

***COMMISSION
MEETING***

April 19, 2017

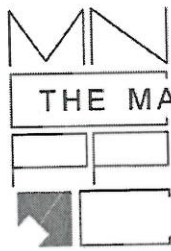
9:30 a.m. – 11:30 a.m.

***MONTGOMERY REGIONAL
OFFICE***

***8787 Georgia Avenue
Silver Spring, MD 20910***

**MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MEETING
Wednesday, April 19, 2017
Montgomery Regional Office
9:30 a.m. – 11:30 a.m.**

		<u>ACTION</u>	
		Motion	Second
1.	Approval of Commission Agenda (9:30)	(+*) Page 1	
2.	Approval of Commission Minutes		
	a) Open Session/Closed Session Conference Call – March 2, 2017	(+*) Page 3	
	b) Open Session/Closed Session – March 15, 2017	(+*) Page 5	
	c) Open Session/Closed Session – Conference Call – March 30, 2017	(+*) Page 11	
3.	General Announcements (9:30)		
	a) Upcoming Fitness Days in May for National Fitness Month		
	b) Upcoming Asian-Pacific American Heritage Month		
	c) Arab-American Heritage Month		
	d) Stress Awareness Month		
	e) Alcohol Awareness Month		
	f) Upcoming National Prevention Week (Mental and/or Substance Use Disorders) – May 14 – May 20		
4.	Committee Minutes/Board Reports (For Information Only):		
	a) Minutes – Employees’ Retirement System Regular Board of Trustees Meeting – March 7, 2017	(+) Page 13	
	b) 115 Trust (OPEB) Meeting Minutes – December 21, 2016	(+) Page 17	
	c) Executive Committee Meeting – Open Session – March 10, 2017	(+) Page 21	
	d) Executive Committee Meeting – Closed Session – March 10, 2017	(++)	
5.	Action and Presentation Items (9:40)		
	a) Resolution # 17-06, Resolution of Adoption for the Approved Prince George’s County Resource Conservation Plan (Guleryuz)	(+*) Page 25	
	b) Resolution #17-07, Updates to Mandatory Uniform Standards (Martin)	(+*) Page 59	
	c) Request to Use Salary Lapse (Department of Human Resources and Management) (Barney/Bennett)	(+*) Page 85	
	d) Wellness Program – Health Coverage and Counseling for Employees with Alcohol and Substance Abuse Problems (Spencer/McDonald)	(+) Page 87	
	e) ERP Update: Financial System Replacement (Chilet)	(+) Page 99	
	f) Resolution #17-09, OPEB Rebate	(+*) (LD)	
	g) Resolution #17-02, Healthy Vending (McDonald)	(+*) (LD)	
6.	Officers’ Reports (11:10)		
	a) Executive Director’s Report (For Information Only) Employee Evaluations Not Completed by Due Date (March 2017)	(+) Page 119	
	b) Secretary Treasurer (For Information Only)		
	1) Investment Report (February 2017) (+)	(+) Page 121	
	2) MFD Purchasing Statistics – Second Quarter – FY17	(+) Page 127	
	c) General Counsel		
	1) Litigation Report (March 2017) (For Information Only)	(+) Page 141	
7.	Closed Session – Collective Bargaining (Barney)		



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

Commission Meeting
Open Session Conference Call Minutes
March 2, 2017

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

PRESENT

Montgomery County Commissioners

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

Prince George's County Commissioners

Elizabeth M. Hewlett, Chair
Dorothy Bailey
William Doerner
Manuel Geraldo

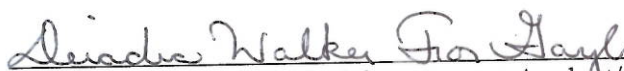
ABSENT

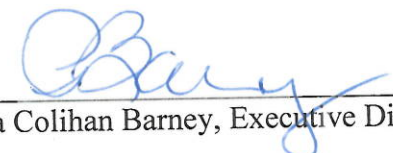
A. Shuanise Washington

At 8:56 a.m., Chair Hewlett convened the meeting and requested a motion to move to closed session pursuant to Section 3-305 (b)(7) and (b)(9) of the General Provisions Article of the Annotated Code of Maryland, for consultation with counsel and to conduct collective bargaining negotiations or consider matters that relate to the negotiations.

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

At 9:48 a.m., the meeting moved back to open session and adjourned.


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


Patricia Colihan Barney, Executive Director



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

Commission Meeting
Open Session Minutes
March 15, 2017

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

PRESENT

Prince George's County Commissioners
Elizabeth M. Hewlett, Chair (delayed arrival)
Dorothy Bailey
William Doerner
Manuel Geraldo

Montgomery County Commissioners
Casey Anderson, Vice-Chair
Norman Dreyfuss
Natali Fani-Gonzalez
Gerald Cichy
Marye Wells-Harley

ABSENT

A. Shuanise Washington

Vice-Chair Anderson convened the meeting at 9:57 a.m., in anticipation of Chair Hewlett's arrival.

Executive Director Barney made two changes to the agenda. Item #7, closed session Collective Bargaining, was moved to follow Item #5a, Resolution #17-02, Healthy Vending Requirements. Following that change, open session would take place to modify the appointment process for the Labor Relations Administrator (LRA) and the Arbitrator for the Fraternal Order of Police.

ITEM 1 APPROVAL OF COMMISSION AGENDA
ACTION: Motion of Geraldo with the amended agenda
 Seconded by Bailey
 8 approved the motion (vote taken before Chair Hewlett arrived)

ITEM 2 APPROVAL OF COMMISSION MINUTES
Open and Closed Sessions – February 15, 2017
ACTION: Motion of Bailey,
 Seconded by Geraldo
 8 approved the motion (vote taken before Chair Hewlett arrived)

ITEM 3 GENERAL ANNOUNCEMENTS
Vice-Chair Anderson mentioned the following announcements:
a) Women's History Month Events
b) Upcoming One-Commission Diversity Event (May 3, 2017)

ITEM 4 COMMITTEE MINUTES/BOARD REPORTS (For Information Only)
Regular Employees' Retirement System Board of Trustees Meeting – February 7, 2017

ITEM 5 ACTION AND PRESENTATION ITEMS

a) Resolution #17-02, Healthy Vending Requirements (Spencer/McDonald)

Health and Benefits Manager, Jennifer McDonald, presented a memorandum recommending support for the adoption of Resolution #17-02, Healthy Vending Requirements. The Resolution requires healthy food and beverage options in vending machines located on M-NCPPC property effective beginning with contract entered in or renewed on or after July 1, 2017. Ms. McDonald stated that Prince George's County has adopted standards for government facilities, and that Montgomery County recently proposed the same standards through Bill 1-17, which was introduced on February 7, 2017.

Ms. McDonald shared that a state-wide coalition of 300+ organizations was organized to promote local health regulations. She explained that a local ordinance was proposed last year to mandate standards for Prince George's County that would have affected the M-NCPPC offices/facilities located in that County. General Counsel Gardner and the Health and Benefits Manager McDonald consulted with the coalition to address the matter through an agency-wide policy (via a Resolution) that would obviate the need for local legislation that only covered one of the agency's regions. The M-NCPPC's vending managers, who were advised of the Healthy Vending Initiative, indicated support for the M-NCPPC Resolution.

Ms. McDonald introduced members of the coalition, Ms. Shawn McIntosh, Executive Director, Sugar Free Kids Maryland; attorney Eddie Pounds, on behalf of Sugar Free Kids Maryland; and Mr. Stuart Berlow, Director of Government Relations, American Heart Association. The Coalition members commended the M-NCPPC for considering the Resolution and shared background information supporting healthy vending strategies.

Commissioner Dreyfuss stated that sodas should not be included as a healthy product, and that he could not support the proposal as it is written.

Commissioner Geraldo voiced concerns with the permissibility of artificial sweeteners in healthy alternatives, and felt that the agency should not be promoting their use.

Also, Commissioner Doerner inquired about the following:

- How will changes affect vendors including minority businesses? The coalition members shared there was strong support from vendors for the change.
- To the coalition's statement that jurisdictions which have moved to 100% healthy food in vending machines have raised more money, Commissioner Doerner asked how product costs factored into revenue. The coalition members responded stating costs for healthy choices are on par with less healthy choices. The coalition added that customer demand for vending machine products also increased when healthy choices increased.

After further discussion, the Commissioners agreed to the following amendments to the Resolution:

- Recommendation of Commissioners Doerner and Geraldo: Amend Section III, Item (b)(1) Healthy Vending Contract Requirements, as follows: At least 65% of the food and beverage items offered in vending machines meet the requirements listed in Section I – Universal Vending Machine Requirements. At the end of a two-year period, the M-NCPPC will review the effects of the program. Depending on results of the assessment, and based on evidence, the agency will strive to increase to 65%, the healthy vending product requirements, and to not provide products with artificial sweeteners.
- Recommendation of General Counsel Gardner: Language in Section VI (b) of the proposal should be revised to state: Each Department shall monitor compliance and issue a report to the Commission on the first anniversary of this Resolution and at least every other year.
- Recommendation of Executive Director Barney: Amend Section III (b) - Add the following language: “The staff will come back with an assessment before the July 1, 2018 date”, so that Commissioners would have the information before this date.
- Recommendation of Vice-Chair Anderson: Change the language to Amend Section III (b) - M-NCPPC will strive for a higher goal, and on July 1, 2018, we will assess what that goal should be, with the idea of trying to increase the number, and address the artificial sweetener question. Staff should report back to the Commissioners with recommendations on what the target should be and what we should do about artificial sweeteners based on evidence.

Chair Hewlett commented that the M-NCPPC has a tremendous health and wellness program, and this initiative is another achievement for the agency. Ms. McIntosh shared that the coalition would like to have a press conference on this project in conjunction with efforts being made in Prince George’s County.

ACTION: Motion of Doerner to approve the Healthy Vending Resolution with modifications recommended by Commissioners Anderson, Doerner, Geraldo, General Counsel Gardner, and Executive Director Barney
Seconded by Fani-Gonzalez
8 approved the motion; Commissioner Dreyfuss opposed.

At 10:35 a.m., and pursuant to Section 3-305(b)(7) and (b)(9) of the General Provisions Article of the Annotated Code of Maryland, a closed session was requested by Chair Hewlett, for consultation with counsel and to discuss collective bargaining issues or consider matters that relate to the negotiations.

ACTION: Motion of Fani-Gonzalez
Seconded by Wells-Harley
9 approved the motion

At 11:06 a.m., the meeting moved back into open session. At that time, Executive Director Barney requested a motion to modify the selection and appointment process for the Interest Arbitrator for the Fraternal Order of Police contract, and to delegate the appointment authority of the Labor Relations Administrator and the Interest Arbitrator to the Chair and Vice-Chair of the Commission.

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

ITEM 5 b) Resolution #17-04, Montgomery Bond Resolution (Zimmerman)

ACTION: Motion of Wells-Harley
Seconded by Fani-Gonzalez
9 approved the motion

c) Resolution #17-05, Proposed Bowie Annexation of Commission-Owned Property (Johnson)

ACTION: Motion of Fani-Gonzalez
Seconded by Wells-Harley
9 approved the motion

d) Readopt the Debt Policy to Reflect the New Citations Under the Land Use Article as Opposed to Article 28 (Zimmerman)

ACTION: Motion of Fani-Gonzalez
Seconded by Geraldo
9 approved the motion

e) Adoption of Park Rules (Gardner/Calcote)

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

f) M-NCPPC LOGO

Commissioners Fani-Gonzalez and Wells-Harley presented a memorandum on moving forward with a review of the M-NCPPC logo. The memo was presented for Commission approval to develop a team to work together to create a new M-NCPPC logo that could be presented during the 90-Year Anniversary of the Commission. The team would consist of two members from each Department's Communications staff (four members from each County). Executive Director Barney recommended adding one member from bi-county offices, Senior Management Analyst Lisa Dupree. Chair Hewlett supported this recommendation.

Commissioners Fani-Gonzalez and Wells-Harley walked through the memo and explained the goals for the team, including designing up to three logos for review by the Commission. The team would have complete independence without interruption by Commissioners and Department Heads. The memo indicated drafts of the logos must be presented by the May17, 2017, meeting of the Commission. During the discussion of this item, Montgomery County Deputy Director Rose Krasnow requested that this timeline be extended to the June meeting of the Commission due to the busy schedule of the department's Communications team. The Commissioners supported the change in the due date.

If the Commission adopts a new logo, branding would be rolled out within a reasonable timeframe. Commission websites and social media would also be updated. Business cards and stationary would be updated immediately, while vehicles, uniforms, and signs would be phased in.

On a separate matter, Commissioner Wells-Harley suggested the agency prepare a written history of the organization, especially with the agency celebrating its 90th anniversary. Chair Hewlett shared that General Counsel Gardner has prepared a history of the M-NCPPC, and this can be used with updates.

ACTION: Motion of Wells-Harley to support the M-NCPPC logo project

Seconded by Geraldo

9 approved the motion

ITEM 6 OPEN SESSION – OFFICERS’ REPORTS

a) Executive Director

Employees’ Evaluations Not Completed by Due Date – (February 2017) (For Information Only)

Executive Office Building (EOB) Update (Not listed on the agenda)

Executive Director Barney noted that the EOB building team, which includes Commissioner Dreyfuss and Chair Hewlett, has met and will be presenting updates to the Commission. Chair Hewlett indicated that Commissioner Doerner will be replacing her on the Committee.

b) Secretary-Treasurer

1) Investment Report (January 2017) – (For Information Only)


c) General Counsel


1) Litigation Report (January 2017) (For Information Only)

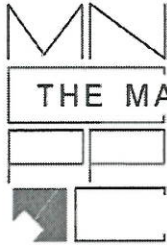
2) Legislative Update

General Counsel Gardner stated that the Inspector General bill is moving forward with the M-NCPPC’s amendment(s). The bill was added to the Montgomery and Prince George’s County delegations. A standing committee hearing will be held this week and the bill is likely to move before crossover day, Monday, March 6th.

There being no further business to discuss, the meeting adjourned at 11:26 a.m.


