

Item 1

MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION MEETING

Wednesday, April 15, 2015

MRO 9:30 a.m. – 11:30 a.m.

				<u>ACTION</u>	
				Motion	Second
1.	Approval of Commission Agenda	(+*) Page	1		
2.	Approval of Commission Minutes				
	a) Open Session – March 18, 2015	(+*) Page	3		
	b) Closed Session – March 18, 2015	(+*)			
	c) Special Conference Call Open Session – April 2, 2015	(+*) Page	7		
	d) Special Conference Call Closed Session – April 2, 2015	(+*)			
3.	General Announcements				
	a) Upcoming Fitness Day – Show Place Arena – May 13, 2015				
	b) Upcoming Asian-Pacific American Heritage Month				
4.	Committee/Board Reports (For Information Only):				
	a) Minutes – Executive Committee Open Session – April 1, 2015	(+) Page	9		
	b) Minutes – Executive Committee Closed Session – April 1, 2015	(++)			
	c) Minutes – Regular Board of Trustees Meeting – March 3, 2015	(+) Page	11		
	d) Minutes – 115 Trust (OPEB) Meeting – December 17, 2014	(+) Page	15		
5.	Action and Presentation Items				
	a) Recommendation to Approve Selection of New Small Cap Value Investment Manager (A. Rose)	(+*) Page	17		
	b) Enterprise Asset Management System Demonstration (Montgomery County Parks and Prince George’s County Parks and Recreation)	(+) Page	19		
6.	Open Session - Officers’ Reports				
	a) Executive Director – (For Information Only)				
	Employee Evaluations Not Completed by Due Date – (March 2015).....(+)	Page	47		
	b) Secretary-Treasurer – (For Information Only)				
	Enterprise Resource Planning (ERP) Briefing				
	c) General Counsel – (For Information Only)				
	Litigation Report – (March 2015).....(+)	Page	49		
7.	Closed Session				
	Collective Bargaining Update - Pursuant to Section 3-305(b)(7) and (b)(9) of the General Provisions Article of the Annotated Code of Maryland, a closed session is proposed to consult with counsel to obtain legal advice, and to conduct collective bargaining negotiations or consider matters that relate to the negotiations.				

(+) Attachment (++) Commissioners Only (*) Vote (H) Handout (LD) Late Delivery



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

Commission Meeting
Open Session Minutes
March 18, 2015

The Maryland-National Capital Park and Planning Commission met on March 18, 2015, at 9:30 a.m. at the Prince George’s County Parks and Recreation Auditorium in Riverdale, Maryland.

PRESENT

Prince George’s County Commissioners

Elizabeth M. Hewlett, Chair
Manuel Geraldo
Dorothy Bailey

Montgomery County Commissioners

Casey Anderson, Vice-Chair
Norman Dreyfuss
Natali Fani-Gonzalez
Marye-Wells Harley

ABSENT

A. Shuanise Washington
John Shoaff

Amy Presley

Chair Hewlett convened the meeting at 9:46 a.m.

ITEM 1 APPROVAL OF COMMISSION AGENDA

ACTION: Motion of Geraldo to approve the agenda
Seconded by Bailey
7 Approved the motion

ITEM 2 APPROVAL OF COMMISSION MEETING MINUTES

February 18, 2015 – Open Session
February 18, 2015 – Closed Session
ACTION: Motion of Bailey to approve the minutes
Seconded by Geraldo
7 Approved the motion

ITEM 3 GENERAL ANNOUNCEMENTS

Chair Hewlett made the following announcements:

March commemorates the following holidays and events:

- Saint Patrick’s Day
- American Red Cross Month
- Irish American Heritage Month
- Optimism Month
- Women’s History Month – Chair Hewlett acknowledged Commissioner Wells-Harley, founder of the agency’s Women’s History Month program, the Women’s

History Month celebration committee, and everyone who worked on the program. She commended all the speakers including Commissioner Natali Fani-Gonzalez, Commissioner A. Shuanise Washington (in absentia), and Dr. Maureen Dougherty for their remarks. Chair Hewlett also commended Senior Management Analyst Lisa Dupree for her coordination and contributions to the program.

Chair Hewlett shared M-NCPPC staff will make their first budget presentations before the Prince George's County and Montgomery County Councils this week.

ITEM 4 COMMITTEE/BOARD REPORTS – (For Information Only)

- a) Minutes – Executive Committee Open Session – March 4, 2015
- b) Minutes – Executive Committee Closed Session – March 4, 2015
- c) Minutes – Regular Board of Trustees Meeting – February 3, 2015

ITEM 5 ACTION AND PRESENTATION ITEMS

- a) Adoption of Resolution #15-01, Sandy Spring Rural Village Plan (Wright)
Montgomery County Planning Director Gwen Wright requested adoption of Resolution 15-01, Sandy Spring Rural Village Plan. Ms. Wright explained the Plan was unanimously approved by the Montgomery County Council.
ACTION: Motion of Wells-Harley to approve the Resolution
 Seconded by Dreyfuss
 7 approved the motion

- b) Program Open Space (POS) Briefing: Status of POS in the Commission's Capital Improvement Programs (Montgomery County Parks Capital Improvement Program Manager Carl Morgan; Prince George's County Parks and Recreation Capital Improvement Program Manager Shuchi Vera; General Counsel Adrian Gardner; Legislative Consultant Melony Griffith)
Capital Improvement Program (CIP) managers Carl Morgan and Shuchi Vera presented a PowerPoint explaining M-NCPPC's Program Open Space (POS) which is a funding source the agency receives from the State of Maryland. The presentation briefed the Commissioners about changes to the funding source and identified impacts to Montgomery and Prince George's Counties' Capital Improvement Plans.

The presentation explained that the POS was supported by a dedicated funding source through the real estate transfer tax. The POS typically funds 15% of the Montgomery Parks CIP budget and 6% of the CIP budget for Prince George's Parks and Recreation. Under the new Governor's budget, the State has allocated less POS funding than what was initially expected in FY16. There are more M-NCPPC projects in FY16 than there is support capacity for POS. This requires the agency to significantly scale back planned projects or return to Council for additional funds or support capital improvement projects through bonds. Under the new allocation, funds initially designated for the POS are being diverted to the State general fund for other uses. The State has been borrowing money from this source in the past and funding other projects. The funds are being replaced with bonds that are paid over a certain number of years.

General Counsel Gardner joined the presentation and distributed information being used as part of a campaign to educate the legislators about the POS. He introduced

Melony Griffith. Ms. Griffith was one of the Prince George's County legislators and has 16 years with the General Assembly. She was a member of the House Capital Budget Committee for 14 years and she served as Chairman of the Prince George's County Delegation. General Counsel Gardner shared that a number of legislators have changed this year. Ms. Griffith has been working diligently with M-NCPPC staff and the General Counsel's office for the past four weeks to educate her former colleagues and new legislators on the importance of the POS.

Ms. Griffith shared that while she was a member of the Conference Committee for the Operating and Capital Budgets, decisions were made to use the transfer tax funding to take care of budget shortfalls. As a member of the Conference Committee, Ms. Griffith informed the group that funds borrowed from the POS had to be paid back. She was surprised when she saw the commitment to repay the funds was removed from the Governor's budget.

Ms. Griffith and M-NCPPC's legislative team have met with political leaders explaining the history and the importance of the POS, and how decisions to divert funding will have immediate and long term impact on the communities in their respective Counties. She reminded the Prince George's County Subcommittee of the legislative intent to ensure that the POS received funding. The Sub-committee was asked to return to the initial commitment to the communities. Ms. Griffith praised the Commission for their commitment to parks programs and to its communities. She also acknowledged the dedication of the legal staff, Parks Director Riley, Parks and Recreation Director Gathers, and staff assigned to those departments in helping raise awareness.

The Commissioners thanked Ms. Griffith and the staff for an informative presentation and ongoing efforts on the POS. Commissioners will receive a copy of the PowerPoint presentation.

- c) Financial Disclosure Filing Requirement Briefing (Barney)
Executive Director Barney briefed Commissioners on State-mandated changes for filing Financial Disclosures. The new law requires filing the financial disclosure statements online. She requested that Commissioners file online disclosures, print copies before submitting, and forward two copies of the completed forms to her attention by April 15th. This will allow her to ensure compliance by maintaining a copy for M-NCPPC records and forwarding a copy to the respective County Administrative Officers. Instructions for filing Disclosures will be sent to Commissioners on Friday.

ITEM 6

OFFICERS' REPORTS

- a) Executive Director (Barney)
Employee Evaluations Not Completed by Due Date (February 2015) (For Information Only)
The report is in the packet. Directors are working diligently to have the evaluations completed.

b) Secretary-Treasurer (Zimmerman) (For Information Only)

1) Enterprise Resource Planning (ERP) Briefing (Zimmerman)

Secretary-Treasurer Zimmerman stated the Directors met on the Supply Chain module. Modifications were approved by Directors to enhance functionality. Reporting enhancements are being made in the financial system, and budget managers will soon receive access to these reports. For the Human Capital Management module, departments have been provided reports to help validate employee assigned codes.

2) MFD Second Quarter 2015 Report

The report shows 28.8% or \$21.1 million was spent with minority, female and disabled (MFD) owned firms, which is good. Secretary-Treasurer Zimmerman referred Commissioners to the packet for more information.

c) General Counsel (Gardner)

1) Litigation Report - (February 2015) (For Information Only)

The report is in the packet. No comments were made.

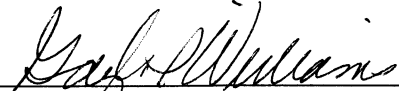
2) Legislative Update

General Counsel Gardner stated that things are good so far. Chair Hewlett echoed the General Counsel's remarks.

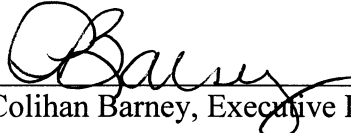
Following a 10-minute break that began at 10:50 a.m., Chair Hewlett requested a motion to move to closed session at 11:00 a.m.

ACTION: Motion of Geraldo to move to closed session
Seconded by Bailey
7 approved the motion

Pursuant to Section 3-305(b)(7) and (b)(9) of the General Provisions Article of the Annotated Code of Maryland, at 11:00 a.m., Chair Hewlett requested a motion to move to closed session to discuss Collective Bargaining Update and Legal Process, and for purposes of consultation with counsel to discuss the Internal Revenue Service Audit matter.



Gayla Williams, Senior Technical Writer/
Senior Management Analyst



Patricia Colihan Barney, Executive Director



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

Commission Open Session
Special Conference Call Minutes
April 2, 2015

The Maryland-National Capital Park and Planning Commission met via conference call at 9:00 a.m., from the County Administration Building in Upper Marlboro, Maryland, and the Montgomery Regional Office in Silver Spring, Maryland.

PRESENT

Prince George's County Commissioners

Elizabeth M. Hewlett, Chair
Dorothy Bailey
Manuel Geraldo
John Shoaff
A. Shuanise Washington

Montgomery County Commissioners

Casey Anderson, Vice-Chair
Natali Fani-Gonzalez
Amy Presley
Marye Wells-Harley

ABSENT

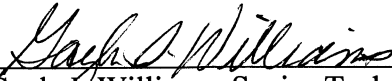
Norman Dreyfuss

Department Heads/Deputy Directors/Presenters/Staff

Patricia C. Barney, Executive Director
Joseph Zimmerman, Secretary-Treasurer
Ronnie Gathers, Director, Prince George's County Parks and Recreation
Fern Piret, Director, Prince George's County Planning
Mike Riley, Director, Montgomery County Parks
Rose Krasnow, Deputy Director, Montgomery County Planning
John Nissel, Deputy Director, Montgomery County Parks
Jessica Jones, Administrator, Prince George's County Planning Board
John Kroll, Corporate Budget Manager
George Johnson, Associate General Counsel
Carol Rubin, Associate General Counsel
William Spencer, Human Resources Director
Stephanie Neal, Prince George's County Parks and Recreation Maintenance Manager
Joe Parsons, Technical Writer, Montgomery County Planning Board
Marie Proctor, Technical Writer, Prince George's County Planning Board
Craig Ballew, Outside Labor Counsel

At 9:21 a.m., Chair Hewlett requested a motion to move to closed session for purposes of consultation with counsel and collective bargaining negotiations pursuant to 3-305(b)(7) and (b)(9) of the General Provisions Article of the Annotated Code of Maryland.

