Abstract: Appeal from Circuit Court's dismissal of Petition for Judicial Review. Underlying decision required Appellant to use Corvel's mail-in services for her prescription needs, effective December 1, 2018. The Commission filed a Motion to Dismiss arguing that the Claimant/Plaintiff was not aggrieved by the decision of the WCC because there was no change to her medications, only the delivery apparatus, and thus she had no standing to appeal. Claimant/Plaintiff appealed.

Status: Appeal dismissed.

Docket:

06/13/19	Appeal filed.
10/21/19	Show Cause Order to Green as to why appeal should not be dismissed for failure to transmit the record within the time required
10/28/19	Record on Appeal received by Court.
10/28/19	Scheduling Order issued.
12/02/19	Show Cause satisfied.
12/10/19	Appeal voluntarily dismissed.

MARYLAND COURT OF APPEALS

Pletsch, et al v. Commission

September Term 2019, No. 0293 (AALU)

Lead Counsel: Mills
Other Counsel: Borden

Abstract: Petition for Writ of Cert filed regarding Court of Special Appeals remand to Circuit Court to Dismiss Petition for Judicial Review for lack of standing.

Status: Certiorari denied.

Docket:

09/25/19	Petition for Writ of Certiorari filed
11/20/19	Certiorari denied – ruling on standing
12/23/19	Certiorari denied

U.S. DISTRICT COURT OF MARYLAND

Evans v. Commission, et al.

8:19-cv-02651 TDC (ED)

Lead Counsel: Dickerson
Other Counsel: Foster

Abstract: Plaintiff, police lieutenant, filed a complaint against the Commission and four individual defendants, alleging discrimination, retaliation and assorted negligence and constitutional violations.

Status: Awaiting Court action on Status Report.

Docket:

09/11/19	Complaint filed
10/23/19	Notice of Intent to file Motion for More Definite Statement filed by Defendants Commission, McSwain, and Riley
10/24/19	Notice of Intent to file Motion for More Definite Statement filed by J. Creed on behalf of Defendant Murphy
10/28/19	Notice of Intent to File a Motion for More Definite Statement filed by attorney C. Bruce on behalf of Defendant Uhrig
11/19/19	Case Management Conference held
11/20/19	Order directing Plaintiff's Counsel to file Status Report by November 26, 2019
11/26/19	Status Report filed by Plaintiff agreeing to file Amended Complaint specifying against whom each claim is asserted and dates of alleged events.
12/10/19	Amended Complaint filed.
12/23/19	Notice of Intent to file a Motion to Dismiss filed by all defendants
12/30/19	Case Management conference set.