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


Patricia Colihan Barney, Executive Director



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

Commission Meeting
Open Session Conference Call Minutes
March 30, 2017

The Maryland-National Capital Park and Planning Commission met via conference call 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
William Doerner
Manuel Geraldo
A. Shuanise Washington

Montgomery County Commissioners

Casey Anderson, Vice-Chair
Gerald Cichy
Natali Fani-Gonzalez
Marye Wells-Harley

ABSENT

Norman Dreyfuss

At 12:38 p.m., Chair Hewlett convened the meeting and requested a motion to move to closed session pursuant to Section 3-305 (b)(7) and (b)(9) of the General Provisions Article of the Annotated Code of Maryland, for consultation with counsel and to conduct collective bargaining negotiations or consider matters that relate to the negotiations.

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

At 12:57 p.m., Chair Hewlett requested a motion to adjourn the meeting.

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



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



Patricia Colihan Barney, Executive Director



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

**REGULAR BOARD OF TRUSTEES MEETING
MINUTES**

Tuesday, March 7, 2017; 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 7, 2017 at 10:00 a.m. Voting members present were: Patricia Barney, CPA, Howard Brown, Pamela F. Gogol, Alicia Hart, Elizabeth M. Hewlett, Sheila Morgan-Johnson, Barbara Walsh and Joseph C. Zimmerman, CPA. Khalid Afzal, Amy Millar and Marye Wells-Harley were absent.

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

Presentations by Wilshire Associates, Bradley A. Baker, Vice President; Mark E. Brubaker, CFA, Managing Director; and, Ashley Bazzani, Associate.

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 7, 2017 Board of Trustees Meeting Agenda
- B. Minutes of Regular Meeting, February 7, 2017
- C. Minutes of Closed Session, February 7, 2017
- D. Disbursements Granted Report – January 2017
- E. Transfer of \$13,050,000 to Cover Administrative Expenses and Benefit Payments for March – May 2017

The Agenda was revised to move Item 4 Closed Session to follow Item 7 Administrator's Report.

MS. GOGOL made a motion, seconded by MS. HART to approve the Consent Agenda including the Revised March 7, 2017 Board of Trustees Meeting Agenda. The motion PASSED unanimously (8-0). (Motion #17-15)

2. CHAIRMAN'S ITEMS

- A. Board of Trustees Conference Summary

3. MISCELLANEOUS

No miscellaneous reported.

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)(1)(ii) to discuss personnel matters.

Closed Session was moved to follow Item 7 Administrator's Report.

5. MANAGER REPORTS/PRESENTATIONS

MINUTES, AS APPROVED, AT THE APRIL 4, 2017 REGULAR BOARD OF TRUSTEES MEETING

A. Wilshire Associates

Presentations by Wilshire Associates - Bradley A. Baker, Vice President, Mark E. Brubaker, CFA, Managing Director; and, Ashley Bazzani, Associate

- i. Executive Summary of Investment Performance; as of December 31, 2016
- ii. Manager Comparison - 3yr and 5yr Rolling Returns; as of December 31, 2016
- iii. Summary of Investment Performance; December 31, 2016

Mark Brubaker provided a general overview of the 4Q2016 market environment. During the fourth quarter, the U.S. equity markets were up by 4.5% and by 13.4% for all of 2016. Non-U.S. Equity markets were mostly positive in both the fourth quarter and year-to-date in local currency terms. However, a strong U.S. dollar resulted in losses for U.S. investors. Despite a strong 2016, emerging market equities suffered during the fourth quarter following the U.S. election as investors feared weakening prospects for global trade and exports from emerging market countries. High Yield and U.S. Treasury Bonds ended the fourth quarter with a net gain.

Bradley Baker reported on the fund's performance for the quarter ending December 31, 2016. The ERS' total fund return was 1.35% (net of fees) for the quarter, outperforming the actual policy index return of 0.18%. The ERS fund return was 9.86% for the one-year ended, 3.57% for the three-years ended, and 7.56% for the five-years ended December 31, 2016 versus the actual policy index which returned 8.53%, 2.93% and 6.69%, respectively. The total market value through December 31, 2016 was \$822.3 million.

The ERS' Total Fund ranked in the 6th percentile for the year-to-date in the TUCS Total Return of Master Trusts – Public: Plans < \$1 Billion Universe (gross of fees). MR. ZIMMERMAN and MS. MORGAN-JOHNSON said this ranking is a great accomplishment for the Board and Mr. Brubaker agreed.

Individual manager performance was discussed. Mr. Baker highlighted the positive annual returns for the international equity and the fixed income composite. One-year performance ending December 31, 2016 was strong for Earnest Partners, Capital Guardian, Western Asset and Principal Global Investors. However, Mr. Brubaker said the big driver of positive performance in the ERS' portfolio was the allocation to real assets. Mr. Baker reported that J.P. Morgan's lead portfolio manager, Tom Luddy, will be retiring at the end of 2017. Although this is normally a cause for concern, Wilshire thinks J.P. Morgan has everything in place for a smooth transition. Wilshire will be watching JP Morgan closely. Wilshire feels the ERS' portfolio is well positioned for the future.

6. COMMITTEE REPORTS/RECOMMENDATIONS

A. Investment Monitoring Group Committee

Presentation by Committee Chairman, Patricia Colihan Barney, CPA

- i. Regular Report of February 21, 2017

MS. BARNEY presented the Investment Monitoring Group's (IMG) Regular Report of February 21, 2017.

The IMG reviewed nine (9) responses to the Investment Consulting Services Request for Proposal (RFP). Each firm was required to meet minimum requirements and submit certain documents as part of the process. The IMG evaluated each firm on criteria, including, but not limited to: a) relevant investment consulting experience of the firm and individual consultants proposed for the ERS b) proposed work plan, soundness of approach and understanding of the needs of the ERS c) demonstrated ability to perform the services referred to in the RFP and d) fee proposal.

Many of the firms were well qualified; therefore, the IMG focused its evaluation primarily, but not exclusively, on the organization, the consultants assigned to the ERS, and the proposed fees. The IMG unanimously selected Meketa Investment Group ("Meketa") and Wilshire Associates ("Wilshire") to present at the April 4, 2017 Board meeting. Meketa and Wilshire are robust investment consulting firms; the proposed consultants have strong public pension defined benefit plan experience and significant years at the respective firms; and the firm's fee proposals were competitive.

7. REPORT OF THE ADMINISTRATOR

Presentation by Administrator, Andrea L. Rose

A. Administrator's Report dated February 23, 2017

- i. Recommendation to Approve a 1.3% Cost-of-Living Adjustment Effective July 1, 2017 for Eligible Retirees and Beneficiaries in Accordance with Provisions of the Employees' Retirement System
- ii. Resolution Appointing Elizabeth M. Hewlett as Chairman of the Board of Trustees for the term ending June 30, 2017 (Handout)

Andrea Rose presented the Administrator's Report dated February 23, 2017.

The Board of Trustees agreed the April 4, 2017 meeting should start at 9:30 a.m. to make time for the Investment Consultant presentations.

Ms. Rose recommended the Board approve a cost-of-living adjustment (COLA) for retirees and beneficiaries of 1.3% effective July 1, 2017. Staff calculated the COLA using data from Table 24 - All Urban Consumers (CPI U) - All Items Annual Average (at December 2016). All retirees and beneficiaries receiving annuities for at least six months are eligible for the COLA.

MS. GOGOL made a motion, seconded by MS. WALSH to approve a 1.3% Cost-of-Living Adjustment Effective July 1, 2017 for Eligible Retirees and Beneficiaries in Accordance with Provisions of the Employees' Retirement System. The motion PASSED unanimously (8-0). (Motion #17-16)

In order to accept the Chairman's signature on the Guidelines and Fee Agreement, BlackRock is requiring a Resolution appointing the Chairman of the Board of Trustees. Ms. Rose recommended approval of the Resolution appointing Elizabeth M. Hewlett as Chairman of the Board of Trustees for the term ending June 30, 2017.

MS. BARNEY made a motion, seconded by MS. WALSH to approve a Resolution Appointing Elizabeth M. Hewlett as Chairman of the Board of Trustees for the term ending June 30, 2017. The motion PASSED unanimously (8-0). (Motion #17-17)

The Employees' Retirement System was awarded the Certificate of Achievement for Excellence in Financial Reporting by the Government Finance Officers Association of the United States and Canada (GFOA) for its Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended June 30, 2016 and an Award for Outstanding Achievement in Popular Annual Financial Reporting ("Award") for its Popular Annual Financial Report (PAFR) for the fiscal year ended June 30, 2016. Sheila Joynes, Accounting Manager, was recognized for leading the CAFR team to another Award in Excellence and Heather Brown, Senior Administrative Specialist, was recognized for leading the PAFR team to its seventh consecutive year of applying for and receiving the award.

Given the elimination of the IRS Determination Letter program, the Groom Law Group decided a new approach was necessary to satisfy requests for documentation of plan qualification from plan auditors, compliance officers, investment managers, third party administrators and other parties. Groom developed a Document

MINUTES, AS APPROVED, AT THE APRIL 4, 2017 REGULAR BOARD OF TRUSTEES MEETING

Compliance Service ("DCS") for plans that have a current IRS determination letter. Groom will provide an opinion, annually if necessary, intended to confirm continued satisfaction of the IRS document requirements. The DCS is designed to help in the event the IRS challenges a plan's qualification status. Groom is already involved in all plan amendments for the ERS; therefore, the only additional work for the ERS would be an opinion letter.

Trustee terms expire June 30, 2017 as follows: Montgomery County Commissioner, Prince George's County Public Member, Montgomery County Public Member, and the Bi County Open Trustee. Additionally, the ERS' Board of Trustees Chairman and Vice Chairman terms expire June 30, 2017. Notices will be provided to employees and the public.

MS. GOGOL made a motion seconded by MS. BARNEY to go into Closed Session. The motion PASSED unanimously (8-0). (Motion #17-18)

MS. GOGOL made a motion, seconded by MS. HART to ratify the actions taken in Closed Session. The motion PASSED unanimously (8-0). (Motion #17-22)

The Board of Trustees meeting of March 7, 2017 adjourned at 12:00 p.m.

Respectfully,



Heather D. Brown
Senior Administrative Specialist



Andrea L. Rose
Administrator

Item 4b

115 Trust (OPEB)
Meeting Minutes
College Park Airport Operations Building

Wednesday, December 21, 2016

Attending: Commissioner Manuel Geraldo, Chairman;
Commissioner Casey Anderson, Co-Chairman;
Patricia Colihan Barney, Commission Executive Director, Trustee;
Joseph Zimmerman, Commission Secretary-Treasurer, Trustee;
William Spencer, Commission Human Resources Director, Trustee;
Adrian Gardner, Commission General Counsel;
Barbara Walsh, Commission Accounting Manager, Staff;
Abbey Rodman, Commission Investment Manager, Administrator;
Claudia Stalker, Commission Accountant, Staff;
Barry Bryant, Investment Consultant, Dahab Assoc.;
David Boomershine, Pres. & Sr. Actuary, Boomershine Consulting Group

Absent: LaTonya Reynolds, Commission Senior Counsel, Staff

The meeting was called to order at 11:03 a.m.

Minutes from the 9/21/16 meeting were motioned by Ms. Barney to be approved, seconded by Commissioner Geraldo, and then unanimously approved.

David Boomershine of Boomershine Consulting Group reviewed aspects of the Actuarial Valuation as of July 1, 2016.

Mr. Boomershine said the Trust is not required to prefund (put money away to pay obligations before they are due), but that prefunding allows the Trust to use a higher discount rate which reduces the current value of obligations. Many government plans are not funding at all, utilizing pay-as-you-go methodology instead, but they must use 4% instead of 7% as a discount rate. The Trust, however, has been fully funded for several years. Ms. Barney noted that prefunding was in place before many other plans began to do it. Mr. Boomershine added that if the Trust continues to prefund it can continue using the 7% rate.

Bond rating agencies are looking at investment assumptions. The Trust is currently not smoothing assets because the ratio of assets to liabilities is so low. There is a slight overfunding of the annual required contribution (ARC).

The unfunded liability is being amortized over a 30-year period. The Trust is on a schedule to reduce the amortization period. It used 30 years in 2016. The following year it will use 29 years, then 28, until the amortization period is reduced to the 15-20 year range.

Total liabilities for the Trust are currently \$302 million. The unfunded liability is \$254 million. The funded ratio is 16%. The annual required contribution (ARC) increased from \$16.8 million to \$20.0 million. Mr. Boomershine put the funding ratio into perspective. While cautioning that there are no definitive statistics, he said funding ratios seem to average 8%-10% across the country and many are at zero.

The annual required contribution increased due to cost/liability changes resulting from a decrease in the discount rate, a change in the actuarial method and assumptions, investment loss and adverse plan experience. The Trust, however, continues to meet the ARC.

Ms. Walsh said the Trust is currently not being used to pay benefits and is still being built up. Federal money is going into the Trust as an employer contribution, then will be used to pay benefits eventually. Page 8 of the actuarial report states that in fiscal year 2018 the OPEB contributions to the Trust will be \$5.1 million, and federal subsidies will be \$1.8 million, coming in throughout the year. Funds come into the internal accounting fund and will be transferred to the Trust fund. That is the prefunding. Prefunding is actually \$3.5 million plus, in addition to \$2.1 million projected as federal subsidies, which will also go to the Trust.

Commissioner Geraldo said that we may want some additional footnotes to indicate where the money goes. Mr. Zimmerman said that as part of the next actuarial valuation, we need to fully understand how the \$254 million liability goes away. He added that this is a very technical subject and we have three people working on it. Commissioner Geraldo noted that the methodology now rests with those three people and that there needs to be a written narrative as to how the results are reached. Mr. Boomershine said the fact that the unfunded liability will transfer to the balance sheet is not a concern. The key is the funding policy and the ability to continue to use the 7% assumption.

After Mr. Boomershine concluded the actuarial review, Mr. Bryant began the investment discussion. He noted that the third quarter ended September 30 was a good quarter, and that most of the Portfolio's allocation and manager strategies worked, resulting in a very good return.

GDP increased 2.9% for the quarter, setting the stage for the Fed to raise rates in December. For the market as a whole, all major asset classes had positive returns, with riskier asset classes like domestic small cap and emerging markets generating the highest returns. Domestic bonds had a modest 0.5% return.

Portfolio assets returned 5.4% and ranked in the 1st percentile, meaning it out-performed most funds in a broad public fund universe. The shadow index, a measure of how the Portfolio performed without active management, returned 4.1%. Active management added another 130 basis point of return, gross of fees.

Elements of the asset allocation that helped return were the large allocation to small/mid cap domestic equity and emerging market equity, and the low allocation to fixed income.