ACTION: Motion of Geraldo
Seconded by Bailey
9 approved the motion



Gayla L. Williams, Senior Technical Writer/
Senior Management Analyst



Patricia Colihan Barney, Executive Director



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
 6611 Kenilworth Avenue • Riverdale, Maryland 20737

EXECUTIVE COMMITTEE CONFERENCE CALL MINUTES
 April 1, 2015

<p>The Maryland-National Capital Park and Planning Commission’s Executive Committee met via conference call at 9:30 a.m., from the County Administration Building in Upper Marlboro, Maryland, the Montgomery Regional Office in Silver Spring, Maryland, and the Executive Office Building in Riverdale, Maryland. Present were Chair Elizabeth M. Hewlett, Vice-Chair Casey Anderson, and Executive Director Patricia C. Barney. Also present were:</p> <p><u>Department Directors/Deputies/Presenters/Staff</u> Adrian Gardner, General Counsel Joe Zimmerman, Secretary-Treasurer Ronnie Gathers, Director, Prince George’s County Parks and Recreation Mike Riley, Director, Montgomery County Parks Karen Warnick, Management Services Division Chief, Montgomery County Planning (for Gwen Wright, Montgomery County Planning Director) William Spencer, Human Resources Director Janis Thom-Grate, Policy and Records Manager (CPMO)</p> <p>The meeting convened at 9:30 a.m.</p>	
<p>ITEM 1a - APPROVAL OF EXECUTIVE COMMITTEE AGENDA (Executive Director Patricia Barney)</p>	
<p>Discussion</p>	<ul style="list-style-type: none"> • No changes were made to the agenda.
<p>ITEM 1b - APPROVAL OF COMMISSION MEETING (Executive Director Patricia Barney)</p>	
<p>Discussion</p>	<p>Executive Director Barney reviewed the April 15, 2015, Commission meeting agenda. The following amendment was made:</p> <ul style="list-style-type: none"> • Move Annual Legislative Report to May agenda
<p>ITEM 1c - ROLLING AGENDA FOR UPCOMING COMMISSION MEETINGS (Executive Director Patricia Barney)</p>	
<p>Discussion</p>	<p>Executive Director Barney reviewed the Rolling Agenda for the upcoming four Commission meetings. The following amendments were made:</p> <ul style="list-style-type: none"> • June Agenda <ul style="list-style-type: none"> ○ Add Executive Director Barney and Human Resources Director William Spencer as presenters for the Wage Resolution ○ Add Corporate Budget Manager John Kroll as presenter for the Commission Budget Resolution ○ Add Corporate Budget Manager John Kroll as presenter for the FY16 Employer Contribution Retiree Group Health ○ Add a closed session to discuss Collective Bargaining • July and September Agendas <ul style="list-style-type: none"> ○ Remove Collective Bargaining Update

ITEM 2 – MINUTES	
Provided for Information Only	March 4, 2015 Executive Committee Minutes a) Open Session b) Closed Session
ITEM 3 – DISCUSSION/REPORTS/PRESENTATIONS	
Discussion	<p>a) Enterprise Resource Planning (ERP) Briefing (Zimmerman) Secretary-Treasurer Zimmerman provided an update on Enterprise Resource Planning (ERP). He stated that progress has been slow. The team has learned from their experience of running jobs out of order and not being able to present proper leave accruals in the last payroll for Career (B1) employees. Leave accruals should be recorded correctly in the next pay cycle. A control mechanism has been put in place to resolve the problem which caused 148 Prince George’s County Parks and Recreation Seasonal and Intermittent (B2) employees to be missed two weeks ago. Reports are being generated today presenting the March 31st numbers to departments to ensure the information in Archives is correct as M-NCPPC has not received the necessary reporting from Infor.</p> <p>Executive Director Barney shared that a report will be presented to the Steering Committee on Friday, April 3rd. She explained that the March 31st report is a key report that every government agency gets. It is a budget to actual report that can be run at any point in time; however, Infor has not been able to do this very basic report for the agency. M-NCPPC will have to pay another vendor for this service.</p> <p>Executive Director Barney noted the team continues to work in the Human Resources/Payroll system ensuring employees are in the correct accounting units and being charged to the appropriate categories.</p>

Chair Hewlett requested a motion to move to closed session.

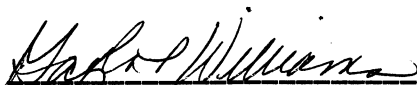
Action: Motion of Barney

Seconded by Anderson


3 approved the motion to move to closed session

The meeting adjourned to closed session at 9:37 a.m.

The meeting moved to open session and adjourned at 10:11 a.m.



 Gayla J. Williams, Senior Technical Writer/
 Senior Management Analyst



 Patricia Colihan Barney, Executive Director



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

**REGULAR BOARD OF TRUSTEES MEETING
MINUTES**

Tuesday, March 3, 2015; 10:00 A.M.
ERS/Merit Board Conference Room

The regular meeting of the Board of Trustees convened in the ERS/Merit Board Conference Room on Tuesday, March 3, 2015 at 10:00 a.m. Voting members present were: Josh Ardison, Khalid Afzal, Patricia Colihan Barney, CPA, Richard H. Bucher, Ph.D., Jenetha Facey, Pamela F. Gogol, Elizabeth M. Hewlett, Tracy Lieberman, Barbara Walsh, and Joseph C. Zimmerman, CPA. Marye Wells-Harley was absent.

ERS staff included: Andrea L. Rose, Administrator, Heather D. Brown, Senior Administrative Specialist; and, Sheila S. Joynes, Accounting Manager.

Presentation by Wilshire Associates – Bradley A. Baker, Vice President and Mark E. Brubaker, CFA, Managing Director.

1. CONSENT AGENDA

The following items are to be approved or accepted by vote on one motion unless a Board member requests separate consideration:

- A. Approval of the March 3, 2015 Board of Trustees Meeting Agenda
- B. Minutes of Regular Meeting, February 3, 2015
- C. Transfer of \$12,600,000 to Cover Administration Expenses and Benefit Payments for March – May 2015

CONFIDENTIAL ITEMS

- D. Minutes of Closed Session, February 3, 2015
- E. Minutes of Closed Session, May 6, 2014
- F. Disbursements Granted Report – January 2015

Due to inclement weather, Item 6 Wilshire Associates was moved to Item 4.

MS. BARNEY made a correction to the Minutes of Closed Session, February 3, 2015: page 2 – removed duplicate paragraph.

MS. BARNEY made a motion, seconded by MR. AFZAL to approve the Consent Agenda, as revised. The motion PASSED unanimously (10-0). (Motion #15-12)

2. CHAIRMAN'S ITEMS

- A. Board of Trustees Conference Summary
 - i. IFEBP 60th Annual Conference Report by Josh Ardison

MR. ARDISON reported on the IFEBP 60th Annual Conference he attended in October 2014.

3. MISCELLANEOUS

4. **MANAGER REPORTS/PRESENTATIONS**

A. Wilshire Associates

Presentation by Bradley A. Baker, Vice President and Mark E. Brubaker, CFA, Managing Director

- i. Executive Summary of Investment Performance; as of December 31, 2014
- ii. 2015 Actuarial Interest Rate Assumption
- iii. 2015 Asset Allocation Return and Risk Assumptions; January 27, 2015
- iv. Manager Comparison - 3yr and 5yr Rolling Returns; as of December 31, 2014
- v. Summary of Investment Performance – Gross of Fees; Qtr. Ending December 31, 2014

Mark E. Brubaker, Managing Director and head of Wilshire's Consulting Services team discussed the departure of the ERS' lead consultant, Mike Dudkowski in February 2015. Mr. Brubaker reminded the Board he was the original consultant hired by the ERS in 2001 and assured the Board of a smooth transition. Brad Baker will assume the role of lead consultant with Mr. Brubaker as the back-up. Mr. Baker received his MBA in December 2014 and was promoted to Vice President. Mr. Baker has worked extensively alongside the lead consultants and with ERS staff on the ERS' account since 2005. Board Members and the ERS Administrator congratulated Mr. Baker and agreed they are comfortable with the transition approach.

Mr. Brubaker left the meeting at 10:20 a.m.

Mr. Baker reported on the fund's performance for the quarter ending December 31, 2014. The ERS' total return was 3.62% (net of fees) for the one-year ending December 31, 2014. The total fund underperformed the policy index return of 4.56%. The ERS fund return was 10.32% for the three-years ended December 31, 2014 and 9.32% for the five-years ended December 31, 2014 versus the policy index which returned 10.43% and 9.30%, respectively. The total market value through December 31, 2014 was \$799.1 million. The 3-year and 5-year performance can be attributed to the diversified exposures within the portfolio, which is positioned well to take advantage of varying market environments.

Mr. Baker reviewed individual manager performance highlighting Artisan's continued underperformance. Mr. Baker will be presenting alternative small-cap value options to the Investment Monitoring Group at its' March 2015 meeting.

Mr. Baker presented Wilshire's 2015 Actuarial Interest Rate Assumption analysis, highlighting Wilshire's 2015 Asset Class Assumptions. Based on Wilshire's assumptions, the expected rate of return for the ERS' asset mix policy is estimated at 6.39% without active management and 7.11% with active management. Mr. Baker pointed out this expected return is 80-90% driven by asset allocation and 10% by active management. According to Wilshire's 2015 *Report of State Retirement Systems: Funding Levels and Asset Allocation*, the median actuarial interest rate reported was 7.5%. The Board will review and discuss a reduction of the interest rate assumption at its' regular June 2, 2015 meeting.

4. **CLOSED SESSION**

The Board will meet in closed session, pursuant to the General Provisions Article of the Annotated Code of Maryland Section 3-305(b)(7) to consult with legal counsel.

MS. WALSH made a motion, seconded by MS. FACEY to go in to Closed Session under authority of the General Provisions Article of the Annotated Code of Maryland Section 3-305(b)(7) to consult with legal counsel. The motion PASSED unanimously (10-0). (Motion #15-13)

DR. BUCHER made a motion, seconded by MS. BARNEY to ratify the actions taken in Closed Session. The motion PASSED unanimously (10-0). (Motion #15-16)

5. REPORT OF THE ADMINISTRATOR

Presentation by Administrator, Andrea L. Rose

A. Administrator's Report dated February 20, 2015

- i. Recommendation to Approve a 1.6% Cost-of-Living Adjustment Effective July 1, 2015 for Eligible Retirees and Beneficiaries in Accordance with Provisions of the Employees' Retirement System

Ms. Rose reported the Taiwan market was open for trading by Earnest Partners. The process took approximately 8 months and included engagement of a tax agent in Taiwan.

Ms. Rose recommended the Board approve a cost-of-living adjustment (COLA) for retirees and beneficiaries of 1.6% effective July 1, 2015. Staff calculated the COLA using data from Table 24 - All Urban Consumers (CPI U) - All Items Annual Average (at December 2014). All retirees and beneficiaries receiving annuities for at least six months are eligible for the COLA.

DR. BUCHER made a motion, seconded by MS. BARNEY to approve a 1.6% cost-of-living adjustment (COLA) effective July 1, 2015 for all eligible retirees and beneficiaries in accordance with the provisions of the Employees' Retirement System. The motion PASSED unanimously (10-0). (Motion #15-17)

ERS staff continues to participate in the Commission's ERP Project which requires testing of interface files to load employee and payroll data into the ERS' system. Only one of three interface files is functional. While payroll information is being loaded, employee data and status changes are outdated. Given the time involved to review and recommend solutions, the Commission's Finance Department is providing additional support to the ERS. There are concerns about the timely processing of contribution deficiencies/overpayments, member benefit payments, as well as, the impact to the year-end process, including production of the actuarial valuation data file.

The Board of Trustees meeting of March 3, 2015 adjourned at 11:38 a.m.

Respectfully,



Heather D. Brown
Senior Administrative Specialist



Andrea L. Rose
Administrator

115 Trust (OPEB)
Meeting Minutes
MRO

Wednesday, December 17, 2014

Attending: Commissioner Manuel Geraldo, Chairman;
Patricia Colihan Barney, Commission Executive Director, Trustee;
Joseph Zimmerman, Commission Secretary-Treasurer, Trustee;
William Spencer, Commission Human Resources Director, Trustee;
Barbara Walsh, Commission Accounting Manager, Staff
Abbey Rodman, Commission Investment Manager, Administrator;
Claudia Stalker, Commission Accountant, Staff;
Barry Bryant, Investment Consultant, DAHAB Assoc.

Absent: Commissioner Casey Anderson, Trustee

The meeting was called to order at 8:43 a.m.

Minutes from the September 17, 2014 meeting were motioned by Patti Barney to be approved, seconded by William Spencer, and then unanimously accepted.

Following approval of the minutes, Mr. Bryant covered third quarter 2014 results.

Mr. Bryant said economic growth had improved to 3.5% and that the initial estimate had been revised upward to 3.9%. This above average growth included for the first time robust wage growth which should aid the economic recovery.

Worldwide stock and bond markets were down -2.0%, creating tightly bunched returns for most plans between 0% and -2.0%. The Domestic markets had 0.0% stock increase and 0.2% core bond increase. Private real estate increased 3.2%.

Return for the portfolio was -1.8%, ranking in the 89th percentile. The shadow index – a weighted average of the indices used to judge the various managers – declined -1.2%, matching the median return for all public plans of -1.2%.

Mr. Bryant indicated that the portfolio's poor return relative to other public plans was small in absolute terms (60 basis points), but that the ranking (89th) was extremely low due to the tight bunching of returns.

The below-average return resulted primarily from the PIMCO All-Asset Fund, which had a -3.6% return due to its non-US positioning in both stocks and bonds. Mr. Bryant offered to review the fund in detail, but this presentation was delayed to allow for a presentation by the actuary.

Chairman Geraldo asked whether the decline in oil prices was good for the U.S. economy, and if so why the U.S. market had been down recently. Mr. Bryant replied that while lower energy prices generally stimulated the US economy, the extreme decline in oil from \$100 to \$60 a barrel combined with appreciation of the dollar could destabilize oil producers in

the third world like Russia, Mexico and Brazil, which would not be positive for the economy worldwide.

Abbey Rodman told the commissioners that the Groom law firm had offered to review the real estate contract for the recently approved allocation at a cost of no more than \$23,000. The commissioners balked at spending this amount. Therefore, a motion was made, seconded by William Spencer, to authorize Ms. Rodman to try to negotiate a ceiling of \$15,000. Patti Barney moved to continue with Groom's review of the real estate contract. Mr. Bryant suggested the possibility of using the real estate strategy of the pension fund in place of the one approved by the Board as a fall back. Patti Barney suggested moving forward and looking into the market at a later date. Commissioner Geraldo also agreed to postpone putting forth an RFP until a future time.

Greg Stump of Boomershine Consulting Group, L.L.C. presented preliminary findings of an actuarial study his firm is conducting for the OPEB plan. Mr. Stump noted the following key points about the study:

- actuarial liabilities increased from \$275.8 million to \$296.5 million while
- actuarial assets increased from \$28.1mm to \$40.5mm;
- the funding ratio improved from 10% to 14%, placing the plan in the top 15% of government OPEB plans for funded status;
- the annual required contribution increased slightly from \$18.6mm to \$19.1mm;
- the primary reason for cost/liability changes were 1) increases in assets due to contributions and favorable investment performance 2) Employer Group Waiver Plan (EGWP) subsidies 3) demographic and claims costs/premium experience and 4) decrease in assumed investment return

The committee accepted the valuation numbers in the preliminary study which included a decline in the actuarial assumption from 7.5% to 7.4%. Mr. Stump said the final study would be ready in a few weeks. Mr. Bryant said his firm would perform an asset allocation study as soon as that the final report became available.

Patti Barney motioned to approve the employer contribution, as recommended by Boomershine, in the amount of \$5,125,000 on July 1, 2015. The motion was seconded by William Spencer and unanimously accepted.

The next meeting was scheduled for Wednesday, March 18, 2015 at PRA. Prior to the March scheduled meeting, it was suggested that a phone meeting be conducted during the week of January 12 to review PIMCO AA.

The meeting was adjourned at 9:28 a.m.

Respectfully Submitted,



Claudia Stalker



EMPLOYEES' RETIREMENT SYSTEM

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

(301) 454-1415 - Telephone

ITEM 5a

Andrea L. Rose
Administrator

BOARD OF TRUSTEES

Chairman Elizabeth M. Hewlett
Vice Chairman Marye Wells-Harley

Khalid Afzal	Josh Ardison
Patricia Colihan Barney, CPA	Richard H. Bucher, Ph.D.
Jenetha Facey	Pamela F. Gogol
Tracey Lieberman	Barbara Walsh
Joseph C. Zimmerman, CPA	

TO: The Commission **DATE:** April 7, 2015

Via: Elizabeth M. Hewlett
Chairman, Board of Trustees 

From: Andrea L. Rose
ERS Administrator 

SUBJECT: ***Appointment of Chicago Equity Partners as the new U.S. Equity Small Cap Value Manager for the Maryland-National Capital Park and Planning Commission Employees' Retirement System***

RECOMMENDATION

On behalf of the Board of Trustees ("Board") of the Maryland-National Capital Park and Planning Commission ("Commission") Employees' Retirement System (ERS), I recommend the Commission approve Chicago Equity Partners as the new U.S. Equity Small Cap Value Manager for the ERS.

BACKGROUND AND EVALUATION

At its February 3, 2015 meeting, the Board of Trustees approved a search for a U.S. Equity Small Cap Value Manager with analysis versus the ERS' current manager, Artisan Partners.

The ERS' investment consultant, Wilshire Associates, conducted a search for U.S. small cap value managers. The search criteria included 1) products benchmarked to the Russell 2000 Value Index; 2) firms with institutional quality strategies and a verifiable track record; 3) firms with dedicated risk management systems and tools; and 4) firms and/or strategies highly rated by the Wilshire Manager Research Group. Wilshire analyzed the universe of U.S. small cap value managers and identified managers with high quality products and minority, female, disabled and emerging managers, in accordance with the ERS' search requirements. The search process resulted in four active candidates and four passive candidates that met the criteria.

At its March 17, 2015 meeting, the Investment Monitoring Group (IMG) evaluated the candidates versus Artisan Partners. The Artisan Small Cap Value strategy underperformed the Russell 2000 Value Index in all trailing time periods (1, 3, 5, 10 years) and ranked in the bottom quartile of the small cap value universe. The IMG recommended replacement of Artisan Partners and Dimensional Fund Advisors, Chicago Equity Partners and Wellington Management as semi-finalists to present to the Board.

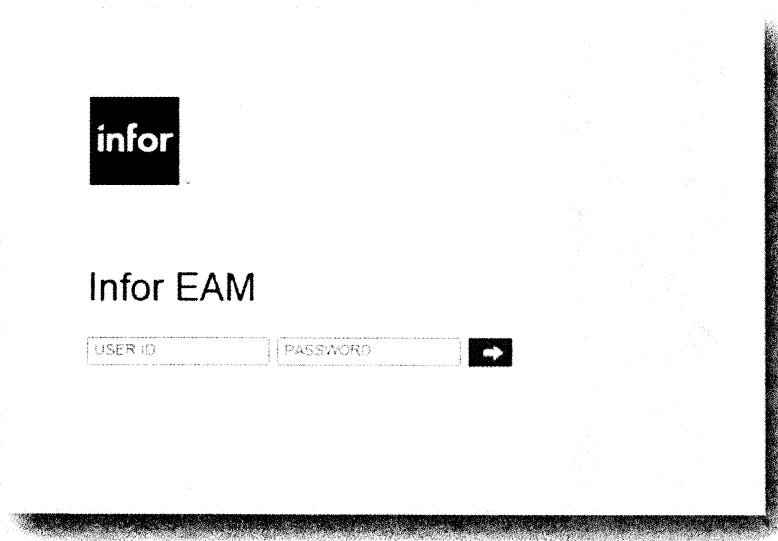
Following manager presentations at its April 7, 2015 meeting, the Board of Trustees approved selection of Chicago Equity Partners as the new U.S. Equity Small Cap Value Manager.



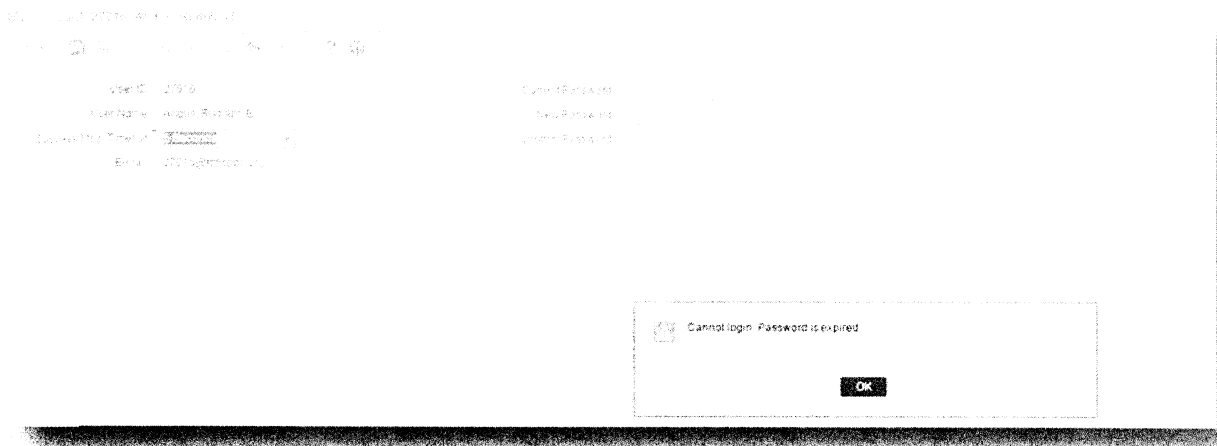
How to Log into EAM/SmartParks/ParkStat for the first time

For first time users of the **EAM/SmartParks / ParkStat**, please follow the steps below that will allow you to work in the system.

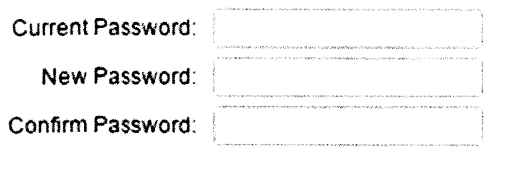
1. Click [here](#) to go to the **EAM/ParkStat** portal
2. Log in using the following credentials:
 User ID = Your Employee ID
 Default Password = **"Password1!"**



3. Once you log in you will receive the message below.




4. Click the **OK**
5. Type "**Password1!**" in the **Current Password** field
6. Then, enter your new password into the **New** and **Confirm Password** fields. (**Note:** Make your new password similar to your Outlook Password)



Current Password:

New Password:

Confirm Password:

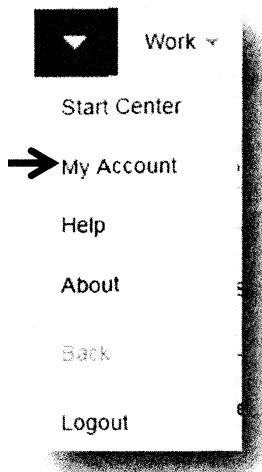
7. Select Save Record 
8. You then will be automatically logged out of **EAM/SmartParks /ParkStat** to re-login with your new password.

Any questions, comments or concerns, feel free to contact us by email at EAM.ParkStat@pgparks.com or call MC Parks Service Center (301) 650-8080

How to Change your EAM/ParkStat/SmartParks password


The steps below will show you how to change your password.

1. Log into **EAM/ParkStat/SmartParks** with your current password
2. Navigate to **My Account** in top left hand corner of your **Start Center**



3. Type your current password into the **Current Password** field
4. Then, enter your new password into the **New** and **Confirm Password** fields. (**Note:** Your new password should be similar to your Outlook Password)

A screenshot of a form with three input fields. The first field is labeled 'Current Password:', the second is labeled 'New Password:', and the third is labeled 'Confirm Password:'. Each label is followed by a rectangular text input box.

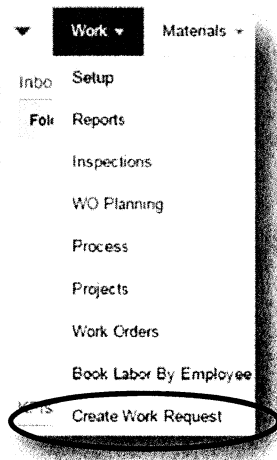
5. Click the Save Record 
6. You then will be automatically logged out of **EAM/ParkStat/SmartParks** to re-login with your new password.



Any questions, comments or concerns, feel free to contact us by email at EAM.ParkStat@pgparks.com or call MC Parks Service Center (301) 650-8080

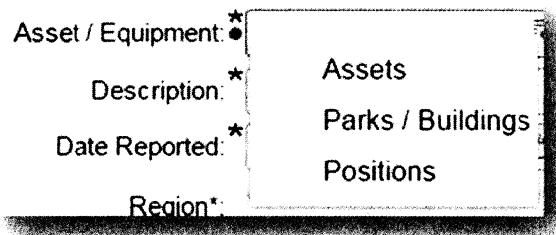
How to Create a Work Request

Work Requests are created to get an issue addressed through the **EAM/ParkStat/SmartParks** system. The steps below will allow a user to create these requests for service. This is **NOT** to be used for IT requests such as: computers, phones, and network services.

1. Go to **Work > Create Work Requests**



2. While in the Work Request screen, click on the New Record button . This will take you to a new Work Request Form.
3. In the form, enter the **Asset/Equipment** number that needs to be serviced. To find the **Asset/Equipment** by name, click the Dataspy  inside the **Asset/ Equipment** field.
 - a. If it's a park or building, double click in the **Asset/Equipment** field to select the Parks / Buildings Filter, and find the park or building that needs to be serviced.