All of the managers met or exceeded their benchmarks except the Schwab/RAFI large cap fund, which was hurt by its outsized position in integrated oils and an underweight to the major tech companies including Alphabet, Apple, Amazon and Facebook. All three Schwab/RAFI strategies are significantly ahead of their benchmarks on a year-to-date basis. The PIMCO AA/AA Fund continued with its above-average performance for the year after poor performance 2012-2015. The Unconstrained Bond Fund had a 3.1% return despite domestic core bonds returning only 0.5%. Overall, Mr. Bryant said Portfolio performance was back on track after a poor relative performance period and now ranked in the 40th percentile on a since inception basis.

Mr. Bryant distributed a 4th Q Preliminary Report that showed the Portfolio with a 1.2% return for the fourth quarter through November. Based on market indices, he said he believed this was an above-average return. All the Schwab/RAFI strategies exceeded their targets by wide margins, and the Unconstrained Bond Fund had a modest 0.4% return despite domestic investment-grade bonds being down more than 3%. Only the PIMCO AA/AA Fund had a negative return, which was due to the poor performance of foreign stocks and bonds.

In response to a prior request from Ms. Barney, Mr. Bryant reviewed the various components of the PIMCO All-Asset/All-Authority Fund. At the conclusion of that presentation, the Committee requested that Mr. Bryant summarize the various strategies in written form. The Committee also asked that Mr. Bryant provide a more detailed explanation of how PIMCO establishes positions using futures.

Mr. Bryant said Wall Street believed the environment was generally supportive of risk assets for 2017 due to 1) the promise of increased federal spending on infrastructure; 2) proposed cuts in corporate and personal taxes; and 3) a general belief that anti-trade policies from the campaign would not be enacted in a manner that would trigger a trade war.

Following a discussion about the environment, Mr. Bryant turned to how the Portfolio is positioned and the issue of firm concentration, with most of the assets invested with PIMCO and RAFI, two separate but affiliated companies. He offered two options: 1) staying as we are, because the strategy is now working; or 2) changing one or more managers, such as moving the large cap allocation to an equal weighted or standard index, or replacing PIMCO with another global bond manager.

Commissioner Geraldo asked Mr. Bryant to look into robo-investing, the use of computer-driven algorithms to make asset allocation decisions. He indicated that he had read about the technique in a publication, possibly Kiplinger's, and wondered if the Committee might make use of it in investing funds for the Trust.

Commissioner Anderson said he was not concerned about firm concentration. Ms. Barney inquired about the nature and extent of risks. The committee decided, for the moment, to maintain the current manager lineup, but requested to receive education on the possible dangers of firm concentration.

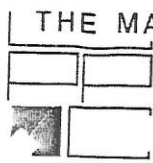
The Trustees set 11:30 am on Wednesday, March 15, 2017 at PRA for the next meeting.

The meeting was adjourned at 12:55 am.

Respectfully Submitted,



Claudia Stalker



**EXECUTIVE COMMITTEE
Minutes
March 10, 2017**

On March 10, 2017, the Maryland-National Capital Park and Planning Commission's Executive Committee met. Present were Chair Elizabeth Hewlett, Vice-Chair Casey Anderson, and Executive Director Patricia Barney. Also present were:

Department Heads/Deputies/Presenters/Staff

- Joe Zimmerman, Secretary-Treasurer
- Anju Bennett, Chief, Corporate Policy and Management Operations (CPMO)
- Andree Checkley, Director, Prince George's County Planning
- Mazen Chilet, Chief Information Officer
- Ronnie Gathers, Director, Prince George's County Parks and Recreation
- Renee Kenney, Chief, Audit Department
- Mike Riley, Director, Montgomery County Parks
- William Spencer, Human Resources Director
- Gwen Wright, Director, Montgomery County Planning

The meeting convened at 10:10 a.m.

Chair Hewlett introduced new Prince George's County Planning Director Andree Checkley and welcomed her back to the M-NCPPC.

ITEM 1a - APPROVAL OF EXECUTIVE COMMITTEE AGENDA

Discussion	No comments were made regarding the Executive Committee agenda.
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ITEM 1b - APPROVAL OF COMMISSION MEETING AGENDA

Discussion	<p>The following comments were made:</p> <ul style="list-style-type: none"> • A brief update on the Executive Office Building (EOB) project will be presented to the Commission in the future. <p><u>General Announcements:</u></p> <ul style="list-style-type: none"> • The One-Commission Diversity Event may be moved to the fall. Executive Director Barney will advise the Executive Committee if the event is moved to a later date.
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ITEM 1c - ROLLING AGENDA FOR UPCOMING COMMISSION MEETINGS

Discussion	<p>The Executive Committee reviewed the Rolling Agenda for the upcoming four months.</p> <p><u>April</u></p> <ul style="list-style-type: none"> • Remove Enterprise Resource Planning – Financial System Replacement. • Add an update on alcohol awareness and substance abuse disorders. The presentation should include information regarding health coverage and counseling. A statistical report will be added to the presentation indicating the number of employees who have taken advantage of this benefit.
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May

- Add the APA Award

June

- There have been some delays with regards to responding to the Classification/ Compensation study. The Classification/Compensation team has requested assistance in obtaining comments back from the departments so the project can move forward.

July

- Remove the Women's History Month Events
- Remove the closed session collective bargaining update
- Remove the legislative update

ITEM 2 – MINUTES

Provided for Information

February 1, 2017, Executive Committee Minutes

ITEM 3 – DISCUSSION/REPORTS/PRESENTATIONS

Discussion

a) Investment Report (Zimmerman)

Secretary-Treasurer Zimmerman reported that the results contained in the Investment Report are impressive. He stated that the current weighted average return is 0.85%, which is an improvement, given the constraints in the investment policy. The market will continue to move up slowly.

b) EOB Building Project Update (Barney/Bennett)

Executive Director Barney introduced Corporate Policy and Management Operations Division Chief Anju Bennett, who presented the EOB update. The document contained an understanding of the project, the scope of work encompassing six tasks, the project plan, the project schedule, and the fees associated with consultants Gensler and EMG. Chief Bennett explained that the feasibility study of the EOB will be launched because of the significant cost to maintain the facility. She noted the goal of the study and provided a detailed outlined of the scope of work to study location alternatives for M-NCPPC /CAS. Chief Bennett stated that the M-NCPPC is hoping to use salary lapse to support the project. If the Executive Committee supports the idea, the plan will be presented to the Commission for approval.

The Executive Committee approved the project proposal.

Item not listed on the agenda – Financial Disclosures

Chair Hewlett mentioned that Financial Disclosures are due in April.

c) Memo to MCPB Re: M-NCPPC Logo

Vice-Chair Anderson presented a memorandum from Commissioners Marye Wells-Harley and Natali Fani-Gonzalez, requesting that the M-NCPPC logo topic be added to the March 15th Commission meeting agenda. The memorandum provided background regarding the M-NCPPC's research on branding for a stronger M-NCPPC logo. Commissioners Wells-Harley and Fani-Gonzalez proposed in the memo that a team be



	<p>formed consisting of one member from each of the four operating Departments' Communications staff (two from each County) to meet to develop a new logo for M-NCPPC. The logo options should be completed by May 17th, for presentation to the Commission during the 90 Year Anniversary. Executive Director Barney requested that Senior Management Analyst Lisa Dupree participate on the team as a representative of CAS.</p>
<p>Follow up</p>	<ul style="list-style-type: none"> • Add an update on alcohol awareness and substance abuse disorders to the April Commission meeting agenda. The update should include information regarding health coverage and counseling, and a statistical report indicating the number of employees who have taken advantage of this benefit. • Add the M-NCPPC logo topic to the March 15th Commission meeting agenda. • Add the APA Award to the May Commission meeting agenda.

There being no further business to discuss, the meeting adjourned to closed session at 10:32 a.m., to discuss labor negotiations.


 Gayla Williams, Senior Management Analyst/
 Senior Technical Writer


 Patricia Barney, Executive Director



Prince George's County Planning Department
Countywide Planning Division

Item 5a

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.mncppc.org/pgco

301-952-3650

March 29, 2107

MEMORANDUM

TO: The Maryland-National Capital Park and Planning Commission

VIA: Andree Green Checkley, Planning Director *ABC*
Derick Berlage, Chief, Countywide Planning Division *DB*

FROM: Gül Güleriyüz, Planner Coordinator, Special Projects Section, Countywide Planning Division *GB*

SUBJECT: Commission Resolution of Adoption for Prince George's County Resource Conservation Plan

The draft Full Commission Resolution Number 17-06 to adopt the *Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan*, is attached for your review and approval.

The Prince George's County Council Resolution CR-11-2-17, the Prince George's County Planning Board Resolution PGCPB No. 16-144, and the *Preliminary Resource Conservation Plan* are also attached. All three documents together comprise the *Approved Prince George's County Resource Conservation Plan*. Also attached is the Certificate of Adoption and Approval.

RECOMMENDATION

Staff recommends that the Full Commission approve the resolution of adoption.

Attachments:

1. Draft Full Commission Resolution Number 17-06
2. Prince George's County Council Resolution CR-11-2-17
3. Prince George's County Planning Board Resolution PGCPB No. 16-144
4. Preliminary Resource Conservation Plan
5. Certificate of Adoption and Approval



PRINCE GEORGE'S COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING

M-NCPPC No. 17-06

RESOLUTION

WHEREAS, The Maryland-National Capital Park and Planning Commission, by virtue of the Land Use Article of the Annotated Code of Maryland, is authorized and empowered, from time to time, to make and adopt, amend, extend and add to a General Plan for Physical Development of the Maryland-Washington Regional District; and

WHEREAS, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission, held a duly advertised joint public hearing with the Prince George's County Council, sitting as the District Council, on September 27, 2016 on the *Preliminary Resource Conservation Plan: A Countywide Functional Master Plan*, being also an amendment to the *Approved Master Plan for Langley Park-College Park-Greenbelt and Vicinity and Adopted Sectional Map Amendment for Planning Areas 65, 66, and 67* [October 1989 and May 1990]; *Approved Master Plan and Adopted Sectional Map Amendment for Largo- Lottsford (Planning Area 73)* [July 1990]; *Approved Master Plan and Sectional Map Amendment for Melwood- Westphalia (Planning Areas 77 and 78)* [March 1994]; *Approved Master Plan and Sectional Map Amendment for Bladensburg-New Carrollton and Vicinity (Planning Area 69)* [May 1994]; *Approved Master Plan and Sectional Map Amendment for Planning Area 68* [May 1994]; *Approved Sector Plan and Sectional Map Amendment for the Addison Road Metro Town Center and Vicinity* [October 2000]; *Approved Master Plan and Sectional Map Amendment for the Heights and Vicinity (Planning Area 76A)* [November 2000]; *Town of Brentwood Mixed-Use Town Center Zone Development Plan* [2000]; *Approved Anacostia Trails Heritage Area Management Plan: A Functional Master Plan for Heritage Tourism* [September 2001]; *Approved Sector Plan and Sectional Map Amendment for the Greenbelt Metro Area* [October 2001]; *Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan* [January 2004]; *Approved Sector Plan and Sectional Map Amendment for Morgan Boulevard and Largo Town Center Metro Areas* [May 2004]; *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District* [November 2004]; *Approved Sector Plan and Sectional Map Amendment for the Tuxedo Road/ Arbor Street/Cheverly Metro Area* [April 2005]; *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, 74B.* [February 2006]; *Approved Suitland Mixed-Use Town Center Zone Development*

Plan [February 2006]; Approved Sector Plan and Sectional Map Amendment for the East Glenn Dale Area for portions of Planning Area 70 [March 2006]; Approved Master Plan and Sectional Map Amendment for the Henson Creek-South Potomac Planning Area [April 2006]; Approved Transit District Development Plan and Transit District Overlay Zoning Map Amendment for the West Hyattsville Transit District Overlay Zone [July 2006]; Approved Westphalia Sector Plan and Sectional Map Amendment [February 2007]; Approved Bladensburg Town Center Sector Plan and Sectional Map Amendment [June 2007]; Approved Public Safety Facilities Master Plan [March 2008]; Approved Capitol Heights Transit District Development Plan and Transit District Overlay Zoning Map Amendment [July 2008]; Approved Branch Avenue Corridor Sector Plan and Sectional Map Amendment [September 2008]; Approved Landover Gateway Sector Plan and Sectional Map Amendment [May 2009]; Approved Port Towns Sector Plan and Sectional Map Amendment [October 2009]; Approved Countywide Master Plan of Transportation [November 2009]; Approved Marlboro Pike Sector Plan and Sectional Map Amendment [November 2009]; Approved Takoma/Langley Crossroads Sector Plan [November 2009]; Approved Water Resources Functional Master Plan [January 2010]; Approved Bowie State MARC Station Sector Plan and Sectional Map Amendment [January 2010]; Glenn Dale–Seabrook–Lanham and Vicinity Approved Sector Plan and Sectional Map Amendment, [March 2010]; Approved New Carrollton Transit District Development Plan and Transit District Overlay Zoning Map Amendment [May 2010]; Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment [June 2010]; Approved Subregion 4 Master Plan and Sectional Map Amendment [June 2010]; Approved Master Plan and Sectional Map Amendment for Subregion I (Planning Areas 60, 61, 62, and 64) [June 2010]; Approved Historic Sites and Districts Plan [June 2010]; Central Annapolis Road Approved Sector Plan and Sectional Map Amendment [October 2010]; Approved City of Mount Rainier Mixed-Use Town Center Zone Development Plan [November 2010]; The Approved Greenbelt Metro Area and MD 193 Corridor Sector Plan and Sectional Map Amendment [March 2013]; Approved Subregion 5 Master Plan and Sectional Map Amendment [July 2013]; Approved Largo Town Center Sector Plan and Sectional Map Amendment [December 2013]; Approved Subregion 6 Master Plan and Sectional Map Amendment [December 2013]; Approved Eastover/Forest Heights/Glassmanor Sector Plan and Sectional Map Amendment (SMA) [February 2014]; Approved Landover Metro Area and MD 202 Corridor Sector Plan and Sectional Map Amendment [May 2014]; Approved Southern Green Line Station Area Sector Plan and Sectional Map Amendment [February 2014]; Plan Prince George’s 2035 Approved General Plan [May 2014]; The Approved College Park-Riverdale Park Transit District Development Plan [March 2015]; Approved Prince George’s Plaza Transit District Development Plan and Proposed Transit District Overlay Zoning Map Amendment [September 2015]; and The Approved Central Branch Avenue Corridor Revitalization Sector Plan [2013]; and

WHEREAS, the Prince George's County Planning Board, after said public hearing and due deliberation and consideration of the public hearing testimony, on December 15, 2016, adopted the functional master plan with revisions, as described in Prince George's County Planning Board Resolution PGCPB No. 16-144, and transmitted the plan to the District Council on January 10, 2017; and

WHEREAS, the Prince George's County Council, sitting as the District Council for the portion of the Maryland-Washington Regional District lying within Prince George's County, held a work session on February 28, 2017 to consider hearing testimony; and

WHEREAS, upon consideration of the testimony received through the hearing process, the District Council on March 7, 2017, determined that the adopted plan should be approved as the functional master plan for resource conservation for Prince George's County, Maryland, subject to the modifications and revisions set forth in Resolution CR-11-2017; and

NOW, THEREFORE, BE IT RESOLVED, that The Maryland-National Capital Park and Planning Commission does hereby adopt said Resource Conservation Plan as an amendment to the General Plan for Physical Development of the Maryland-Washington Regional District within Prince George's County as approved by the Prince George's County District Council in the attached Resolution CR-11-2017; and

BE IT FURTHER RESOLVED, that copies of said amendment shall be certified by The Maryland-National Capital Park and Planning Commission and filed with each Clerk of the Circuit Court for Prince George's and Montgomery Counties, as required by law.

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of Resolution No. 17-06 adopted by The Maryland-National Capital Park and Planning Commission on motion of Commissioner _____, seconded by Commissioner _____, with Commissioners _____ voting in favor of the motion, with Commissioners _____ voting against, with Commissioners _____ being absent during the vote, at its regular meeting held on Wednesday, April 19, 2017, in Silver Spring, Maryland.

APPROVED AS TO LEGAL SUFFICIENCY



M-NCPPC Legal Department

Date 3/29/17

Patricia Colihan Barney
Executive Director

Certificate of Adoption and Approval

The *Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan* amends the *Approved Master Plan for Langley Park-College Park-Greenbelt and Vicinity and Adopted Sectional Map Amendment for Planning Areas 65, 66, and 67* [October 1989 and May 1990]; *Approved Master Plan and Adopted Sectional Map Amendment for Largo- Lottsford (Planning Area 73)* [July 1990]; *Approved Master Plan and Sectional Map Amendment for Melwood- Westphalia (Planning Areas 77 and 78)* [March 1994]; *Approved Master Plan and Sectional Map Amendment for Bladensburg-New Carrollton and Vicinity (Planning Area 69)* [May 1994]; *Approved Master Plan and Sectional Map Amendment for Planning Area 68* [May 1994]; *Approved Sector Plan and Sectional Map Amendment for the Addison Road Metro Town Center and Vicinity* [October 2000]; *Approved Master Plan and Sectional Map Amendment for the Heights and Vicinity (Planning Area 76A)* [November 2000]; *Town of Brentwood Mixed-Use Town Center Zone Development Plan* [2000]; *Approved Anacostia Trails Heritage Area Management Plan: A Functional Master Plan for Heritage Tourism* [September 2001]; *Approved Sector Plan and Sectional Map Amendment for the Greenbelt Metro Area* [October 2001]; *Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan* [January 2004]; *Approved Sector Plan and Sectional Map Amendment for Morgan Boulevard and Largo Town Center Metro Areas* [May 2004]; *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District* [November 2004]; *Approved Sector Plan and Sectional Map Amendment for the Tuxedo Road/ Arbor Street/Cheverly Metro Area* [April 2005]; *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, 74B.* [February 2006]; *Approved Suitland Mixed-Use Town Center Zone Development Plan* [February 2006]; *Approved Sector Plan and Sectional Map Amendment for the East Glenn Dale Area for portions of Planning Area 70* [March 2006]; *Approved Master Plan and Sectional Map Amendment for the Henson Creek- South Potomac Planning Area* [April 2006]; *Approved Transit District Development Plan and Transit District Overlay Zoning Map Amendment for the West Hyattsville Transit District Overlay Zone* [July 2006]; *Approved Westphalia Sector Plan and Sectional Map Amendment* [February 2007]; *Approved Bladensburg Town Center Sector Plan and Sectional Map Amendment* [June 2007]; *Approved Public Safety Facilities Master Plan* [March 2008]; *Approved Capitol Heights Transit District Development Plan and Transit District Overlay Zoning Map Amendment* [July 2008]; *Approved Branch Avenue Corridor Sector Plan and Sectional Map Amendment* [September 2008]; *Approved Landover Gateway Sector Plan and Sectional Map Amendment* [May 2009]; *Approved Port Towns Sector Plan and Sectional Map Amendment* [October 2009]; *Approved Countywide Master Plan of Transportation* [November 2009]; *Approved Marlboro Pike Sector Plan and Sectional Map Amendment* [November 2009]; *Approved Takoma/Langley Crossroads Sector Plan* [November 2009]; *Approved Water Resources Functional Master Plan* [January 2010]; *Approved Bowie State MARC Station Sector Plan and Sectional Map Amendment* [January 2010]; *Glenn Dale-Seabrook-Lanham and Vicinity Approved Sector Plan and Sectional Map Amendment*, [March 2010]; *Approved New Carrollton Transit District Development Plan and Transit District Overlay Zoning Map Amendment* [May 2010]; *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment* [June 2010]; *Approved Subregion 4 Master Plan and Sectional Map Amendment* [June 2010]; *Approved Master Plan and Sectional Map Amendment for Subregion I (Planning Areas 60, 61, 62, and 64)* [June 2010]; *Approved Historic Sites and Districts Plan* [June 2010]; *Central Annapolis Road Approved Sector Plan and Sectional Map Amendment* [October 2010]; *Approved City of Mount Rainier Mixed-Use Town Center Zone Development Plan* [November 2010]; *The Approved Greenbelt Metro Area and MD 193 Corridor Sector Plan and Sectional Map Amendment* [March 2013]; *Approved Subregion 5 Master Plan and Sectional Map Amendment* [July 2013]; *Approved Largo Town Center Sector Plan and Sectional Map Amendment* [December 2013]; *Approved Subregion 6 Master Plan and Sectional Map Amendment* [December 2013]; *Approved Eastover/Forest Heights/Glassmanor Sector Plan and Sectional Map Amendment (SMA)* [February 2014]; *Approved Landover Metro Area and MD 202 Corridor Sector Plan and Sectional Map Amendment* [May 2014]; *Approved Southern Green Line Station Area Sector Plan and Sectional Map Amendment* [February 2014]; *Plan Prince George's 2035 Approved General Plan* [May 2014]; *The Approved College Park-Riverdale Park Transit District Development Plan* [March 2015]; *Approved Prince George's Plaza Transit District Development Plan and Proposed Transit District Overlay Zoning Map Amendment* [September 2015]; and *The Approved Central Branch Avenue Corridor Revitalization Sector Plan* [2013]. The Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the plan by Resolution Number 16-144 on December 15, 2016 after a duly advertised joint public hearing on September 27, 2016. The Prince George's County Council, sitting as the District Council, approved the plan by Resolution Number CR-11-2017 on March 7, 2017.

The Maryland-National Capital Park and Planning Commission

Elizabeth M. Hewlett
Chairman

Casey Anderson
Vice Chairman

Joseph Zimmerman
Secretary-Treasurer

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2017 Legislative Session

Resolution No. CR-11-2017
Proposed by The Chairman (by request – Planning Board)
Introduced by Council Members Davis, Lehman, Turner, Glaros, Franklin and Taveras
Co-Sponsors _____
Date of Introduction March 7, 2017

RESOLUTION

1 A RESOLUTION concerning

2 Countywide Resource Conservation Functional Master Plan

3 For the purpose of approving, with certain revisions as permitted by law, as an Act of the County
4 Council of Prince George's County, Maryland, sitting as the District Council for that part of the
5 Maryland-Washington Regional District in Prince George's County, a new functional master
6 plan, the *Resource Conservation Plan: A Countywide Functional Master Plan*, thereby defining
7 long-range policies for green infrastructure; agriculture conservation; and rural character
8 conservation, including the incorporation of updates to the 2001 *Anacostia Trails Heritage Area*
9 *Management Plan: A Functional Master Plan for Heritage Tourism*, which shall constitute an
10 amendment to the 2014 general plan for the physical development of the Maryland-Washington
11 Regional District in Prince George's County, *Plan Prince George's 2035*.

12 WHEREAS, it is the intent of the District Council that, upon approval, this Countywide
13 Resource Conservation Functional Master Plan will amend certain specified portions of the 2014
14 General Plan for the physical development of the Maryland-Washington Regional District within
15 Prince George's County, *Plan Prince George's 2035*, as well as portions of the following
16 previously approved master plans, sector plans functional master plans, and sectional map
17 amendments in the County: the 2005 *Countywide Green Infrastructure Plan*; the 2012 *Priority*
18 *Preservation Area Functional Master Plan*; the 1983 *Public School Sites Functional Master*
19 *Plan*; the 1989–90 *Master Plan for Langley Park–College Park–Greenbelt and Vicinity and*
20 *Sectional Map Amendment for Planning Areas 65, 66, and 67*; the 1990 *Master Plan and*
21 *Sectional Map Amendment for Largo–Lottsford (Planning Area 73)*; the 1994 *Master Plan and*

1 *Sectional Map Amendment for Melwood–Westphalia (Planning Areas 77 and 78); the 1994*
2 *Master Plan and Sectional Map Amendment for Bladensburg–New Carrollton and Vicinity*
3 *(Planning Area 69); the 1994 Master Plan and Sectional Map Amendment for Planning Area 68;*
4 *the 2000 Sector Plan and Sectional Map Amendment for the Addison Road Metro Town Center*
5 *and Vicinity; the 2000 Master Plan and Sectional Map Amendment for the Heights and Vicinity*
6 *(Planning Area 76A); the 2000 Town of Brentwood Mixed-Use Town Center Zone Development*
7 *Plan; the 2001 Anacostia Trails Heritage Area Management Plan: A Functional Master Plan*
8 *for Heritage Tourism; the 2001 Sector Plan and Sectional Map Amendment for the Greenbelt*
9 *Metro Area; the 2004 Town of Riverdale Park Mixed-Use Town Center Zone Development Plan;*
10 *the 2004 Sector Plan and Sectional Map Amendment for Morgan Boulevard and Largo Town*
11 *Center Metro Areas; the 2004 Sector Plan and Sectional Map Amendment for the Prince*
12 *George’s County Gateway Arts District; the 2005 Sector Plan and Sectional Map Amendment*
13 *for the Tuxedo Road/Arbor Street/Cheverly Metro Area; the 2006 Master Plan for Bowie and*
14 *Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, 74B; the 2006*
15 *Suitland Mixed-Use Town Center Zone Development Plan; the 2006 Sector Plan and Sectional*
16 *Map Amendment for the East Glenn Dale Area for portions of Planning Area 70; the 2006*
17 *Master Plan and Sectional Map Amendment for the Henson Creek- South Potomac Planning*
18 *Area; the 2006 Transit District Development Plan and Transit District Overlay Zoning Map*
19 *Amendment for the West Hyattsville Transit District Overlay Zone; the 2007 Westphalia Sector*
20 *Plan and Sectional Map Amendment; the 2007 Bladensburg Town Center Sector Plan and*
21 *Sectional Map Amendment; the 2008 Public Safety Facilities Master Plan; the 2008 Capitol*
22 *Heights Transit District Development Plan and Transit District Overlay Zoning Map*
23 *Amendment; the 2008 Branch Avenue Corridor Sector Plan and Sectional Map Amendment; the*
24 *2009 Landover Gateway Sector Plan and Sectional Map Amendment; the 2009 Port Towns*
25 *Sector Plan and Sectional Map Amendment; the 2009 Countywide Master Plan of*
26 *Transportation; the 2009 Marlboro Pike Sector Plan and Sectional Map Amendment; the 2009*
27 *Takoma/Langley Crossroads Sector Plan; the 2010 Water Resources Functional Master Plan;*
28 *the 20140 Bowie State MARC Station Sector Plan and Sectional Map Amendment; the 2010*
29 *Glenn Dale–Seabrook–Lanham and Vicinity Sector Plan and Sectional Map Amendment; the*
30 *2010 New Carrollton Transit District Development Plan and Transit District Overlay Zoning*
31 *Map Amendment; the 2010 Central US 1 Corridor Sector Plan and Sectional Map Amendment;*

1 the 2010 *Subregion 4 Master Plan and Sectional Map Amendment*; the 2010 *Master Plan and*
 2 *Sectional Map Amendment for Subregion I (Planning Areas 60, 61, 62, and 64)*; the 2010
 3 *Historic Sites and Districts Plan*; the 2010 *Central Annapolis Road Approved Sector Plan and*
 4 *Sectional Map Amendment*; the 2010 *City of Mount Rainier Mixed-Use Town Center Zone*
 5 *Development Plan*; the 2013 *Greenbelt Metro Area and MD 193 Corridor Sector Plan and*
 6 *Sectional Map Amendment*; the 2013 *Subregion 5 Master Plan and Sectional Map Amendment*;
 7 the 2013 *Largo Town Center Sector Plan and Sectional Map Amendment*; the 2013 *Subregion 6*
 8 *Master Plan and Sectional Map Amendment*; the 2013 *Central Branch Avenue Corridor*
 9 *Revitalization Sector Plan*; the 2014 *Eastover/Forest Heights/Glassmanor Sector Plan and*
 10 *Sectional Map Amendment*; the 2014 *Landover Metro Area and MD 202 Corridor Sector Plan*
 11 *and Sectional Map Amendment*; the 2014 *Southern Green Line Station Area Sector Plan and*
 12 *Sectional Map Amendment*; the 2015 *College Park–Riverdale Park Transit District Development*
 13 *Plan*; and finally, the 2016 *Prince George’s Plaza Transit District Development Plan and*
 14 *Proposed Transit District Overlay Zoning Map Amendment*; and

15 WHEREAS, on September 15, 2015, via adoption of Council Resolution CR-54-2015, the
 16 District Council directed the Prince George’s County Planning Board of the Maryland-National
 17 Park and Planning Commission to initiate preparation of a new, Countywide Resource
 18 Conservation Functional Master Plan for Prince George’s County; and