- While in the Equipment Lookup search page, find the asset that needs to be serviced. For example, Deerfield Run needs to have service done to the men's room sink. The staff would type "Deerfield" in the **Description** field. When clicking the **Run** button, it will return all **Assets** related to the facility (see image below). The results can be filtered further by **Class** or **Category**.

Select a record and then click OK


Search Structure

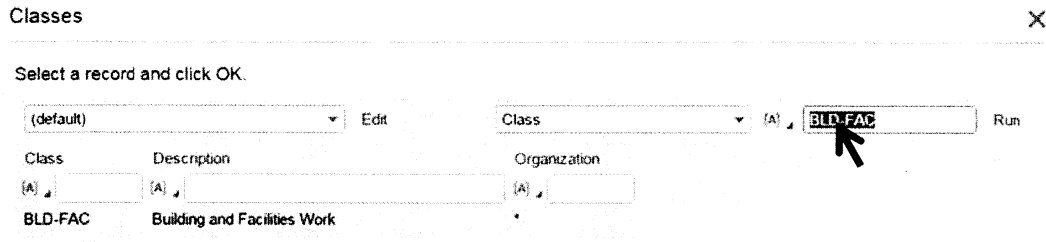
Asset & Equipment Search Edit (A) Run

Equipment	Description (Translated)	Class	Category	Maint Area / Division	Location
(A) <input type="text"/>	(A) Deerfield	(A) <input type="text"/>	(A) <input type="text"/>	(A) <input type="text"/>	(A) <input type="text"/>
PG-M58-B01-ROOF-01	Deerfield Community Center / Community Center roof	BLDCOMPS	ROOF	PG-NORTH	L-PC
PG-M58-B01-RRMEN-01	Deerfield Run School Community Center Men's Common Area Restroom	ROOM	RESTROOM	PG-NORTH	L-PC
PG-M58-B01-RRWOMEN-01	Deerfield Run School Community Center Women's Common Area Restroom	ROOM	RESTROOM	PG-NORTH	L-PC
PG-M58-B01-SAFETY-01	Deerfield Community Center / Community Center Safety Util	SAFETY	SAFETY	PG-SOUTH	L-PC
PG-M58-B01-SECURITY-01	Deerfield Community Center / Community Center Security Feat	SECURITY	SECURITY	PG-SOUTH	L-PC
PG-M58-B01-	Deerfield Run School Community Center Storage	ROOM	CLOSET	PG-NORTH	L-PC

Records: 29 of 29 Show Filter Row:

- Click on the *Equipment* that needs to be serviced. Once it is selected and highlighted in blue, click **OK** at the bottom of the screen. **NOTE:** After selecting the equipment, the **Location** and **Maint Area/Division** will auto-populate in their respective fields.
- In the **Description Field**, describe briefly (80 characters or less) the issue or reason for service.
- Notice the **Request Type** field defaults to *Breakdown-Fix*. If it's not a *Breakdown-Fix*, use the dropdown to select the proper request type such as: *Projects*, *Service Request*, or *etc.* (See the **Request Type** definitions at the end of this document.)

8. Notice the **Request Classification** field is defaulted to *BLD-FAC* which categorizes the issue to the Area Maintenance yards (Central, Northern & Southern). If the request has to go to the trades, click on the Dataspy , remove *BLD-FAC* and click **Run**.



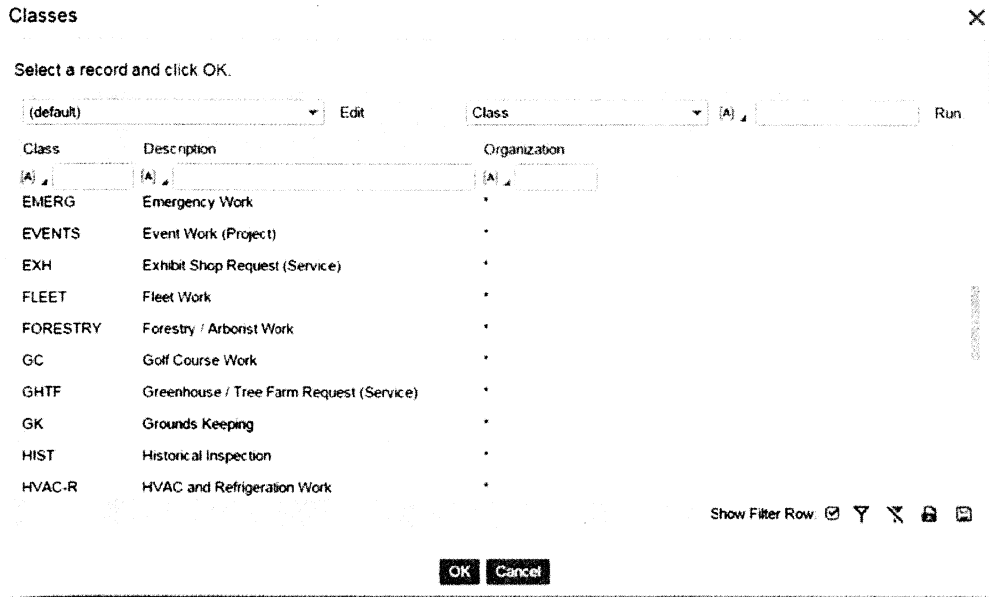
Classes

Select a record and click OK.

(default) Edit Class (A) **BLD-FAC** Run

Class	Description	Organization
BLD-FAC	Building and Facilities Work	.

The system will display classes needed such as: Electric, Plumbing, Carpentry and etc. Select the proper **Request Classification** for your Work Request and then click **OK**.




Classes

Select a record and click OK.


(default) Edit Class (A) Run

Class	Description	Organization
EMERG	Emergency Work	.
EVENTS	Event Work (Project)	.
EXH	Exhibit Shop Request (Service)	.
FLEET	Fleet Work	.
FORESTRY	Forestry / Arborist Work	.
GC	Golf Course Work	.
GHTF	Greenhouse / Tree Farm Request (Service)	.
GK	Grounds Keeping	.
HIST	Historical Inspection	.
HVAC-R	HVAC and Refrigeration Work	.

Show Filter Row 

OK Cancel

Service Request Types belong to the Request Classifications below:
 EXH → Exhibit Shop Request (Service)
 GHTF → Greenhouse / Tree Farm Request (Service)
NOTE: An error message will display if **Request Type** and **Request Classification** does not correspond.

9. The **Status** field will always default to *Work Request*.
10. The **Requested by field** will always default to the requestor's Employee ID. (If the request is not for you, than it can be changed by clicking on the **Requested by** Dataspy and searching for that user.) Additional requestors can be added in the **2nd and 3rd Requested by fields** if needed.
11. The **Who to Contact field** is for assigning a point of contact person. This field can be used, for instance, if the employee, requestor, is not available, like an Assistant Director, Regional Manager or another staff person. This works similarly to the **Requested By**.
12. Though it is optional, please include a number in the **Phone Number field** for staff to contact about this Work Request.
13. **Hours Facility is Available field** will help staff plan when to schedule time for Work Request submission.
14. In the **Comments Section**, click on the **Add/ Edits Comments button**. If a comment needs to be added click on the new record button  and enter your comments.

Comments

Add/Edits Comments

All required fields (*) MUST be completed before entering comments into the Work Request. If not, an error message will display.

15. Once everything is completed, click the **Save**  button and ParkStat/SmartParks will generate a Work Request number.

Request Type	Definition
Adhoc Inspection	A non-PM (Preventative Maintenance) inspection of an Asset or Job Site
Asset Transfer/Relocation	A request for the EAM team to move an asset in the EAM database
Breakdown - Fix (Default)	An asset is no longer working or in disrepair.
Calibration	A calibration of a tool or part
Call Out (After Hours)	A Work Order performed after hours requiring an Employee to work overtime
Incident/Accident	A workplace incident or accident created as a sub-WO for tracking an event that would include Risk Management
Inventory Disposable Request	A Work Order to remove a Part or Asset from inventory
Projects	A Work Request (project request) that is used to create a Project and Work Efforts that are part of a Project
Service Request	A request for assistance from a work unit that provides services or resources (Exhibit Shop, Green House, Tree Farm, EAM Team, Public Affairs, IT Communications, etc.)
Urgent Work Request	A high priority request for work that should be fast-tracked because of safety to persons or property

Any questions, comments or concerns, feel free to contact us by email at EAM.ParkStat@pgparks.com or call MC Parks Service Center (301) 650-8080



Term	Definition	Examples	Context (module)
EAM	Enterprise Asset Management		EAM
ParkStat	Prince George's County Department of Parks working name for the EAM		EAM
SmartParks	Montgomery County Department of Parks working name for the EAM		EAM
Start Center	The page that displays when you first log on to EAM.		EAM
Dashboard	Same as KPI. Provides a quick view of a given measure expressed by a single value.	Work orders generated today, total number of parks	EAM
KPI	Key Performance Indicator. Provides a quick view of a given measure expressed by a single value.	Actual vs. budget, average completion days.	EAM
Inbox	List of items requiring action by the user.	Work orders due, To Do List, Work orders to approve.	EAM
DataspY	Is a predefined view of a list of records used in searches for sets of data applicable to a given screen	Parks within a region, work orders to be approved	EAM
Menu Bar	Navigational feature listing menus for various activities. Selecting a menu item will open the corresponding screen.	Work, Equipment, Setup	EAM
Toolbar	Set of buttons used to enable system functions.	Save Record, export to Excel, Previous Record.	EAM
Tabs	Used to group fields by the function they perform. Tabs are displayed at the top of each screen.	Work, Purchasing, material, projects, setup	EAM
Field	Basic unit of data entry in the system. There are two kinds of fields: mandatory or optional.	Work order #, address, description, Name	EAM



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Business Definitions

Term	Definition	Examples	Context (module)
Assets			
Asset	Features that are owned, operated or maintained by the Department	Parks, Buildings, playgrounds, ball fields, tennis courts	Assets
Category	Subgrouping of Assets	For a park: Urban, regional, local For a building: office, activity	Assets
Class	Major grouping of assets	Park, Building	Assets
Class Hierarchy	Parent – child relationships of assets. Children inherit properties from their parents, cost roll up from children to parents.	Parent = Park Child = playground Playground inherit park values (i.e. park code), costs of playground included in overall cost of park.	Assets
Maint Area / Division	Data field containing the responsible maintenance area.	CJ – Cabin John BH – Black Hill	Assets
Asset Type: • Linear asset	Assets that cross park borders. See Position.	Roads, trails, streams, rivers, environmental settings	Assets
Asset Type: • Fixed assets	Assets with values over \$5k	Tractors, cars, roofs, Zamboni, buildings	Assets
Asset Type: • Controlled assets	Assets with values under \$5k	Mobile phones, line trimmers	Assets
Asset Type: • Maintainable assets	Assets that the Departments are responsible for care and update. Can also be a controlled or fixed assets	Ball fields, roofs, playgrounds, basketball courts, tennis courts, parking lots	Assets
Systems	Collection of assets	Building system includes: roof, HVAC, rooms,	Assets



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Business Definitions

Term	Definition	Examples	Context (module)
		plumbing, electrical	
Locations	A system with a physical address	Office building, HQ,	Assets
Positions	Linear assets	Trails, roads, streams	Assets
Amenities	An asset that draws in visitors to a park or facility	Playground, ball field, tennis court	Assets
Coordinator	Staff person who maintains the asset		Assets
Owner	Staff person asset is assigned		Assets
Meter	Equipment used to capture usage of an asset.	utilities, mileage, hours of operations	Assets
ADA / Historic	Section of work order that provides ADA and historic data	ADA compliant, historic permit required	
Cost Codes	ERP accounting codes (3)	Account, account code, activity	Assets / Work orders / Inventory
Create WO (button)	Open work order screen to generate work for selected asset.		Assets
View GIS Map	Open basic map area showing selected park, building or asset		Assets
Work			
Work Request	Functions requested by other sections/divisions to be performed by you. Not yet approved.		Work / Projects
Work Order (WO)	Work approved and assigned by staff person to review, evaluate, schedule and perform to completion		Work / Projects
Work Order Type	A category of work to be performed	Break/fix, adhoc inspection, service request, standing , asset transfer	Work / Projects
Work Order Status	Current update of work performed	Request, waiting	Work / Projects