19 WHEREAS, in accordance with the prescriptions of State and County law, and as specified
 20 within the approved Public Participation Program for this project, the Planning Department staff
 21 of the Maryland-National Capital Park and Planning Commission held several public outreach
 22 sessions seeking input from community, municipal, and public agency stakeholders, as well as an
 23 open forum; and

24 WHEREAS, as prescribed by local zoning law, the Prince George’s County Planning Board
 25 granted permission to print the *Preliminary Resource Conservation Plan: A Countywide*
 26 *Functional Master Plan* on July 28, 2016; and

27 WHEREAS, the Planning Board also referred the preliminary functional master plan to the
 28 Prince George’s County Executive and County municipal corporations for respective review and
 29 comment in accordance with the requirements of state and local law; and

30 WHEREAS, on September 27, 2016, the District Council and Prince George’s Planning
 31 Board held a duly-advertised joint public hearing, pursuant to the provisions of state and county

1 zoning laws, to receive public comment and other testimony regarding the proposed preliminary
2 Countywide Resource Conservation Functional Master Plan; and

3 WHEREAS, after the close of the joint public hearing record of testimony on October 12,
4 2016, the Planning Board conducted a public work session on December 1, 2016, to review the
5 comments and other testimony received into the record of joint public hearing testimony, as well
6 as the assessments and recommendations thereon that was prepared by the Planning Department
7 technical staff; and

8 WHEREAS, thereafter, the Planning Board voted to adopt resolution PGCPB No. 16-144
9 on December 15, 2016, incorporating its recommendation for approval as to the proposed
10 *Resource Conservation Plan: A Countywide Functional Master Plan*, as well as certain
11 revisions that were based on the testimony within the plan record that was before Planning
12 Board; and

13 WHEREAS, on January 10, 2017, the Planning Board timely transmitted the adopted plan
14 to the Office of the Clerk of the County Council in accordance with the procedures required by
15 law; and WHEREAS, in anticipation of providing direction as to any final action regarding
16 proposed functional master plan, the Council advertised, as part of its public meeting for the
17 February 14, 2017, regular agenda of the County Council, its intent to convene as the Committee
18 of the Whole and to conduct a publicly advertised work session to consider the testimony
19 received into the record of joint public hearing testimony as to the proposed functional master
20 plan, as well as the recommendations of Planning Board embodied within PGCPB No. 16-144;
21 and

22 WHEREAS, prior to the scheduled February 14, 2017, work session, legal counsel for the
23 District Council reviewed all record testimony, as compiled by the Planning Board's technical
24 staff and transmitted by Planning Board, regarding the proposed functional master plan; and

25 WHEREAS, during review of said testimony, legal staff for the Council identified certain
26 specific testimony within the record transmitted by Planning Board that is outside the defined
27 parameters established by the Council for this functional master plan via adoption of CR-54-
28 2015—a measure with the force and effect of law—specifically, as to five (5) exhibits or
29 testimony seeking amendment to the long-established Growth Boundary for the respective
30 properties within the County; and

1 WHEREAS, it was further determined by counsel for the District Council that such
2 inappropriate testimony was subsequently analyzed by the technical staff of the Planning
3 Department, as is ordinarily required for compliance with the prescriptions of the local zoning
4 laws; and

5 WHEREAS, and in presumptive reliance on the deficient plan testimony, the Planning
6 Board apparently adopted two (2) inapposite recommendations, as reflected within PGCPB No.
7 16-144, to revise portions of the County Council's well-settled County Growth Boundary policy;
8 and

9 WHEREAS, after being alerted by legal and technical staff as to the existence of certain
10 potential deficiencies within the subject plan record, the District Council deferred its scheduled
11 February 14, 2017, Committee of the Whole work session to afford technical staff of the
12 Planning Department the opportunity to excise, from the adopted plan record, as identified and as
13 necessary, any inapt, immaterial, and extraneous testimony and resubmit: (1) a redacted Planning
14 Board staff report and digest of testimony; (2) a redacted transcript analysis compiled by
15 Planning Staff; and (3) a redacted Planning Board resolution PGCPB No. 16-144 striking any
16 recommendations based upon irrelevant testimony, as described above; and

17 WHEREAS, upon re-submission of the redacted record as to the proposed plan by Planning
18 Department staff, the Council convened as the Committee of the Whole on February 28, 2017 in
19 order to evaluate the complement of redacted, adopted plan testimony; the assessment on various
20 aspects of the proposed offered by the technical staff of the Planning Department technical; and
21 any appropriate and material recommendations, as redacted, that were adopted by Planning
22 Board within PGCPB No. 16-144 as to the proposed Countywide Resource Conservation
23 Functional Master Plan; and

24 WHEREAS, after orientation and presentations by legal and technical staff, as well as
25 discussion by members, the District Council voted unanimously to direct staff to prepare a
26 resolution of approval for the Countywide Resource Conservation Functional Master Plan, as
27 adopted by the Planning Board, but without regard to the recommendations and underlying
28 testimony that is not within the parameters authorized via adoption of CR-54-2015 by the
29 District Council to authorize the preparation of this discretionary, functional master plan to
30 harmonize existing policy, via adoption of CR-54-2015.

1 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's
2 County, Maryland, sitting as the District Council for that part of the Maryland-Washington
3 Regional District in Prince George's County, Maryland, that the proposed *Resource*
4 *Conservation Plan: A Countywide Functional Master Plan*, as embodied in a resolution adopted
5 by Planning Board via Resolution PGCPB No. 16-144, be and the same is hereby approved, but
6 without regard to any recommendations or underlying testimony excised from the record inapt,
7 extraneous, and immaterial to the direction of the Council given by law for this functional master
8 plan via adoption of CR-54-2015.

9 BE IT FURTHER RESOLVED that the provisions of this Resolution are severable, in
10 accordance with Maryland law. If any provision, sentence, clause, section, map, or part thereof
11 is held illegal, invalid, unconstitutional, or unenforceable, such illegality, invalidity,
12 unconstitutionality, or unenforceability shall not affect or impair any of the remaining provisions,
13 sentences, clauses, sections, maps, or parts hereof for their application to other zones or
14 circumstances. It is hereby declared to be the legislative intent of the District Council that this
15 Resolution would have been adopted as if such illegal, invalid, unconstitutional, or
16 unenforceable provision, sentence, clause, map, or part had not been included therein.

17 BE IT FURTHER RESOLVED that the staff is authorized to make certain appropriate text
18 revisions, as well as certain revisions to technical, figurative, or other illustrative inclusions, in
19 order to correct identified errors and reflect updated information.

20 BE IT FURTHER RESOLVED that, upon adoption by the District Council, this Resolution
21 shall supersede or otherwise amend the 2014 County general plan, *Plan Prince George's 2035*,
22 for purposes of incorporating the provisions approved herein as to updates for the 2001
23 *Anacostia Trails Heritage Area Management Plan: A Functional Master Plan for Heritage*
24 *Tourism*.

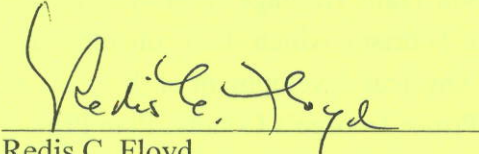
1 BE IT FURTHER RESOLVED that this Resolution shall take effect on the date of its
2 adoption.

Adopted this 7th day of March, 2017.

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE'S COUNTY,
MARYLAND

BY: 
Derrick Leon Davis
Chairman

ATTEST:


Redis C. Floyd
Clerk of the Council



Prince George's County Council

Agenda Item Summary

Meeting Date: 3/7/2017

Effective Date:

Reference No.: CR-011-2017

Chapter Number:

Draft No.: 1

Public Hearing Date:

Proposer(s): M-NCPPC

Sponsor(s): Davis, Lehman, Turner, Glaros, Franklin and Taveras

Item Title: A RESOLUTION CONCERNING COUNTYWIDE RESOURCE CONSERVATION FUNCTIONAL MASTER PLAN for the purpose of approving, with certain revisions as permitted by law, as an Act of the County Council of Prince George's County, Maryland, sitting as the District Council for that part of the Maryland-Washington Regional District in Prince George's County, a new functional master plan, the Resource Conservation Plan: A Countywide Functional Master Plan, thereby defining long-range policies for green infrastructure; agriculture conservation; and rural character conservation, including the incorporation of updates to the 2001 Anacostia Trails Heritage Area Management Plan: A Functional Master Plan for Heritage Tourism, which shall constitute an amendment to the 2014 general plan for the physical development of the Maryland-Washington Regional District in Prince George's County, Plan Prince George's 2035.

Drafter: Karen T. Zavakos, Zoning and Legislative Counsel

Resource Personnel: Derrick Berlage, M-NCPPC
Karen T. Zavakos, Legislative and Zoning Counsel

LEGISLATIVE HISTORY:

Date:	Acting Body:	Action:	Sent To:
03/07/2017	County Council	introduced	
	Action Text: This Resolution was introduced by Council Members Turner, Lehman, Davis, Glaros, Franklin, Taveras		
03/07/2017	County Council	rules suspended	
	Action Text: A motion was made by Council Member Lehman, seconded by Council Member Turner, that the Council Rules of Procedure be suspended to allow for the immediate adoption of this Resolution. The motion carried by the following vote: Aye: 9 Davis, Glaros, Franklin, Harrison, Lehman, Patterson, Taveras, Toles and Turner		
03/07/2017	County Council	adopted	

Action Text:

A motion was made by Vice Chair Glaros, seconded by Council Member Patterson, that this Resolution be adopted. The motion carried by the following vote:

Aye: 9 Davis, Glaros, Franklin, Harrison, Lehman, Patterson, Taveras, Toles and Turner

AFFECTED CODE SECTIONS:

BACKGROUND INFORMATION/FISCAL IMPACT:

This Resolution will approve, in accordance with the provisions of state and local zoning laws applicable to Prince George's County, a new Countywide Functional Master Plan, the *Resource Conservation Plan: A Countywide Functional Master Plan*. As stated herein, upon approval this Countywide Resource Conservation Functional Master Plan will amend certain specified portions of the 2014 General Plan for the physical development of the Maryland-Washington Regional District within Prince George's County, *Plan Prince George's 2035*, as well as portions of the following previously approved master plans, sector plans functional master plans, and sectional map amendments in the County: the 2005 *Countywide Green Infrastructure Plan*; the 2012 *Priority Preservation Area Functional Master Plan*; the 1983 *Public School Sites Functional Master Plan*; the 1989-90 *Master Plan for Langley Park-College Park-Greenbelt and Vicinity and Sectional Map Amendment for Planning Areas 65, 66, and 67*; the 1990 *Master Plan and Sectional Map Amendment for Largo-Lottsford (Planning Area 73)*; the 1994 *Master Plan and Sectional Map Amendment for Melwood-Westphalia (Planning Areas 77 and 78)*; the 1994 *Master Plan and Sectional Map Amendment for Bladensburg-New Carrollton and Vicinity (Planning Area 69)*; the 1994 *Master Plan and Sectional Map Amendment for Planning Area 68*; the 2000 *Sector Plan and Sectional Map Amendment for the Addison Road Metro Town Center and Vicinity*; the 2000 *Master Plan and Sectional Map Amendment for the Heights and Vicinity (Planning Area 76A)*; the 2000 *Town of Brentwood Mixed-Use Town Center Zone Development Plan*; the 2001 *Anacostia Trails Heritage Area Management Plan: A Functional Master Plan for Heritage Tourism*; the 2001 *Sector Plan and Sectional Map Amendment for the Greenbelt Metro Area*; the 2004 *Town of Riverdale Park Mixed-Use Town Center Zone Development Plan*; the 2004 *Sector Plan and Sectional Map Amendment for Morgan Boulevard and Largo Town Center Metro Areas*; the 2004 *Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District*; the 2005 *Sector Plan and Sectional Map Amendment for the Tuxedo Road/Arbor Street/Cheverly Metro Area*; the 2006 *Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, 74B*; the 2006 *Suitland Mixed-Use Town Center Zone Development Plan*; the 2006 *Sector Plan and Sectional Map Amendment for the East Glenn Dale Area for portions of Planning Area 70*; the 2006 *Master Plan and Sectional Map Amendment for the Henson Creek- South Potomac Planning Area*; the 2006 *Transit District Development Plan and Transit District Overlay Zoning Map Amendment for the West Hyattsville Transit District Overlay Zone*; the 2007 *Westphalia Sector Plan and Sectional Map Amendment*; the 2007 *Bladensburg Town Center Sector Plan and Sectional Map Amendment*; the 2008 *Public Safety Facilities Master Plan*; the 2008 *Capitol Heights Transit District Development Plan and Transit District Overlay Zoning Map Amendment*; the 2008 *Branch Avenue Corridor Sector Plan and Sectional Map Amendment*; the 2009 *Landover Gateway Sector Plan and Sectional Map Amendment*; the 2009 *Port Towns Sector Plan and Sectional Map Amendment*; the 2009 *Countywide Master Plan of Transportation*; the 2009 *Marlboro Pike Sector Plan and Sectional Map Amendment*; the 2009 *Takoma/Langley Crossroads Sector Plan*; the 2010 *Water Resources Functional Master Plan*; the 2010 *Bowie State MARC Station Sector Plan and Sectional Map Amendment*; the 2010 *Glenn Dale-Seabrook-Lanham and Vicinity Sector Plan and Sectional Map Amendment*; the 2010 *New Carrollton Transit District Development Plan and Transit District Overlay Zoning Map Amendment*; the 2010 *Central US 1 Corridor Sector Plan and Sectional Map Amendment*; the 2010 *Subregion 4 Master Plan and Sectional Map*

Amendment; the 2010 Master Plan and Sectional Map Amendment for Subregion I (Planning Areas 60, 61, 62, and 64); the 2010 Historic Sites and Districts Plan; the 2010 Central Annapolis Road Approved Sector Plan and Sectional Map Amendment; the 2010 City of Mount Rainier Mixed-Use Town Center Zone Development Plan; the 2013 Greenbelt Metro Area and MD 193 Corridor Sector Plan and Sectional Map Amendment; the 2013 Subregion 5 Master Plan and Sectional Map Amendment; the 2013 Largo Town Center Sector Plan and Sectional Map Amendment; the 2013 Subregion 6 Master Plan and Sectional Map Amendment; the 2013 Central Branch Avenue Corridor Revitalization Sector Plan; the 2014 Eastover/Forest Heights/Glassmanor Sector Plan and Sectional Map Amendment; the 2014 Landover Metro Area and MD 202 Corridor Sector Plan and Sectional Map Amendment; the 2014 Southern Green Line Station Area Sector Plan and Sectional Map Amendment; the 2015 College Park-Riverdale Park Transit District Development Plan; and finally, the 2016 Prince George's Plaza Transit District Development Plan and Proposed Transit District Overlay Zoning Map Amendment.