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Business Definitions

Term	Definition	Examples	Context (module)
		approval, approved, field complete, cancelled, closed	
Activities	Stages of a work order. Could include a checklist. May be work performed by another division or section.	Prepare equipment, plow snow from parking lot	Work / Projects
Tasks	Work to be done as part of an activity. Checklists.	Pedestrian bridge inspection, over-seed and aerate,	Work / Projects
Scheduled Labor (tab)	Estimated work hours for an activity.		Work
Booked labor (tab)	Actual work hours charged to an activity.		Work
Comments (tab)	Remarks / notes about work request, work done, follow-up actions		Work / Projects/ Assets/ Inventory
Projects			
Projects	Work effort that includes multiple sequential steps; may include multiple divisions / work units. The grouping of several work orders	CIP, major maintenance, cross divisional, events	Projects
Major Maintenance (MM)	Project type. Large projects performed by commission staff. Costs over \$5k.		Projects / Major Maintenance
Cross Divisional	Project type. Work that is performed by multiple divisions	Trail maintenance	Projects
Capital Improvement Projects (CIP)	Project type. New and renovation projects over \$25k	Stream restoration	Projects
Event Project	Project type. Event projects are scheduled events within the parks system, managed by park staff, using		Projects



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Business Definitions

Term	Definition	Examples	Context (module)
	park resources.		
Purchase Requisition	Planned or requested material purchase associate to a work order. (Integration to ERP SCM).		Projects / Major Maintenance, work
Coordinator (PM)	Project manager of project		Projects
Co-Coordinator	2 nd project manager		Projects
Open event projects	Event projects not completed. Could be planned or in progress.		Projects / Event Projects
Scheduled events	Work functions, done in a defined order, needed to complete the event project.		Projects / Event Projects
Events - coordinator	Staff person responsible for overall event project.		Projects / Event Projects
Events - stakeholder	Any staff working or otherwise involved in an event project. Will received updates on project as status changes, dates change, or actions are added or removed.		Projects / Event Projects
Work requests created	Action requisition by another section or division. Pending approval.		Projects / Event Projects Inbox
Work requests to approve	Your unapproved Work requests.		Projects / Event Projects / Inbox
WO scheduled	Approved work requests that have been assigned a due date and to staff.	Status = scheduled.	Projects / Event Projects
Project status	Stage of the project.	Pending, approved, completed.	Projects / Event Projects
Budget vs. actuals	Dollar amount of funds estimated to a work order or project and what the work order or project finally costs.		Projects / Event Projects
Close Out	Completion of project, with all data entered.		Projects / Major Maintenance
Inventory			
Store	Anyplace where a part or tools are stored.	Storage room, closet, shed	Inventory
Tools	Mechanical equipment used to perform the work	Tractors, bucket truck,	Inventory Projects / Major



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Business Definitions

Term	Definition	Examples	Context (module)
			Maintenance
Parts	Items that are consumed in the work process	filters, belts, wood fiber, seed, fertilizer	Inventory Projects / Major Maintenance
Bin	Container for parks or tools	Truck, shelves, area within a store	Inventory
Lot	Location where growing stock items are stored	Growing stock, trees, plants, shrubs	Inventory
UOM (Unit Of Measure)	How material is procured or distributed.	SQ YD, lbs, count, box	Inventory
Material	Items purchased by Commission.		Inventory
Vendor	Registered company with ERP, authorized to sell products to the commission.		Inventory Projects / Major Maintenance
Supplier	Company Commission can purchase materials, not registered	Amazon, Granger	Inventory



Enterprise Asset Management (EAM)

M-NCPPC Commission

April 15, 2015

EAM TEAM



M-NCPPC



The EAM Team

Michael Snyder – Project Manager

Todd Johnson – Senior IT Support Specialist / Supervisor

Gregory Angus – Business Analyst IT

LaToya Austin – Business Analyst IT

Erica Castellon – Programmer / Data Analyst IT

John Schlee – Project Manager

Jane Turetsky – Programmer / Analyst III

Vikas Kapoor – Senior Systems Analyst

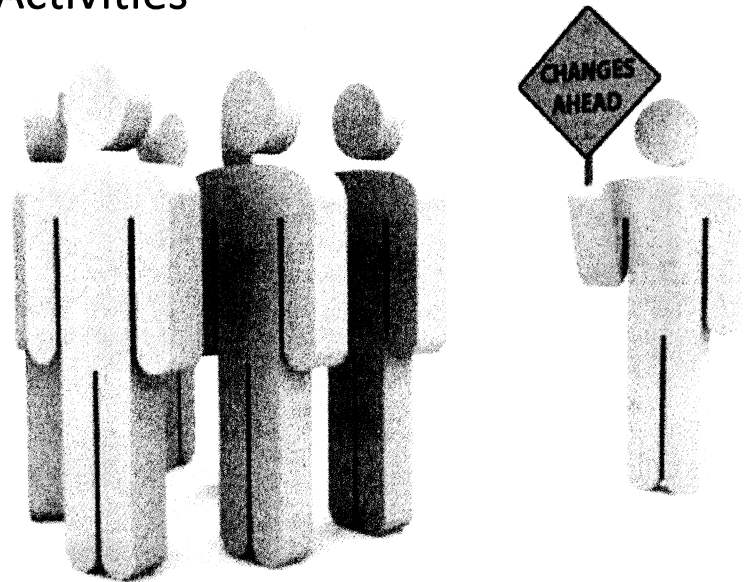
Peter Lostrito – Asset / GIS Analyst

Today's objective – provide an overview and demonstration of the Commission's Enterprise Asset Management system (EAM).

Agenda



- Introduction from Sponsors
- Overview / Review of EAM:
 - System Overview and Benefits
 - Project Status / Upcoming Activities
 - Integration Status
 - Training Status
- Demonstration:
 - Dashboards
 - Assets
 - Work Orders
 - Projects
- Questions



System Overview/Benefits



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- **EAM stands for Enterprise Asset Management system. It is a web-based application used to manage operations at MNCPPC's Parks and Recreation program.**
 - Provides real-time information
 - Aligns business processes throughout the organization
 - Standardizes processes and practices across the Commission
 - Helps to quickly and easily run system transactions
 - Improves efficiency in completing tasks
 - Collect costs related to parks and amenities

Project Status

Complete

- 500 + Commission Staff trained
- Assets: 60% of equipment/Infrastructure
- ACR Maintenance WO's successfully transferred into EAM
- Preventative Maintenance Operational
- CIP Projects successfully loaded in EAM
- Major Maintenance / Cross Divisional Project
- Stores: Central Area Maintenance

In-Progress

- Report Development
- System Integrations
- Mobile Access
- Event Projects
- Data Collection of Inventory, Assets, PMs, and Equipment
- Booking Labor (Prior to integration will not transmit to Kronos)
- Rolling out to remainder of the Departments

Upcoming

- All Events/Committee projects in EAM
- Purchase Requisitions
- Stores:
 - Northern & Southern Area Maintenance
 - Pope Farm



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Integration Status

In-Progress

- Fleet (FASTER)
- Facility Booking (SMARTLINK / ParkPass)
- Energy Costs (EnergyCap)
- Mapping (GIS)
- Customer Relations (CRM)

**May /
June**

- Procurement with new ERP workflows
- HR and Time/Attendance (Kronos ERP/HCM)
- MS Project with CIP

TBD

- Finance / Budgeting
- Track-IT

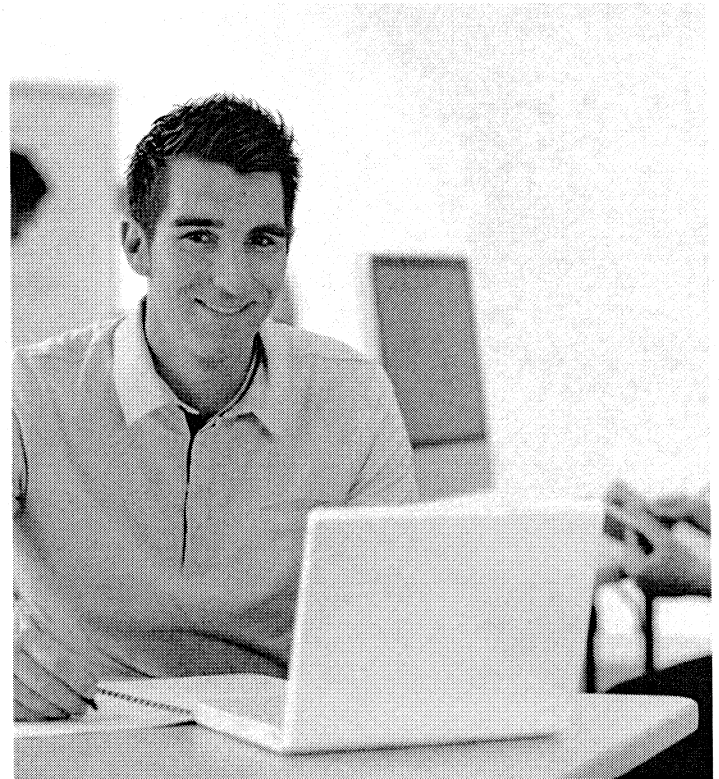


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Instructor-Led Training Classes

- Over 500 staff trained
- Hands-on instruction
- Presentation materials and reference manuals
- One on One / Small Group Training sessions
- Detailed course descriptions are available on the EAM inSite page
- 2nd Phase training – being planned



EAM Self-Paced eLearning



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- Overview and Navigation
- Work Order Completion
- Enter Purchase Requisition
- Enter Work Request

Available
on the
EAM inSite
page





Training Descriptions

Work Order Completion – For staff who work independently (outside of maintenance crews) or staff who lead a crew or team.

Work Order Planning – For staff who plan or schedule maintenance work.

Major Maintenance & Cross Divisional Project Management – For staff who manage major maintenance projects, CIP projects or activities that span multiple divisions.

Event Management – For staff members who plan and manage events and/or committee work that require cross-divisional participation.

Asset Management for Coordinators – For Asset Coordinators or staff members who are solely responsible for managing the attributes of equipment.

Inventory Management – For staff members that manage parts, supplies and stock.

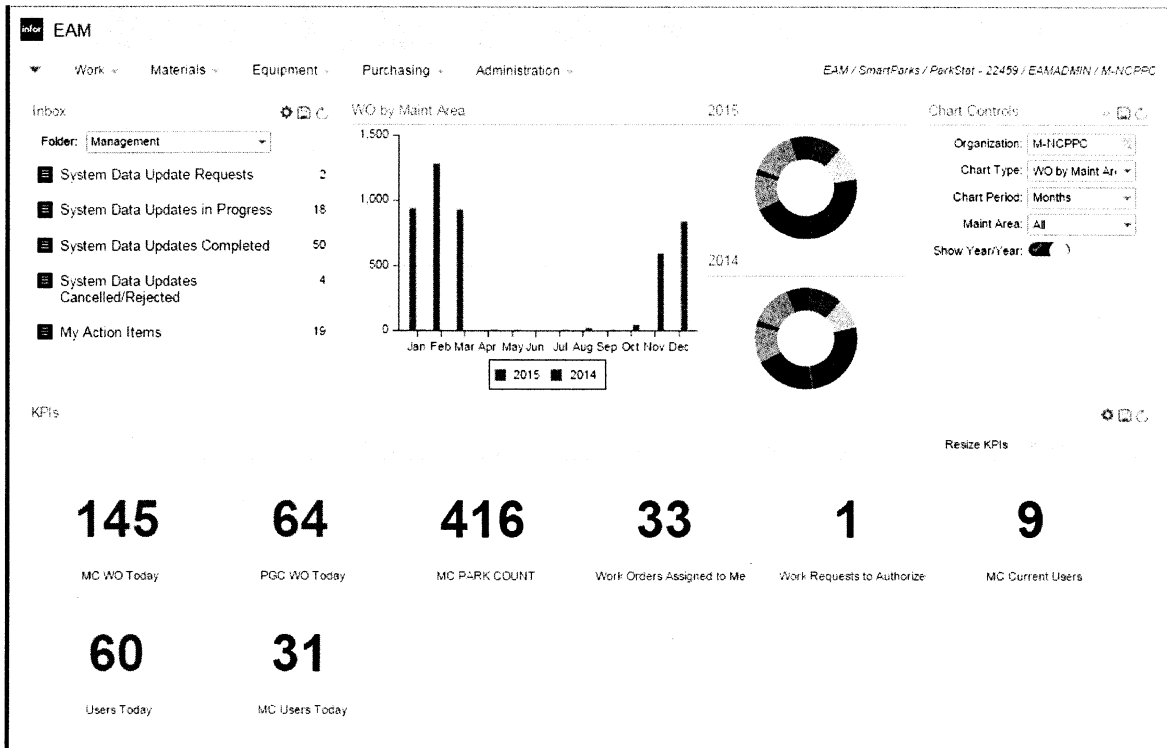


M-NCPPC



Enterprise Asset Management DEMO

<http://bit.ly/MNCPPC-EAM11>





EAM Contact Info:

EAM.ParkStat@pgparks.com or call us on
the EAM Hotline (301)446-6889

Montgomery County Service Center
301-680-8080

Service.center@montgomeryparks.org

Visit the **EAM inSite** page
for more information.

Q & A



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EAM Demo

- Dashboards / Start Center
- Parks PGC/MC
 - GIS - (Cabin John, Watkins)
- Assets - Query (Playgrounds) - Specific Dataspy
- Work Request - Playground
 - Add Picture
- Work Order - Query (DU)
 - Activities, Comments, Documents
- Projects - Query (PGC CIP) , (MC MM)
- Projects - Show (MC Major Maintenance)
 - Attached Work Orders

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
EMPLOYEE PERFORMANCE EVALUATIONS NOT COMPLETED BY DUE DATE
BY DEPARTMENT AS OF MARCH 2015

	31 - 60 DAYS		61 - 90 DAYS		91 + DAYS		DEPARTMENT TOTALS	
	02/15	03/15	02/15	03/15	02/15	03/15	02/15	03/15
CHAIRMAN, MONTGOMERY COUNTY	0	0	0	0	1	1	1	1
CHAIRMAN, PRINCE GEORGE'S COUNTY	0	0	0	0	0	0	0	0
OFFICE OF CIO	0	0	0	0	0	0	0	0
INTERNAL AUDIT	0	0	0	0	0	0	0	0
EXECUTIVE COMMITTEE/CHAIRS	0	0	0	0	0	0	0	0
DEPT. OF HUMAN RESOURCES & MGT.	0	0	1	0	0	1	1	1
LEGAL DEPARTMENT	1	0	3	0	0	0	4	0
FINANCE DEPARTMENT	3	2	1	3	0	0	1	5
PRINCE GEORGE'S PLANNING	2	2	0	0	0	0	0	2
PRINCE GEORGE'S PARKS & RECREATION	3	0	0	0	0	0	3	0
MONTGOMERY COUNTY PARKS	0	0	0	0	0	0	0	0
MONTGOMERY COUNTY PLANNING	3	1	0	0	0	0	1	1
DEPARTMENT TOTAL BY DAYS LATE	9	5	5	3	1	2	---	---
COMMISSION WIDE TOTAL:							11	10

*DEPARTMENTS WITH RATINGS MORE THAN 60 DAYS LATE HAVE BEEN CONTACTED.



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

Reply To

March 31, 2015

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 the Month of March, 2015

Please find the attached litigation report we have prepared for your meeting scheduled on Wednesday, April 15, 2015. 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.

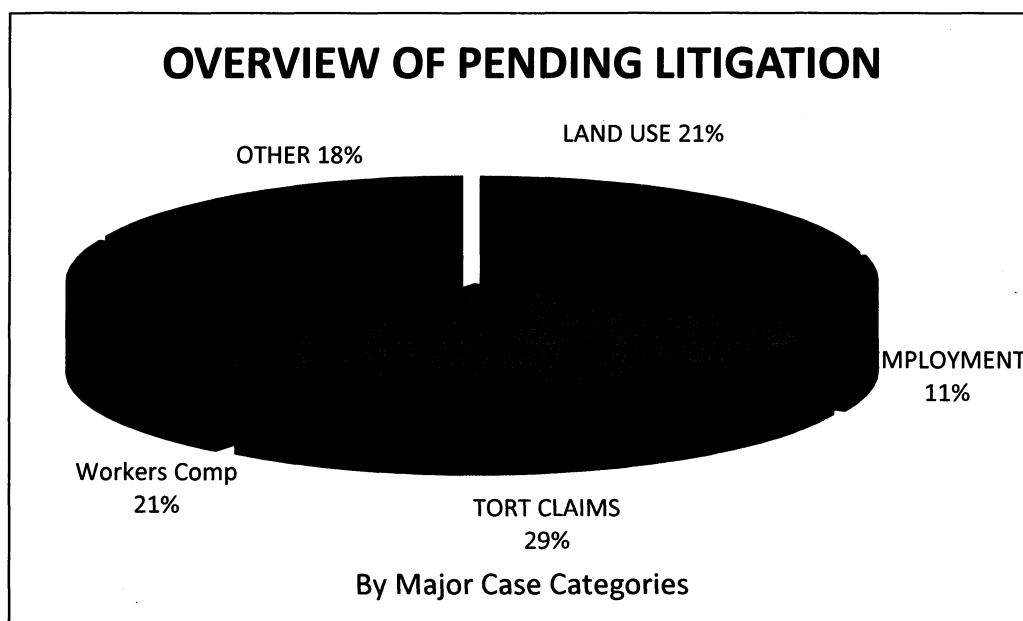
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March 2015 Composition of Pending Litigation

(Sorted By Subject Matter and Forum)

	State Trial Court	Federal Trial Court	Maryland COSA	Maryland Court of Appeals	Federal Appeals Court	U.S. Supreme Court	Subject Matter Totals
Admin Appeal: Land Use	1		2	1			4
Admin Appeal: Other							0
Land Use Dispute		1					1
Tort Claims	11						11
Employment Dispute	3	1					4
Contract Dispute	2	1	1				4
Property Dispute	2			1			3
Civil Enforcement	2						2
Workers' Compensation	8						8
Debt Collection							0
Bankruptcy							0
Miscellaneous	1	1					2
Per Forum Totals	30	4	3	2	0	0	39



March 2015 Litigation Activity Summary

	COUNT FOR MONTH			COUNT FOR FISCAL YEAR 2015			
	Pending Last Month	New Cases	Resolved Cases	Pending Prior F/Y	New Cases F/YTD**	Resolved Cases F/YTD**	Pending Current Month
Admin Appeal: Land Use (AALU)	4	1	1	9	3	8	4
Admin Appeal: Other (AAO)	0			-			0
Land Use Disputes (LD)	1			1	2	2	1
Tort Claims (T)	11			10	10	8	11
Employment Disputes (ED)	3	1		1	3		4
Contract Disputes (CD)	4	1	1	4	5	5	4
Property Disputes (PD)	3			4		1	3
Civil Enforcement (CE)	2			1	1		2
Workers' Compensation (WC)	8			10	5	8	8
Debt Collection (D)	0			-			0
Bankruptcy (B)	0			-			0
Miscellaneous (M)	1	1		1	1		2
Totals	37	4	2	41	30	32	39

**INDEX OF YTD NEW CASES
(7/1/2014 TO 6/30/15)**

A. <u>New Trial Court Cases.</u>	<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>
Glessner v. Commission	PGParks	Tort	July 2014
Jones v. Commission	PGParks	Tort	July 2014
Hawkins v. Commission	PGParks	Tort	July 2014
Howard Entertainment v. Commission	PGParks	CD	July 2014
Commission v. Paniagua	MC	CD	Aug 2014
Commission v. Pirtle	MC	CE	Aug 2014
Prince George's County v. Darnell	PG	Tort	Aug 2014
Moore v. Perry, et al	PG	Tort	Sep 2014
Commission v. Kernan, et al	MC	CD	Oct 2014
Jackson v. Commission (D.Ct)	MCParks	Tort	Oct 2014
Tuckman-Barbee v. Commission	PG	CD	Nov 2014
Pulte v. Montgomery County, et al (Cir Ct)	MCPB	LD	Nov 2014
Jackson v. Commission (C.Ct)	MCParks	Tort	Nov 2014
Quick v. Commission	PGPR	Tort	Nov 2014
Jones v. Kellogg, et al	MC	Tort	Dec 2014
Quick v. Gathers	PGPR	Tort	Dec 2014
Pulte, et al v. Montgomery Cty, et al (Fed Ct)	MCPB	LD	Dec 2014
Nicholson v. Commission	PG	ED	Jan 2015
Corsetti-Barczy v. Commission	PG	WC	Feb 2015
L. Jackson v. Commission	MC	WC	Feb 2015
L. Jackson v. Commission	MC	WC	Feb 2015
Pollard v. Commission	PG	WC	Feb 2015
Armstrong v. Commission	PG	ED	Feb 2015
Burnette v. Commission	PG	WC	Feb 2015
Hill v. Commission	MC	ED	Mar 2015
Commission, et al v. The Town of Forest Heights	PG	M	Mar 2015
Friends of Croom Civic Assoc. v. Commission	PGPB	AALU	Mar 2015
B. <u>New Appellate Court Cases.</u>	<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>
Rock Creek Hills Citizens Assoc. v. Commission	MCPB	AALU	July 2014
Kaviani v. Montgomery County Planning Board	MCPB	AALU	Oct 2014
Fort Myer Construction Corp. v. Commission	MCParks	CD	Mar 2015

**INDEX OF YTD RESOLVED CASES
(7/1/2014 TO 6/30/15)**

<u>C. Trial Court Cases Resolved.</u>	<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>
Commission v. Sweeney	PG	WC	July 2014
Commission v. Ferman	MC	WC	July 2014
Beatty v. Montgomery County, et al	MC	Tort	July 2014
Commission v. Rivera	PG	WC	July 2014
Bundi v. Soresi	PG	Tort	Aug 2014
Letke Security Contract v. Commission	MC	CD	Sept/Oct 2014
Commission v. Paniagua	MC	CD	Sept/Oct 2014
Reijerson v. Commission	PG	WC	Sept/Oct 2014
White v. Commission	PG	WC	Sept/Oct 2014
Kaviani v. Montgomery County Planning Board	MCPB	AALU	Oct 2014
Butler v. Commission	PGPR	Tort	Oct 2014
Jackson v. Commission (D. Ct.)	MCParks	Tort	Nov 2014
Bell v. Commission	PGPR	Tort	Nov 2014
Litrenta v. Commission	PGPR	Tort	Nov 2014
Duvall v. Commission	PGPB	LD	Nov 2014
Commission v. Kernan, et al	MC	CD	Dec 2014
Geico v. Ness, et al	PG	Tort	Dec 2014
Phoenix v. Commission	PG	Tort	Dec 2014
Pulte Home Corp, et al v. Mont. Cty, et al	MCPB	Tort	Jan 2015
Prince George's County, Md. vs Darnell	PG	Tort	Jan 2015
Munoz-Saucedo v. Commission	MC	WC	Feb 2015
Munoz-Saucedo v. Commission	MC	WC	Feb 2015
Fort Myer Construction Corp. v. Commission	MCParks	CD	Mar 2015

D. Appellate Court Cases Resolved.

Slover et al. v. Montgomery County Planning Board	MCPB	AALU	July 2014
Rock Creek Hills Citizens Assoc. v. Commission	MCPB	AALU	July 2014
Arking, et al v. MCPB	MCPB	AALU	July 2014
Kelly Canavan, et al v. Commission	PGPB	AALU	Oct 2014
Fort Myers Construction Corp v. Commission	MCParks	CD	Nov 2014
Bernardo Rene Flores v. Commission	PGPB	PD	Dec 2014
McClure v. Montgomery County Planning Board	MCPB	AALU	Dec 2014
Hall, et al v. Commission	PGPB	AALU	Feb 2015
Sahady v. Montgomery County Planning Board	MCPB	AALU	Mar 2015

Disposition of FY15 Closed Cases Sorted By Department

CLIENT	PRINCIPAL CAUSE OF ACTION IN DISPUTE	DISPOSITION
Employees Retirement System		
Finance Department		
Department of Human Resources and Management		
Montgomery County Department of Planning		
Commission v. Paniagua	Claim for breach of rental contract	Dismissed on 09/10/14.
Kaviani v. Montgomery County Planning Board	Petition for judicial review of Montgomery County Planning Board's enforcement order in MCPB No. 13-118, regarding Citation number EPD000007.	Order of Court affirming Planning Board Decision on 8/25/14.
Letke Security Contract v. Commission	Defense of claim for breach of contract	Complaint dismissed on 09/03/14.
Slover et al. v. Montgomery County Planning Board	Petition for Judicial review of the Planning Board decision to approve two-lot subdivision located at 9490 River Road in Potomac filed by project opponents.	Order of Court of Special Appeals affirming Judgment on 06/20/14.
Rock Creek Hills Citizens Association, et al v. Commission	Declaratory Judgment in Montgomery County Circuit Court attempting to stop transfer & development of Commission owned property as Association lacks standing to pursue the Federal Land and Water Conservation Fund claims.	Opinion from Court of Special Appeals affirming Montgomery County judgment on 05/27/14.
Montgomery County Department of Parks		
Beatty v. Montgomery County, et al.	Claimant is suing for tort arising from slip and fall.	Order by Court of Special Appeals affirming Judgment on 06/4/14.
Commission v. Fermin	WCC awarded 15% permanent partial disability under "other cases" and Commission appealed.	Case Settled and Dismissed on 04/11/14.
Commission v. Kernan, et al	Claim for breach of rental contract, seeking possession of property	Case dismissed on 11/03/14, tenant vacated property