Document(s): R2017011

PGCPB No. 16-144

RESOLUTION

WHEREAS, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission, in conjunction with the Prince George's County Council, pursuant to Section 27-644 of the Zoning Ordinance of Prince George's County, held a duly advertised public hearing on *Preliminary Resource Conservation Plan: A Countywide Functional Master Plan* on September 27, 2016; and

WHEREAS, the *Preliminary Resource Conservation Plan: A Countywide Functional Master Plan* is proposed to update the *Approved Countywide Green Infrastructure Plan* and to update and replace the *Adopted and Approved Priority Preservation Area Functional Master Plan*; and

WHEREAS, the *Preliminary Resource Conservation Plan: A Countywide Functional Master Plan* is proposed to amend the *Approved Master Plan for Langley Park-College Park-Greenbelt and Vicinity and Adopted Sectional Map Amendment for Planning Areas 65, 66, and 67* [October 1989 and May 1990]; *Approved Master Plan and Adopted Sectional Map Amendment for Largo- Lottsford (Planning Area 73)* [July 1990]; *Approved Master Plan and Sectional Map Amendment for Melwood-Westphalia (Planning Areas 77 and 78)* [March 1994]; *Approved Master Plan and Sectional Map Amendment for Bladensburg-New Carrollton and Vicinity (Planning Area 69)* [May 1994]; *Approved Master Plan and Sectional Map Amendment for Planning Area 68* [May 1994]; *Approved Sector Plan and Sectional Map Amendment for the Addison Road Metro Town Center and Vicinity* [October 2000]; *Approved Master Plan and Sectional Map Amendment for the Heights and Vicinity (Planning Area 76A)* [November 2000]; *Town of Brentwood Mixed-Use Town Center Zone Development Plan* [2000]; *Approved Anacostia Trails Heritage Area Management Plan: A Functional Master Plan for Heritage Tourism* [September 2001]; *Approved Sector Plan and Sectional Map Amendment for the Greenbelt Metro Area* [October 2001]; *Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan* [January 2004]; *Approved Sector Plan and Sectional Map Amendment for Morgan Boulevard and Largo Town Center Metro Areas* [May 2004]; *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District* [November 2004]; *Approved Sector Plan and Sectional Map Amendment for the Tuxedo Road/ Arbor Street/Cheverly Metro Area* [April 2005]; *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, 74B.* [February 2006]; *Approved Suitland Mixed-Use Town Center Zone Development Plan* [February 2006]; *Approved Sector Plan and Sectional Map Amendment for the East Glenn Dale Area for portions of Planning Area 70* [March 2006]; *Approved Master Plan and Sectional Map Amendment for the Henson Creek- South Potomac Planning Area* [April 2006]; *Approved Transit District Development Plan and Transit District Overlay Zoning Map Amendment for the West Hyattsville Transit District Overlay Zone* [July 2006]; *Approved Westphalia Sector Plan and Sectional Map Amendment* [February 2007]; *Approved Bladensburg Town Center Sector Plan and Sectional Map Amendment* [June 2007]; *Approved Public Safety Facilities Master Plan* [March 2008]; *Approved Capitol Heights Transit District Development Plan and Transit District Overlay Zoning Map Amendment* [July 2008]; *Approved Branch Avenue Corridor Sector Plan and Sectional Map Amendment* [September 2008]; *Approved Landover Gateway Sector Plan and Sectional Map Amendment* [May 2009]; *Approved Port Towns Sector Plan and Sectional Map Amendment* [October 2009]; *Approved Countywide Master Plan of Transportation* [November 2009]; *Approved Marlboro Pike Sector Plan and Sectional Map Amendment* [November 2009]; *Approved Takoma/Langley Crossroads Sector Plan* [November 2009]; *Approved*

Water Resources Functional Master Plan [January 2010]; *Approved Bowie State MARC Station Sector Plan and Sectional Map Amendment* [January 2010]; *Glenn Dale–Seabrook–Lanham and Vicinity Approved Sector Plan and Sectional Map Amendment*, [March 2010]; *Approved New Carrollton Transit District Development Plan and Transit District Overlay Zoning Map Amendment* [May 2010]; *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment* [June 2010]; *Approved Subregion 4 Master Plan and Sectional Map Amendment* [June 2010]; *Approved Master Plan and Sectional Map Amendment for Subregion I (Planning Areas 60, 61, 62, and 64)* [June 2010]; *Approved Historic Sites and Districts Plan* [June 2010]; *Central Annapolis Road Approved Sector Plan and Sectional Map Amendment* [October 2010]; *Approved City of Mount Rainier Mixed-Use Town Center Zone Development Plan* [November 2010]; *The Approved Greenbelt Metro Area and MD 193 Corridor Sector Plan and Sectional Map Amendment* [March 2013]; *Approved Subregion 5 Master Plan and Sectional Map Amendment* [July 2013]; *Approved Largo Town Center Sector Plan and Sectional Map Amendment* [December 2013]; *Approved Subregion 6 Master Plan and Sectional Map Amendment* [December 2013]; *Approved Eastover/Forest Heights/Glassmanor Sector Plan and Sectional Map Amendment (SMA)* [February 2014]; *Approved Landover Metro Area and MD 202 Corridor Sector Plan and Sectional Map Amendment* [May 2014]; *Approved Southern Green Line Station Area Sector Plan and Sectional Map Amendment* [February 2014]; *Plan Prince George’s 2035 Approved General Plan* [May 2014]; *The Approved College Park-Riverdale Park Transit District Development Plan* [March 2015]; *Approved Prince George’s Plaza Transit District Development Plan and Proposed Transit District Overlay Zoning Map Amendment* [September 2015]; *The Approved Central Branch Avenue Corridor Revitalization Sector Plan* [2013]; and

WHEREAS, the planning area of *Preliminary Resource Conservation Plan: A Countywide Functional Master Plan* is generally comprised of the properties bounded by Howard County to the north, Anne Arundel and Calvert Counties to the east, Charles County to the south, and Montgomery County and the District of Columbia to the west; and

WHEREAS, the purpose of *Preliminary Resource Conservation Plan* is to provide broad countywide strategies and recommendations as a tool to guide future development activity and preservation, and to provide a foundation to achieve its stated goals; and

WHEREAS, on December 1, 2016 the Planning Board held a public worksession on *Preliminary Resource Conservation Plan: A Countywide Functional Master Plan* to examine the transcript analysis of testimony presented at the September 27, 2016 joint public hearing and exhibits received before the close of the record on October 12, 2016; and

WHEREAS, the Prince George’s County Planning Board on the motion of Commissioner Bailey seconded by Commissioner Geraldo, voted 4-0 with Commissioners Bailey, Geraldo, Hewlett, and Doerner voting in favor of the motion (Commissioner Washington temporarily absent) to admit five items of late testimony received after October 12, 2016 into the public record during the December 1, 2016 worksession; and

WHEREAS, the Prince George’s County Planning Board on the motion of Commissioner Geraldo seconded by Commissioner Bailey, voted 4-0 with Commissioners Bailey, Geraldo, Hewlett, and Doerner voting in favor of the motion (Commissioner Washington temporarily absent) to accept the staff recommendation to keep the Sacred Heart (Whitemarsh) properties inside the growth boundary and change from SGA Tier III to Tier II; and

WHEREAS, the Prince George’s County Planning Board on the motion of Commissioner

Geraldo seconded by Commissioner Bailey, voted 4-0 with Commissioners Bailey, Geraldo, Hewlett, and Doerner voting in favor of the motion (Commissioner Washington temporarily absent) to keep the Melvin property outside the growth boundary and in SGA Tier IV; and

WHEREAS, the Prince George's County Planning Board on the motion of Commissioner Geraldo seconded by Commissioner Bailey, voted 4-0 with Commissioners Bailey, Geraldo, Hewlett, and Doerner voting in favor of the motion (Commissioner Washington temporarily absent) to keep the Chung property outside the growth boundary and in SGA Tier IV; and

WHEREAS, the Prince George's County Planning Board on the motion of Commissioner Geraldo seconded by Commissioner Bailey, voted 3-1 with Commissioners Bailey, Geraldo, and Hewlett voting in favor of and Commissioner Doerner voting against the motion (Commissioner Washington temporarily absent) to move the Thomas property inside the growth boundary and to retain in SGA Tier I; and

WHEREAS, the Prince George's County Planning Board on the motion of Commissioner Geraldo seconded by Commissioner Bailey, voted 3-1 with Commissioners Bailey, Geraldo, and Hewlett voting in favor of and Commissioner Doerner voting against the motion (Commissioner Washington temporarily absent) to move the Robin Dale property inside the growth boundary and to retain in SGA Tier I; and

WHEREAS, the Prince George's County Planning Board determined to amend said *Preliminary Resource Conservation Plan: A Countywide Functional Master Plan*, in response to said public testimony, and to adopt the functional master plan and transmit the plan with further amendments, extensions, deletions, and additions in response to the public hearing record, as follows:

SECTION I: OVERVIEW

- On page 4, under “Which elements update existing plans and how?” amend the text to state:
 1. An update to the 2005 *Approved Countywide Green Infrastructure Plan* and expanding the definition of Green Infrastructure.
 2. A new functional master plan for agriculture and forestry resources that also updates **and replaces** the 2012 *Adopted and Approved Priority Preservation Area Functional Master Plan* (PPA) polices and strategies and maintains the PPA boundaries except for technical corrections.
 3. An update to the state-mandated map showing septic tiers.
 - 4. An update to the Plan 2035 growth boundary.**
 - ~~4~~5. A new functional master plan for rural character and viewshed conservation that consolidates the recommendations from numerous previously approved plans and prepared studies.
 - ~~5~~6. An update to the boundaries of the Anacostia Trails Heritage Area.
- On page 7, amend the first bullet to state: “The Maryland Department of Planning and the Maryland Agricultural Land Preservation Foundation ~~has~~ **have jointly** certified Prince George’s County’s preservation program...”

SECTION II: GREEN INFRASTRUCTURE PLAN: A COUNTYWIDE FUNCTIONAL MASTER PLAN

- Replace all references to “Piscataway National Park” and “Greenbelt National Park” with “Piscataway Park” and “Greenbelt Park,” respectively, with added clarifying language as needed to identify the parks as being National.
- On page 20, under “Conservation of Green Infrastructure” amend the text on the last line to state: “... broad—conservation of natural resources, and energy resources, ~~and human resources~~ are included.”
- On page 23, under “Measurable Objectives” amend the last sentence of the first paragraph to state: “The 2017 GI Plan narrows the focus of its measurable objectives to ~~two policy areas~~ three objectives that provide the most tangible and measurable benefits to human health—water quality, and forest and tree canopy coverage, and greening the built environment.”
- On page 35, under “Mapping Special Conservation Areas 9. Piscataway National Park and Mount Vernon Viewshed” remove the last paragraph except for the last sentence:

~~Piscataway National Park was established mainly to preserve the view of the Maryland shore of the Potomac River from Mount Vernon in Virginia. The park is over 4,600 acres in size and it stretches for six miles along the Potomac River coastline from Piscataway Creek to Marshall Hall. The forests, fields, and wetlands of Piscataway National Park provide habitat for a wide variety of bird species. The number of forest-nesting neotropical migrants is especially high. Several warbler species that regularly nest in Piscataway Park are sensitive to habitat fragmentation, and have become increasingly rare in the Washington, D.C. region. Forest fragmentation outside the park and the water quality of the Potomac and its tributaries are concerns for this SCA.~~ Development surrounding the park should continue to protect the viewshed and protect the water quality of the Potomac.

- On page 44, under “Planting Trees Where They Will Survive” amend the last sentence to state: “The current Zoning Ordinance, Landscape Manual, and Road Code and associated Standards were originally written with a suburban growth model in mind...”
- On page 47, amend the second sentence of the third paragraph in the right-hand column of “Table 2. Possible Solutions to Climate Change Threats” to state: “... Because Prince George’s County obtains most of its public drinking water supply from the Patuxent and Potomac Rivers...”
- On page 50, amend Policy 2.2 to state: “Revise applicable ordinances and/or standards to allow the use of flexible design standards to minimize impervious surfaces; reduce fragmentation of existing forests and habitats; establish new linkages through planting and/or restoration; and minimize ecological impacts.”
- On page 54, amend Policy 5.10 to state: “Identify strategies to reduce impervious surfaces by amending the County Code and/or Standards and coordinating with County agencies. Include in this discussion the reduction of parking requirements, use of shared drive aisles

Underline indicates new language
~~indicates deleted text~~

and driveways, and the sizes of roadways.”

- On page 58, amend Policy 11.3 to state: “Review and amend the County Code and Road Code and/or Standards to ensure that new roadway lighting meets the guidelines for minimization of light spill-over and sky glow, provides lighting in the appropriate spectrums, and relies wherever possible on low-energy light sources such as LED or solar-powered street lights.”

SECTION III: AGRICULTURE CONSERVATION PLAN: A COUNTYWIDE FUNCTIONAL MASTER PLAN

- On page 85, Map 7. 3. Thomas Property: Amend the Growth Boundary to move the Thomas Property inside the Growth Boundary, and amend the Sustainable Growth and Agricultural Preservation Act tier from “Tier III” to “Tier I” and caption as follows: ~~2017 SGA Tier: Tier III~~ 2017 Resource Conservation Plan: Property within growth boundary (see Attachment 1).
- On page 85, Map 7. 4. Robin Dale Property: Amend the Growth Boundary to move the Robin Dale Property inside the Growth Boundary and amend the Sustainable Growth and Agricultural Preservation Act tier from “Tier III” to “Tier I” and remove the caption “~~2017 SGA Tier: Tier III~~” to replace with “2017 Resource Conservation Plan: Property within growth boundary” (see Attachment 1).
- On page 85, amend the title of Map 7 as follows: “Technical Corrections to the Sustainable Growth and Agricultural Preservation Act Map and Growth Boundary for Prince George’s County (Continued)” (see Attachment 1).
- On page 28, “Map 1. 2017 Countywide Green Infrastructure Network” amend the growth boundary to reflect the amendments to the Thomas and Robin Dale properties as shown in Attachment 1 (see Attachment 2).
- On page 32, “Map 2. Special Conservation Areas” amend the growth boundary to reflect the amendments to the Thomas and Robin Dale properties as shown in Attachment 1 (see Attachment 3).
- On page 39, “Map 3. Watershed Condition Ratings” amend the growth boundary to reflect the amendments to the Thomas and Robin Dale properties as shown in Attachment 1 (see Attachment 4).
- On page 69, under “Background” amend the second sentence in the third paragraph to state: “This plan updates and replaces the 2012 Priority Preservation Area (PPA) Functional Master Plan.”
- On page 70, amend the text in the first paragraph to state: “~~No other~~ Two growth boundary changes ~~to the boundaries~~ are being proposed as part of this plan.”
- On page 70, under “Analysis of 2012 Priority Preservation Area Plan Strategy Implementation To-date” amend the last sentence in the first paragraph to state: “Prince George’s County has received certification of its agricultural land preservation program through the Maryland Department of Planning (MDP) and the Maryland Agricultural Land Preservation Foundation

(MALPF), and has strengthened the existing right-to-farm legislation.”

- On pages 72 and 97, replace “Article 66B” with “Land Use Article.”
- On page 73, amend the sentence after the first set of bullets to state: “The certification of Prince George’s County’s agriculture program in February 2014 by the ~~Maryland Agricultural Land Preservation Foundation~~ ~~(MDP and MALPF)~~ jointly reflects the County’s commitment to agriculture as a viable, long-term, and necessary element of our economy.
- On page 78, under “Maryland Agricultural Land Preservation Foundation” amend the third sentence to state: “Since 1977, the Foundation has worked in every county, helping the State of Maryland to preserve in perpetuity ~~over 290,000~~ just under the milestone of 300,000 acres on more than 2,000 farms, more agricultural land than any other state in the country.”
- On page 81, under “Land Conservation Through State Programs and Legislation” amend the first sentence to state: “The 2012 PPA Plan has only been in place for a limited time, but the progress has been significant given the certification of the agricultural conservation program by the ~~Maryland Agricultural Land Preservation Foundation~~ MDP and MALPF jointly in 2013~~4~~ and other legislation that has been approved in recent years.”
- On page 82, “Map 4. Technical Corrections to the Priority Preservation Area for Prince George’s County” amend the growth boundary to reflect the amendments to the Thomas and Robin Dale properties as shown in Attachment 1, and in the legend replace “~~Maryland Department of Planning~~” with “Maryland Department of Natural Resources.” (see Attachment 5).
- On page 83, “Map 5. 2017 Priority Preservation Area for Prince George’s County” amend the growth boundary to reflect the amendments to the Thomas and Robin Dale properties as shown in Attachment 1, and in the legend replace “~~Maryland Department of Planning~~” with “Maryland Department of Natural Resources.” (see Attachment 6).
- On page 84, amend the title of Map 6 as follows: “Technical Corrections to the Sustainable Growth and Agricultural Preservation Act Map and Growth Boundary for Prince George’s County,” amend the growth boundary and SGA Tiers to reflect the amendments to the Thomas and Robin Dale properties as shown in Attachment 1, and amend the text to state: “This map highlights five technical corrections to the tiers established in compliance with the Sustainable Growth and Agricultural Preservation (SGA) Act in 2012 or to the growth boundary and are described on the facing page. Three of these corrections (1, 2, and 5) result from changes made in Plan Prince George’s 2035 or the master plans of Subregions 5 and 6, and are described on the facing page. None of the proposed technical corrections are the result of the preparation of the Resource Conservation Plan Two of the corrections (3 and 4) are the result of the 2012 SGA Tier changes.” (See Attachment 7.)
- On page 86, “Map 8. 2017 Sustainable Growth and Agricultural Preservation Act Map” amend the growth boundary and SGA Tiers to reflect the amendments to the Thomas and Robin Dale properties as shown in Attachment 1 (see Attachment 8).
- On page 91, amend Policy 5.1 as follows: “Allow a broad spectrum of new uses, including agri-tourism, on agricultural and forested lands, as long as those uses continue to focus on agriculture

and forestry or related uses and do not take existing agricultural or forested land out of production.”

SECTION IV: RURAL CHARACTER CONSERVATION PLAN: A COUNTYWIDE FUNCTIONAL MASTER PLAN

- On page 121, amend Policy 1.2 as follows: “Ensure that the uses allowed in rural areas are appropriate to preserve rural character while insuring that externalities such as traffic are addressed. **An overconcentration of industrial uses should be discouraged.**”

NOW, THEREFORE, BE IT RESOLVED, that the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission does hereby adopt the *Resource Conservation Plan: A Countywide Functional Master Plan*, said plan being an amendment to the *Approved Master Plan for Langley Park-College Park-Greenbelt and Vicinity and Adopted Sectional Map Amendment for Planning Areas 65, 66, and 67* [October 1989 and May 1990]; *Approved Master Plan and Adopted Sectional Map Amendment for Largo- Lottsford (Planning Area 73)* [July 1990]; *Approved Master Plan and Sectional Map Amendment for Melwood- Westphalia (Planning Areas 77 and 78)* [March 1994]; *Approved Master Plan and Sectional Map Amendment for Bladensburg-New Carrollton and Vicinity (Planning Area 69)* [May 1994]; *Approved Master Plan and Sectional Map Amendment for Planning Area 68* [May 1994]; *Approved Sector Plan and Sectional Map Amendment for the Addison Road Metro Town Center and Vicinity* [October 2000]; *Approved Master Plan and Sectional Map Amendment for the Heights and Vicinity (Planning Area 76A)* [November 2000]; *Town of Brentwood Mixed-Use Town Center Zone Development Plan* [2000]; *Approved Anacostia Trails Heritage Area Management Plan: A Functional Master Plan for Heritage Tourism* [September 2001]; *Approved Sector Plan and Sectional Map Amendment for the Greenbelt Metro Area* [October 2001]; *Approved Town of Riverdale Park Mixed-Use Town Center Zone Development Plan* [January 2004]; *Approved Sector Plan and Sectional Map Amendment for Morgan Boulevard and Largo Town Center Metro Areas* [May 2004]; *Approved Sector Plan and Sectional Map Amendment for the Prince George’s County Gateway Arts District* [November 2004]; *Approved Sector Plan and Sectional Map Amendment for the Tuxedo Road/ Arbor Street/Cheverly Metro Area* [April 2005]; *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, 74B.* [February 2006]; *Approved Suitland Mixed-Use Town Center Zone Development Plan* [February 2006]; *Approved Sector Plan and Sectional Map Amendment for the East Glenn Dale Area for portions of Planning Area 70* [March 2006]; *Approved Master Plan and Sectional Map Amendment for the Henson Creek- South Potomac Planning Area* [April 2006]; *Approved Transit District Development Plan and Transit District Overlay Zoning Map Amendment for the West Hyattsville Transit District Overlay Zone* [July 2006]; *Approved Westphalia Sector Plan and Sectional Map Amendment* [February 2007]; *Approved Bladensburg Town Center Sector Plan and Sectional Map Amendment* [June 2007]; *Approved Public Safety Facilities Master Plan* [March 2008]; *Approved Capitol Heights Transit District Development Plan and Transit District Overlay Zoning Map Amendment* [July 2008]; *Approved Branch Avenue Corridor Sector Plan and Sectional Map Amendment* [September 2008]; *Approved Landover Gateway Sector Plan and Sectional Map Amendment* [May 2009]; *Approved Port Towns Sector Plan and Sectional Map Amendment* [October 2009]; *Approved Countywide Master Plan of Transportation* [November 2009]; *Approved Marlboro Pike Sector Plan and Sectional Map Amendment* [November 2009]; *Approved Takoma/Langley Crossroads Sector Plan* [November 2009]; *Approved Water Resources Functional Master Plan* [January 2010]; *Approved Bowie State MARC Station Sector Plan and Sectional Map Amendment* [January 2010]; *Glenn Dale–Seabrook–Lanham and Vicinity Approved Sector Plan and Sectional Map Amendment*, [March 2010]; *Approved New Carrollton Transit District Development Plan and Transit District Overlay Zoning Map Amendment* [May 2010]; *Approved Central US 1 Corridor*

Underline indicates new language
~~indicates deleted text~~

Sector Plan and Sectional Map Amendment [June 2010]; Approved Subregion 4 Master Plan and Sectional Map Amendment [June 2010]; Approved Master Plan and Sectional Map Amendment for Subregion I (Planning Areas 60, 61, 62, and 64) [June 2010]; Approved Historic Sites and Districts Plan [June 2010]; Central Annapolis Road Approved Sector Plan and Sectional Map Amendment [October 2010]; Approved City of Mount Rainier Mixed-Use Town Center Zone Development Plan [November 2010]; The Approved Greenbelt Metro Area and MD 193 Corridor Sector Plan and Sectional Map Amendment [March 2013]; Approved Subregion 5 Master Plan and Sectional Map Amendment [July 2013]; Approved Largo Town Center Sector Plan and Sectional Map Amendment [December 2013]; Approved Subregion 6 Master Plan and Sectional Map Amendment [December 2013]; Approved Eastover/Forest Heights/Glassmanor Sector Plan and Sectional Map Amendment (SMA) [February 2014]; Approved Landover Metro Area and MD 202 Corridor Sector Plan and Sectional Map Amendment [May 2014]; Approved Southern Green Line Station Area Sector Plan and Sectional Map Amendment [February 2014]; Plan Prince George's 2035 Approved General Plan [May 2014]; The Approved College Park-Riverdale Park Transit District Development Plan [March 2015]; Approved Prince George's Plaza Transit District Development Plan and Proposed Transit District Overlay Zoning Map Amendment [September 2015]; The Approved Central Branch Avenue Corridor Revitalization Sector Plan [2013]; and

BE IT FURTHER RESOLVED that an attested copy of the adopted plan, and all parts thereof, shall be certified by the Commission and transmitted to the District Council of Prince George's County for its approval pursuant to the Land Use Article, Annotated Code of Maryland and Section 27-645(c) of the Prince George's County Code; and

BE IT FURTHER RESOLVED that this adoption shall be recorded by an appropriate Certificate of Adoption containing the identifying signature of the Chairman of The Maryland-National Capital Park and Planning Commission and shall be affixed to this resolution with a notation indicating: "This resolution is to be used in conjunction with the *Preliminary Resource Conservation Plan: A Countywide Functional Master Plan.*"

* * * * *

This is to certify that the foregoing is a true and correct copy of a resolution, as revised by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Bailey seconded by Commissioner Geraldo, with Commissioners Bailey, Geraldo, Hewlett, and Doerner voting in favor of the motion (Commissioner Washington temporarily absent) to approve this resolution at its regular meeting held on Thursday, December 1, 2016 in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 15th day of December, 2016.

Patricia Colihan Barney
Executive Director



By Jessica Jones
Planning Board Administrator

APPROVED AS TO LEGAL SUFFICIENCY


M-NCPPC Legal Department

Date 12/15/16

Attachment 1

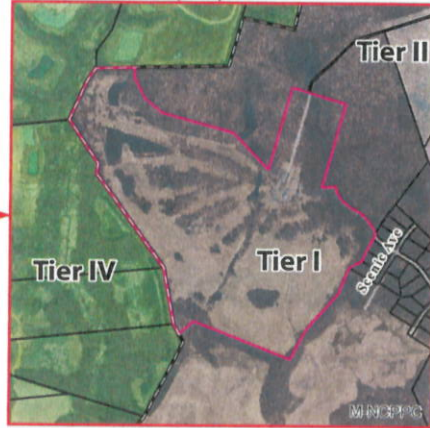
Map 7. Technical Corrections to the Sustainable Growth and Agricultural Preservation Act Map and Growth Boundary for Prince George's County (Continued)

1. Sacred Heart Properties



2012 SGA Tier:
Tier III
2014 Plan Prince
George's 2035:
Growth boundary
expanded to
include these
properties.
2017 SGA Tier:
Tier II

4. Robin Dale Property



2009 Approved
Subregion 5 Plan
(later voided by
court order):
Property within
growth boundary
2012 SGA Tier:
Tier I

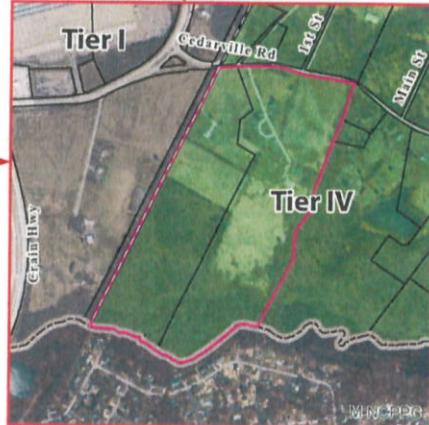
2013 Approved Subregion 5 Plan:
Property outside growth boundary
2017 Resource Conservation Plan:
Property within growth boundary

2. Storch Properties



2012 SGA Tier:
Tier III
2014 Plan Prince
George's 2035:
Growth boundary
expanded to
include these
properties
2017 SGA Tier:
Tier II

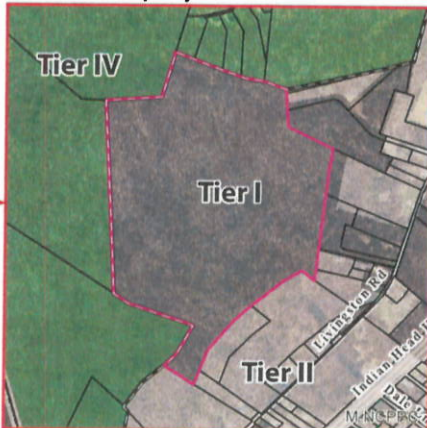
5. James et al. Properties



2009 Approved
Subregion 6 Plan
(later voided by
court order):
Property within
growth boundary
2012 SGA Tier:
Tier II

2013 Approved Subregion 6 Plan:
Property outside growth boundary
2017 SGA Tier:
Tier IV

3. Thomas Property



2009 Approved
Subregion 5 Plan
(later voided by
court order):
Property within
growth boundary
2012 SGA Tier:
Tier I
2013 Approved
Subregion 5 Plan:
Property outside
growth boundary
2017 Resource
Conservation Plan:
Property within
growth boundary

Attachment 2

Map 1. 2017 Countywide Green Infrastructure Network

Regulated Areas represent a conceptual delineation of connected regulated environmental features including streams, wetlands and their buffers, the 100-year floodplain, and their adjacent steep slopes. The features shown are the known locations of regulated features at a large scale. This delineation should not be used for land development purposes. Approval of a Natural Resource Inventory is required to confirm the locations of regulated environmental features (streams, wetlands, floodplains).