Fort Myer Construction Corp v. Commission	Third party defendant noted appeal from Court's ruling in Commission's favor that URS owed the Commission duty to defend litigation.	Court of Special Appeals dismissed appeal on 09/25/14 with leave to file notice of appeal from a final judgment.
Fort Myer Construction Corp. v. Commission	Plaintiff filed complaint for alleged delays and damages associated with the erection of a steel girder pedestrian bridge in Montgomery County. Commission filed third party complaint for alleged breach of contract seeking contribution and indemnity, and defense from URS Corporation	Fort Myer's case dismissed without prejudice on 03/31/14 and Court granted Motion for Sanctions and awarded Commission's Attorney's Fees and Costs against Fort Myer Construction in the amount of \$376,597.68 on 04/28/14.
Jackson v. Commission	Defense of tort claim for claimed slip and fall alleged broken sidewalk at Jessup Blair Park in Silver Spring, Maryland.	Jury trial prayed; case forwarded to Circuit Court on 11/06/14.
Munoz-Saucedo v. Commission	WCC found claimant sustained 5% permanent partial disability under "other cases" and claimant appealed. (388096 -V)	Case dismissed by Court on 02/03/15.
Munoz-Saucedo v. Commission	WCC found claimant sustained 5% permanent partial disability to first (index) finger on left hand and claimant appealed.	Case dismissed by Court on 02/03/15.
Montgomery County Park Police		

Montgomery County Planning Board	
Arking, et al. v. MCPB	Petition for writ of certiorari seeking review of Court of Special Appeals order affirming Planning Board re-subdivision approval. Petition for Writ of Certiorari denied on 04/21/14.
McClure v. Montgomery County Planning Board	Appeal filed from the Circuit Court ruling in the case of 21611 Ripplemead Drive; rejecting property owner's claim that lot not covered by conservation easement. Judgment of the Circuit Court for Montgomery County affirmed on 12/02/14.
Pulte Home Corporation, et al v. Montgomery County, et al	Plaintiff filed complaint for alleged delays and damages associated with the construction of a residential development in Clarksburg, Maryland (Case No. 397601V) Notice of Removal to U. S. Federal District Court filed; case closed in State Court on 12/18/14.
Sahady v. Montgomery County Planning Board	Appeal filed in the Circuit Court ruling in the case of 21611 Ripplemead Drive wherein Court rejected property owner's claim that his lot is not covered by a valid conservation easement. Judgment of the Circuit Court for Montgomery County affirmed on 02/09/15.

Prince George's County Department of Parks and Recreation	
Bell v. Commission	Defense of claims seeking damages for injuries sustained at the Sports & Learning Complex. Case settled and dismissed on 10/02/14.
Bundi v. Soresi	Defense of claim for injuries sustained in a motor vehicle accident in a vehicle allegedly operated by Commission employee. Trial. Judgment for Plaintiff in amount of \$7,510.10 on 08/13/14.
Commission v. Rivera	Commission is appealing the WCC's decision regarding permanency award Case dismissed on 06/25/14.
Commission v. Sweeney	WCC ordered temporary total disability and Commission appealed. CAL13-35118 Case settled and dismissed on 3/24/14.
GEICO v. Ness, et al	Defense of claim for property damage to a motor vehicle involving a vehicle allegedly operated by Commission employee Complaint dismissed under Rule 3-506 on 11/25/14.

Litrenta v. Commission	Defense of tort claim for personal injuries allegedly sustained when the plaintiff was the passenger on a Commission golf cart and fell out while his acquaintance was driving. The driver is also named as a defendant.	Case settled and dismissed on 10/08/14.
Phoenix v. Commission	Defense of claim seeking damages for injuries sustained during a baseball game at Fletcher's Field. Commission filed a third party complaint against game officials.	Case settled without any payment from the Commission on 11/25/14.
Prince George's County v. Darnell	Defense of claim for personal injury and property damages to motor vehicle involving a vehicle operated by Commission employee.	Judgment entered in favor of Commission employee on 01/14/15.
Reijerson v. Commission	WCC found claimant sustained 10% permanent partial disability under "other cases" and claimant appealed	Case remanded to WCC on 09/25/14.
White v. Commission	WCC ordered certain surgery not causally related to accident injury and claimant appealed	Case remanded to WCC on 09/24/14.
Prince George's County Planning Department		
Prince George's County Planning Board		
Kelly Canavan, et al v. Commission	Petition for writ of certiorari seeking review of Court of Special Appeals order affirming Prince George's County Circuit Court decision on 02/19/13 to uphold the Planning Board's approval of Saddle Creek's preliminary Plan of Subdivision.	Petition for Writ of Certiorari denied on 07/21/14.
Duvall v. Commission	Defense of Claim for land dispute.	Commission's Motion to Dismiss granted by Court.; case dismissed on 10/17/14.
Bernardo Rene Flores v. Commission	Defense against Petition for Declaratory Judgment to invalidate Owner's Dedication of Green Space despite tax sale.	Judgment of the Circuit Court for Prince George's County affirmed on 12/02/14.

Hall, et al v. Commission	Defense against Petition for Judicial Review of Planning Board's decision to approve Bundy's Subdivision of Birdlawn Preliminary Plan 4-06158.	Court of Special Appeals affirmed Planning Board's subdivision approval on 9/23/14
Prince George's Park Police	[REDACTED]	[REDACTED]
Butler v. Commission	Defense of claim seeking damages for injuries sustained in an accident with a vehicle driven by a Park Police officer	Case settled and dismissed on 08/22/14.

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DISTRICT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

Quick v. Commission

Case No. 0502-0023986-2014 (Tort)

Lead Counsel: Harvin
Other Counsel:

Abstract: Defense of claim for alleged violations of the Americans with Disabilities Act.

Status: Pending Trial

Docket:

11/06/14	Complaint filed.
11/14/14	Service via certified mail
11/25/14	Notice of Intention to Defend filed by Commission
03/19/15	Court to reschedule case for trial

Quick v. Gathers

No. 0502-0026963-2014 (Tort)

Lead Counsel: Harvin
Other Counsel:

Abstract: Defense of claim for alleged violations of the Americans with Disabilities Act.

Status: Pending Trial

Docket:

11/10/14	Complaint filed.
11/14/14	Service via Sheriff
03/19/15	Court to reschedule case for trial

DISTRICT COURT FOR MONTGOMERY COUNTY, MARYLAND

Jones v. Kellogg, et al

Case No. 060100171232014 (Tort)

Lead Counsel: Harvin
Other Counsel:

Abstract: Defense of claim for personal injury and property damages to motor vehicle involving a vehicle allegedly operated by Commission employee.

Status: Pending trial.

Docket:

10/14/14	Complaint filed
12/05/14	Notice of Intention to Defend filed by Commission
04/01/15	Trial

CIRCUIT COURT FOR CHARLES COUNTY, MARYLAND

Burnette v. Commission

08-C-15-000434 AA (WC)

(W050308)

Lead Counsel: Chagrin
Other Counsel:

Abstract: Claimant/employee is appealing the WCC's decision regarding permanent partial disability benefits.

Status: Petition filed.

Docket:

02/24/15	Petition filed
03/17/15	Joint Motion to Transfer Venue
03/20/15	Order granting Motion to Transfer to Circuit Court for Prince George's County

CIRCUIT COURT FOR HOWARD COUNTY, MARYLAND

Corsetti-Barczy v. Commission

13-C-15-102403 (WC)

Lead Counsel: Chagrin
Other Counsel:

Abstract: Claimant/employee is appealing the WCC's permanency award.

Status: Petition filed.

Docket:

02/11/15	Petition filed
09/03/15	Settlement Conference

CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

Anderson v. Commission

Case No. CAL14-07980 (T)

Lead Counsel: Harvin
Other Counsel: Dickerson

Abstract: Defense of claim seeking damages for injuries to a minor sustained in an altercation while attending Rollingcrest/Chillum Community Center Park.

Status: In discovery.

Docket:

04/07/14	Complaint filed
05/30/14	Motion to Dismiss filed by Commission
08/06/14	Motion to Dismiss denied.
01/27/15	Pretrial conference
07/21/15	Trial

Armstrong v. Commission

Case No. CAL14-22103 (ED)

Lead Counsel: Aleman
Other Counsel: Dickerson

Abstract: Defense of claim seeking damages for alleged workplace discrimination and termination.

Status: In discovery.

Docket:

08/08/14	Complaint filed
02/25/15	Service on Commission
04/10/15	Status Hearing

Commission v. 6509 Rhode Island Realty Corp.

Case No. CAL 13-20939 (PD)

Lead Counsel: Mills
Other Counsel: Johnson, Borden

Abstract: Condemnation initiated by the Commission.

Status: Complaint filed.

Docket:

07/19/13	Complaint for condemnation filed
10/06/14	Summons reissued for service on Defendant

Commission v. Fleming

CAL 14-15514 (Tort)

Lead Counsel: Aleman
Other Counsel: Dickerson

Abstract: Commission filed a lawsuit seeking subrogation recovery for amount due for personal injuries sustained by Commission employee.

Status: In discovery.

Docket:

06/20/14	Complaint filed
07/31/14	Defendant served via certified mail
08/29/14	Defendant filed answer
09/16/14	Court accepts Defendant's letter as answer to complaint
02/02/15	Pretrial conference
10/05/15	Trial Date

Commission, et al v. The Town of Forest Heights

CAL 15-04255 (M)

Lead Counsel: Borden
Other Counsel: Mills

Abstract: Commission filed lawsuit to stop the unlawful attempt by the Town of Forest Heights, Maryland to expand its geographical boundaries by annexing properties without the required consent of any affected property owner or popular vote.

Status: Complaint filed.

Docket:

03/03/14	Complaint filed
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Commission v. MARCOPOLO GF Co.

Case No. CAL 13-20940 (PD)

Lead Counsel: Mills
Other Counsel: Johnson, Borden

Abstract: Condemnation initiated by the Commission.

Status: Pending settlement.

Docket:

07/19/13	Complaint for condemnation filed.
07/16/14	Motion for Order of Default filed.
08/29/14	Order of Default entered
09/23/14	Order of Default granted against MARCOPOLO GF Co.
11/14/14	Ex Parte Hearing on Damages, settlement reached
11/17/14	Continued 60 days pending settlement
04/10/15	Disposition Hearing

Friends of Croom Civic Association, et al. v. Commission

Case No. CAL-14-32333 (AALU)

Lead Counsel: Mills
Other Counsel:

Abstract: Defense against Administrative Appeal of decision by the Planning Board to approve Preliminary Plan 4-11004 in Stephen's Crossing at Brandywine.

Status: In Discovery
Docket:

11/26/14	Petition for Judicial Review filed
12/15/14	Commission filed Response to Petition
12/15/14	Commission filed Certificate of Compliance
12/15/14	Commission filed Notice of Appeal
12/29/14	Brandywine T/B Southern Regional Coalition filed a Response to Petition for Judicial Review
01/12/15	Route 301/Industrial/CPI Limited Partnership filed a Response to Petition for Judicial Review
02/11/15	Commission filed Record and Transcript
02/27/15	Filed a Joint Motion For Continuance By Petitioners and Respondents
03/19/15	Received Notice that the Record of Proceedings was filed
04/23/15	Petitioners' Memorandum Due
05/26/15	Commission Memorandum Due on or before
05/29/15	Oral Argument Scheduled

Glessner v. Surratt House

CAL 14-17158 (T)

Lead Counsel: Harvin
Other Counsel: Dickerson

Abstract: Defense of tort claim against a Commission employee and facility based on the alleged slander of authenticity regarding a photograph the plaintiff purports to be of Abraham Lincoln.

Status: Complaint filed-never served.

Docket:

07/02/14	Complaint filed; no summons issued for service on Commission.
08/06/14	Motion to Enter Judgment filed by Plaintiff, despite lack of service
10/21/14	Complaint filed; Court orders Request for Waiver of fees granted
11/14/14	Complaint filed.
05/08/15	Status hearing

Hawkins v. Commission
CAL14-17950 (T)

Lead Counsel: Harvin
Other Counsel: Dickerson

Abstract: Defense of tort claim for claimed near drowning while taking swimming lessons at Prince George's Sports and Learning Center in Landover, Maryland.

Status: In discovery.

Docket:

05/30/14	Complaint filed.
09/05/14	Answer filed.
12/15/14	Plaintiff's counsel files Motion to Strike Appearance
01/22/15	Court grants Motion to Strike Appearance of Plaintiff's Counsel.
04/07/15	Pre-trial Conference

Hill v. Commission
CAL15-04057 (ED)

Lead Counsel: Dickerson
Other Counsel:

Abstract: Employee is seeking judicial review of the Merit Board 's dismissal of her appeal.

Status: Petition filed.

Docket:

02/18/15	Petition for Judicial Review filed
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Jones v. Commission
CAL14-17154 (T)

Lead Counsel: Aleman
Other Counsel: Dickerson

Abstract: Defense of claim for trip and fall on alleged broken concrete and loose gravel at Tucker Road Community Center.

Status: In discovery.

Docket:

07/15/14	Complaint filed.
08/22/14	Answer filed by Commission.
01/20/15	Pretrial conference scheduled.
08/03/15	ADR Conference
10/19/15	Trial Date

Kelly v. Commission
CAL 14-13688 (T)

Lead Counsel: Harvin
Other Counsel:

Abstract: Defense of claim for injuries sustained in alleged slip and fall at Newton White Mansion.

Status: In discovery.

Docket:

06/12/14	Complaint filed; transferred from District Court, jury trial prayed
08/04/14	Answer filed.
10/23/14	Pre-trial conference
05/11/15	Trial

Moore v. Perry, et al
CAL14-22308(Tort)

Lead Counsel: Harvin
Other Counsel:

Abstract: Defense of claim for personal injury involving vehicle allegedly operated by Commission employee.

Status: In discovery.

Docket:

08/18/14	Complaint filed.
03/24/15	Pretrial conference
09/21/15	Trial

Nicholson v. Commission
CAL14-36539 (ED)

Lead Counsel: Chagrin
Other Counsel:

Abstract: Claimant/employee is appealing the DLLR's decision regarding unemployment insurance benefits.

Status: Pending Oral Argument.

Docket:

12/22/14	Petition for Judicial Review filed
01/09/15	Response to Petition filed
04/30/15	Oral Argument

Pollard v. Commission
CAL15-00392 (WC-B629257)

Lead Counsel: Chagrin
Other Counsel:

Abstract: Claimant/employee is appealing the WCC's decision denying the left hip surgery as causally related to his workers' compensation claim.

Status: Pending Trial.

Docket:

12/19/13	Petition filed
05/01/15	Motions Hearing
07/28/15	Pretrial Hearing

Rivera v. Commission
CAL13-37715 (WC)

Lead Counsel: Chagrin
Other Counsel:

Abstract: Claimant/employee is appealing the WCC's decision regarding permanency award.

Status: Pending Trial

Docket:

12/19/13	Petition filed
01/14/14	Response to Petition filed
05/15/14	Pre-trial conference
03/26/15	Consent Order to remand to Workers Compensation; case dismissed

Savoy, D. v. Commission
Case No. CAL14-09608 (WC)

Lead Counsel: Chagrin
Other Counsel:

Abstract: WCC found claimant sustained 9% permanent partial disability under "other cases" and claimant appealed.

Status: Pending Trial

Docket:

04/29/14	Petition for Judicial Review filed
05/08/14	Response to Petition filed
09/04/14	Pretrial statement and Expert Designation filed
09/09/14	Pre-trial conference.
06/03/15	Trial

Savoy, G. v. Commission
Case No. CAL14-09719 (WC)

Lead Counsel: Chagrin
Other Counsel:

Abstract: WCC found claimant sustained 2% permanent partial disability of right hand and claimant appealed.

Status: Pending Trial

Docket:

05/02/14	Petition for Judicial Review filed
05/14/14	Response to Petition filed
10/15/14	Expert Witness and Pretrial statement filed by Commission
11/03/14	Pretrial Conference
05/12/15	Jury Trial

Tuckman-Barbee Construction Co., Inc. v. Commission
Case No. CAL14-28635 (CD)

Lead Counsel: Dickerson
Other Counsel: Chagrin

Abstract: Alleged breach of contract involving Southern Regional Technology and Recreation Complex in Fort Washington, Maryland.

Status: Case settled

Docket:

10/15/14	Complaint filed
11/04/14	Service on Commission
12/04/14	Motion to Dismiss or in the alternative, Motion for Summary Judgment filed by Commission
12/23/14	Plaintiff's Opposition to Commission's Motion to Dismiss
01/22/15	Commission's Reply in Support of Motion to Dismiss or in alternative, Motion for Summary Judgment
03/13/15	Hearing on Motion to Dismiss.
04/10/15	Disposition Hearing

CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND

Commission v. Johnson

Case No. 366677-V (CE)

Lead Counsel: Aleman
Other Counsel: Dickerson

Abstract: Commission requesting finding of contempt in case in which the Court already granted the Commission's Petition for Judicial enforcement of Administrative Decision by the Planning Board Concerning Forest Conservation Easement violation.

Status: Further collection action and attempts to seek compliance by foreclosing bank.

Docket:

11/22/13	Petition for Issuance of Show Cause Order Filed
01/16/14	Contempt Hearing held and Judicial Order issued
01/22/14	Order-Defendant must respond to Plaintiff's Interrogatories by 2/17/14

Commission v. Pirtle

Case No. 394157-V (CE)

Lead Counsel: Aleman
Other Counsel: Dickerson

Abstract: Commission filed Petition for Judicial enforcement of Administrative Decision by the Planning Board Concerning Forest Conservation Easement violation.

Status: Pending Motions hearing.

Docket:

08/12/14	Petition filed.
09/02/14	Affidavit of Service on Defendant filed.
10/07/14	Motion to Dismiss or in the alternative for Summary Judgment filed by Defendant
10/27/14	Commission's Motion in Opposition to Defendant's Motion to Dismiss filed; and Commission's Motion to Dismiss Counterclaim filed.
01/05/15	Motions Hearing
05/20/15	Hearing on Motion to Dismiss or in the alternative for Summary Judgment

Howard Entertainment, Inc. v. Commission

Case No. 393333-V (CD)

(Originally filed in District Court under Case #0602-0009462-2014)

Lead Counsel: Harvin
Other Counsel: Dickerson

Abstract: Plaintiff filed complaint for breach of contract of payment for services for Southern Area Operations Festival of Nations

Status: In discovery.

Docket:

06/06/14	Complaint filed in District Court
07/14/14	Commission filed Intent to Defend and Request for Jury Trial
07/23/14	Bill of Complaint transferred to Circuit Court
04/16/15	Pretrial conference

Jackson v. Commission

Case No. 397287-V (Tort)

Lead Counsel: Chagrin
Other Counsel:

Abstract: Defense of tort claim for claimed slip and fall alleged broken sidewalk at Jessup Blair Park in Silver Spring, Maryland.

Status: Complaint filed

Docket:

11/06/14	Complaint filed
02/05/15	Defendant files Motion to Dismiss
04/16/15	Hearing on Motion to Dismiss or in the Alternative for Summary Judgment
04/17/15	Status/Pre-trial conference.

L. Jackson v. Commission

Case No. 401201-V (WC)

Lead Counsel: Chagrin
Other Counsel:

Abstract: Claimant/employee is appealing the WCC's decision regarding low back exclusion from claim arising from 5/27/14 accidental injury.

Status: Pending trial.

Docket:

02/18/15	Petition filed.
07/30/15	Pretrial hearing

L. Jackson v. Commission
Case No. 401202-V (WC)

Lead Counsel: Chagrin
Other Counsel:

Abstract: Claimant/employee is appealing the WCC's decision regarding low back not causally related to the accidental injury and denial of medical treatment and other benefits.

Status: Pending trial.

Docket:

02/18/15	Petition filed
07/30/15	Pretrial hearing

MARYLAND COURT OF SPECIAL APPEALS

**Fort Myer Construction Corporation v. Commission
Commission v. URS Corporation (Third Party claim by Commission)
2015 Term, No. 16 (CD)**

Lead Counsel: Saul Ewing (Garry Boehlert)
Other Counsel: Dickerson; MarcusBonsib, LLC (Bruce L. Marcus)

Abstract: Fort Myer Construction Corporation appeals award of sanctions against it. Commission notes cross appeal, as does URS Corporation.

Status: Appeal filed.
Docket:

03/09/15	Notice of Appeal filed by Plaintiff.
03/19/15	Notice of Appeal filed by Commission
03/20/15	Notice of Appeal filed by URS Corporation

Kaviani v. Montgomery County Planning Board
September Term 2014, No. 01554 (AALU)

Lead Counsel: Dumais
Other Counsel: Lieb

Abstract: Appeal filed from the Circuit Court rule in the case of Montgomery County Planning Board's enforcement order in MCPB No. 13-118, regarding Citation number EPD000007.

Status: Awaiting oral agrument.

Docket:

09/23/14	Notice of Appeal
06/2015	Oral Argument

Smith v. Montgomery County Planning Board
September Term 2013, No. 00774 (AALU)

Lead Counsel: Lieb
Other Counsel:

Abstract: Commission appealed Circuit Court ruling for forest conservation violations at 21627 Ripplemead Drive.

Status: Awaiting decision.

Docket:

06/21/13	Notice of Appeal filed
03/07/14	Commission's Brief filed
05/15/14	Reply Brief filed
06/11/14	Oral Argument held.

MARYLAND COURT OF APPEALS

Rock Creek Hills Citizens Association, et al v. Commission

September Term 2014, Petition Docket No. 213 (AALU)

Lead Counsel: Mills
Other Counsel:

Abstract: Declaratory Judgment attempting to stop transfer & development of Commission owned property

Status: Awaiting decision on Petition.

Docket:

06/09/14	Petition for Writ of Certiorari filed.
07/28/14	Commission's Response filed to Petition for Writ of Certiorari

Rounds v. Commission

September Term 2014, No. 00019 (PD)

Lead Counsel: Gardner
Other Counsel: Dickerson

Abstract: Defense of claim for violations of the Maryland Constitution and declaratory relief concerning alleged Farm Road easement.

Status: Judgment affirmed in most aspects with remand and Motion for Reconsideration.

Docket:

11/01/13	Petition for Writ of Certiorari
11/12/13	Answer in Opposition to Petition for Writ of Certiorari
12/20/13	Cert Granted
06/30/14	Order re-scheduling case to November, 2014 session
11/12/14	Oral Argument
01/29/15	Circuit Court decision affirmed in most aspects and remanded for a limited purpose.
02/24/15	Defendant Brown files Motion for Reconsideration.
	Plaintiff Appellant responds agreeing to dismiss claim against Defendant Brown.

U.S. DISTRICT COURT OF MARYLAND

American Humanist Association, et al v. Commission

Case #8:14-cv550-DKC (M)

Lead Counsel: Dickerson
Other Counsel: Gardner
Harvin

Abstract: Defense of claim alleging violation of establishment clause of Constitution.

Status: In discovery.

Docket:

02/25/14	Complaint filed in U. S. District Court for the District of MD
04/28/14	Answer filed
04/25/14	Motion for Leave to submit Amicus filed by interested Marylanders
05/01/14	Motion to Intervene filed by American Legion entities
09/18/14	Court grants Motion of Eleven Marylanders for Leave to Appear Jointly as Amicus Curiae in Support of Defendants and grants Motion to Intervene by The American Legion, The American Legion Department of Maryland and The American Legion Colmar Manor Post 131

Hartford Casualty Insurance Company v. Commission

Case No. 8:13-cv-01765 (CD)

Lead Counsel: Ober, Kaler, Grimes & Shriver (Michael A. Schollaert)
Other Counsel: Dickerson, Chagrin

Abstract: Plaintiff bonding company filed complaint seeking alleged damages associated with surety work after taking over Fort Washington Forest Park and the North Forestville Projects in Prince George's County.

Status: Case stayed for mediation.

Docket:

06/18/13	Complaint filed
05/27/14	Plaintiff filed Consent Motion to Stay
05/28/14	Court stays case
09/25/14	Joint Status Report filed.
09/26/14	Court extends stay through 01/23/15.
01/26/15	Court extends stay for 120 days

Pulte Home Corporation, et al v. Montgomery County, et al

Case No. 8:14-cv-03955 (LD)

(Originally filed under Case No. 397601V-Mont. Cty)

Lead Counsel: Gardner/Dickerson
Other Counsel:

Abstract: Plaintiff filed complaint for alleged delays and damages associated with the construction of a residential development in Clarksburg, Maryland.

Status: Awaiting decision on pending motions.

Docket:

12/18/14	Notice of Removal and Complaint filed
01/02/15	Commission files Motion to Dismiss or in the Alternative for Summary Judgment and Supporting Memorandum
01/09/15	Plaintiffs file Motion to Remand.
02/05/15	Defendant Montgomery County's Opposition to Motion to Remand
02/06/15	Commission's Opposition to Plaintiff's Motion to Remand
02/06/15	Plaintiff's Opposition to Defendant M-NCPPC's Motion to Dismiss
02/23/15	Plaintiff's Reply in Support of Motion to Remand
02/23/15	Commission's Reply to Opposition to Motion to Dismiss

Streeter v. Commission

Case No. 12-cv-0976 RWT(ED)

Lead Counsel: Harvin
Other Counsel:

Abstract: Defense of claim alleging discrimination and retaliatory termination.

Status: Awaiting Court Order.

Docket:

01/17/12	Complaint filed in Circuit Court for Prince George's County
04/03/12	Case removed to U.S. District Court
04/10/12	Commission's Preliminary Motion to Dismiss filed
01/07/13	Motion granted with conditions
03/27/14	Commission's Motion to Dismiss Complaint w/prejudice filed

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