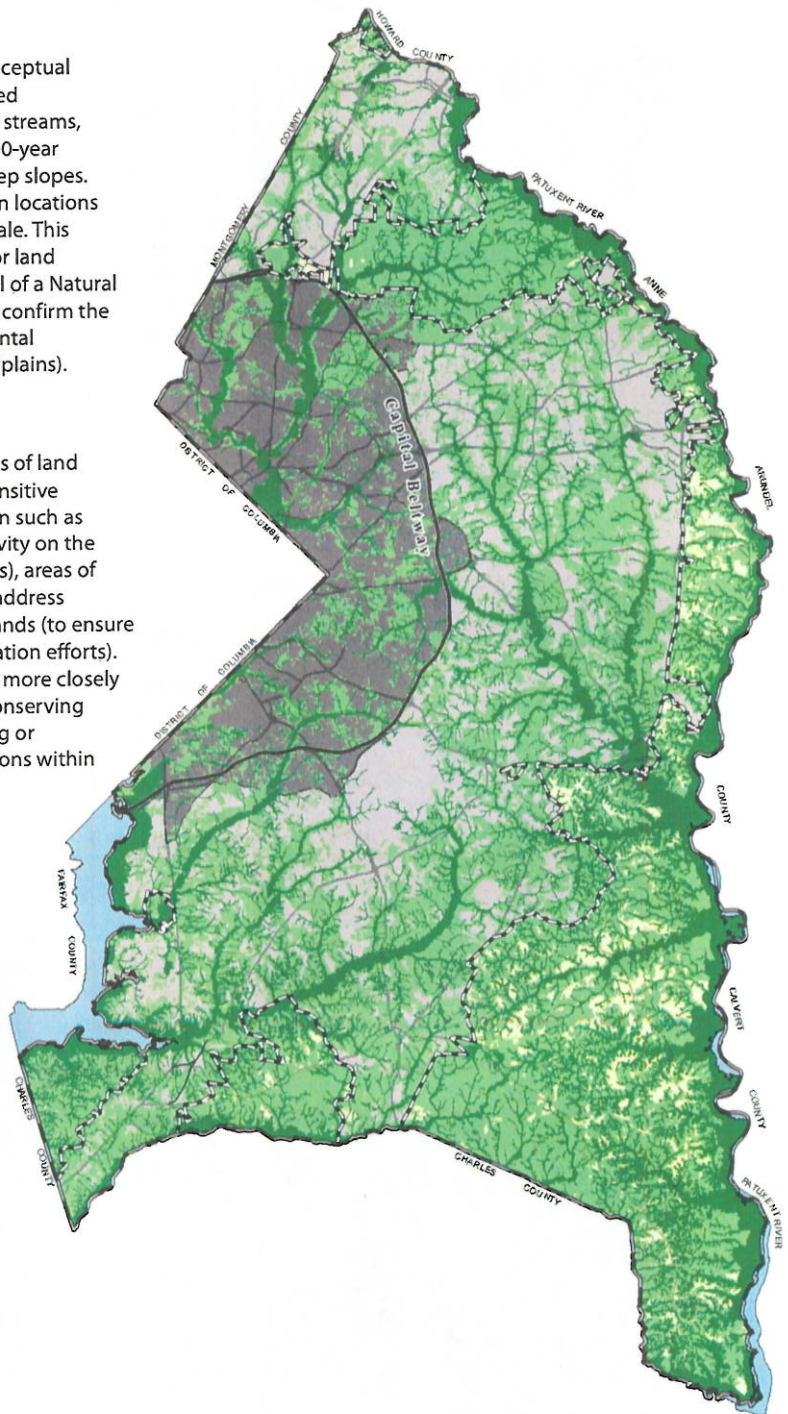
Evaluation Areas include patches of land known to contain one or more sensitive environmental features of concern such as interior forests (to focus connectivity on the largest remaining blocks of forests), areas of predicted wetland migration (to address climate change), and protected lands (to ensure connectivity to previous conservation efforts). Evaluation Areas are used to look more closely at the role the location plays in conserving sensitive resources and preserving or establishing land-based connections within the network.








Mapping Criteria for Evaluation Area:
 To be included in the Evaluation Area, patches must be:

- 1 acre or greater in size
- within 200 feet of another patch inside the Beltway
- within 600 feet of another patch outside the Beltway

and

- at least 50 feet wide outside the Beltway and no minimum width inside the Beltway



Legend	 Plan 2035 Growth Boundary	 Inside the Beltway	
 Regulated Area	 Outside the Beltway, within the Growth Boundary	 Outside the Growth Boundary (Rural and Agricultural Area)	
 Evaluation Area			

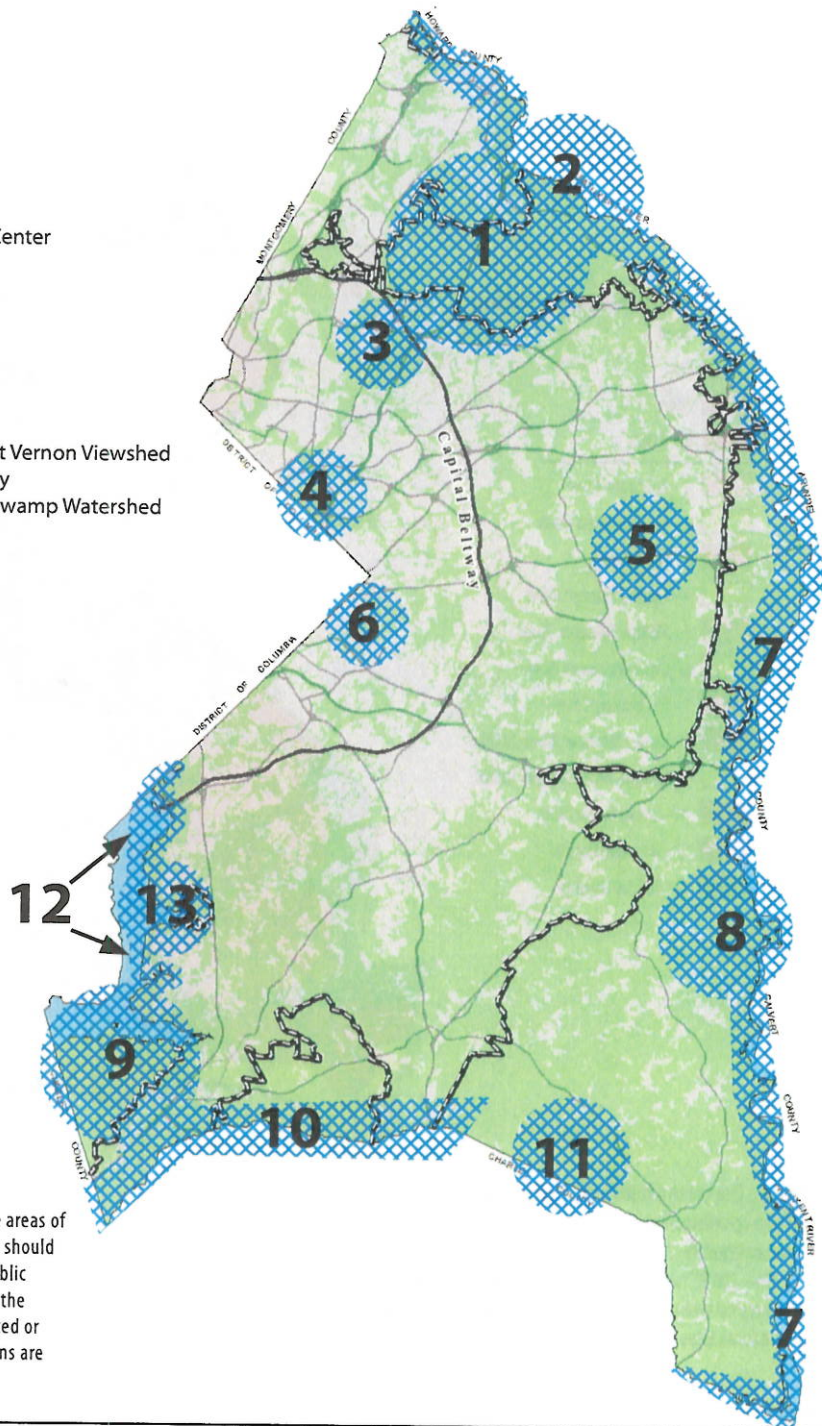
Miles 0 1 2 3 4 5

Attachment 3

Map 2. Special Conservation Areas


Special Conservation Areas


1. Beltsville Agricultural Research Center
2. Patuxent Research Refuge
3. Greenbelt National Park
4. Anacostia River
5. Belt Woods
6. Suitland Bog
7. Patuxent River Corridor
8. Jug Bay Complex
9. Piscataway National Park / Mount Vernon Viewshed
10. Mattawoman Creek Stream Valley
11. Cedarville State Forest / Zekiah Swamp Watershed
12. Potomac River Shoreline
13. Broad Creek



Note: **Special Conservation Areas** comprise areas of significant conservation concern. These areas should be carefully considered when land use and public acquisition decisions are made to ensure that the ecological functions of these areas are protected or restored and that critical ecological connections are established and/or maintained.

Legend

-  Special Conservation Areas
-  Final Green Infrastructure Network

 Plan 2035 Growth Boundary

Miles 0 1 2 3 4 5

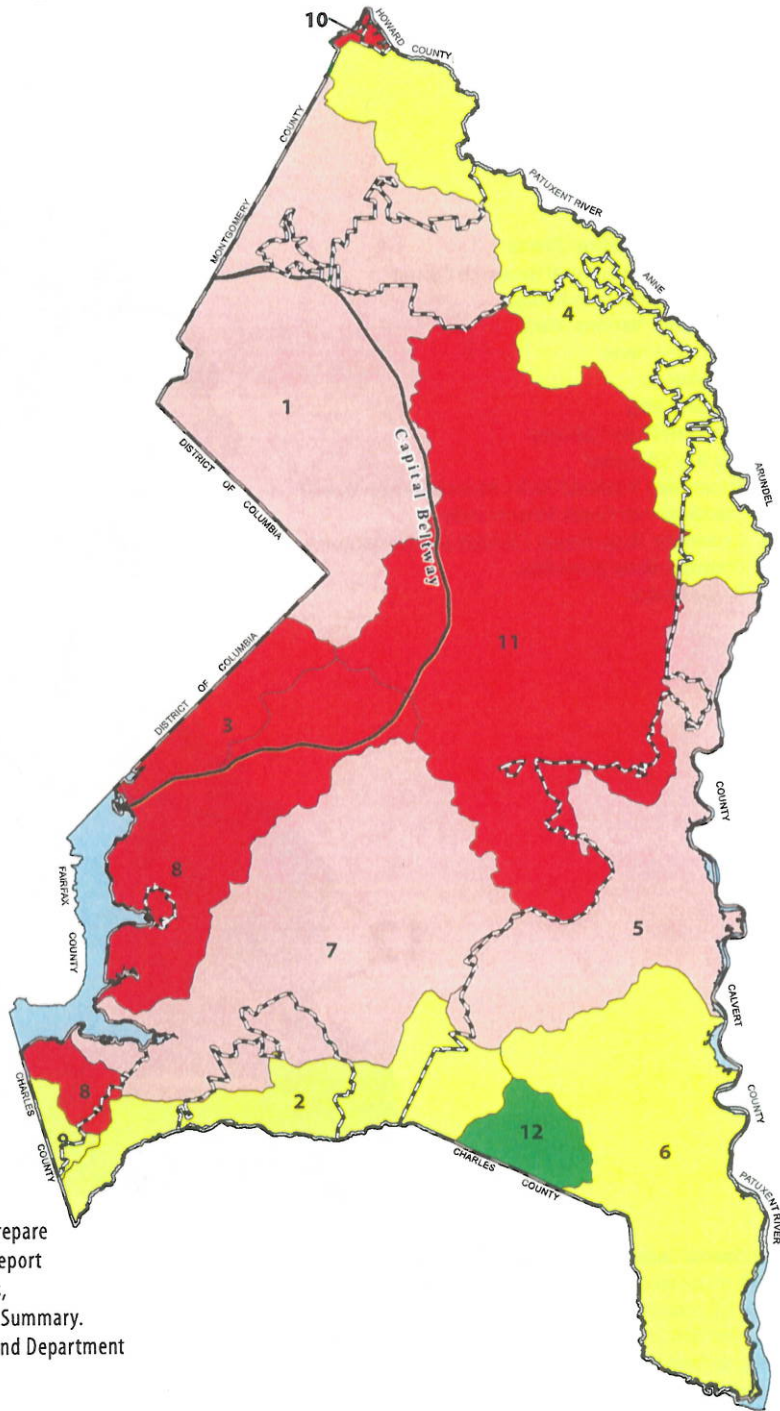


Attachment 4

Map 3. Watershed Condition Ratings

Watershed Condition Rating

- Good
 - Fair
 - Poor
 - Very Poor
-
- 1 - Anacostia River
 - 2 - Mattawoman Creek
 - 3 - Oxon Creek
 - 4 - Upper Patuxent River
 - 5 - Middle Patuxent River
 - 6 - Lower Patuxent River
 - 7 - Piscataway Creek
 - 8 - Upper Potomac River (tidal)
 - 9 - Middle Potomac River (tidal)
 - 10 - Rocky Gorge Dam
 - 11 - Western Branch
 - 12 - Zekiah Swamp



Note: The methodology that was used to prepare these condition ratings is discussed in the report "Water Quality: Summary of Bioassessments, 1999 – 2013" available in the RCP Technical Summary. Watershed delineations are from the Maryland Department of Natural Resources.

Legend
 Plan 2035 Growth Boundary

Miles 0 1 2 3 4 5



Attachment 5

Map 4. Technical Corrections to the Priority Preservation Area for Prince George's County

1. Sacred Heart Properties



2012 PPA Status:
In PPA

2016 PPA Status:
Not in PPA

2014 Plan Prince George's 2035:
Growth boundary expanded to include these properties.

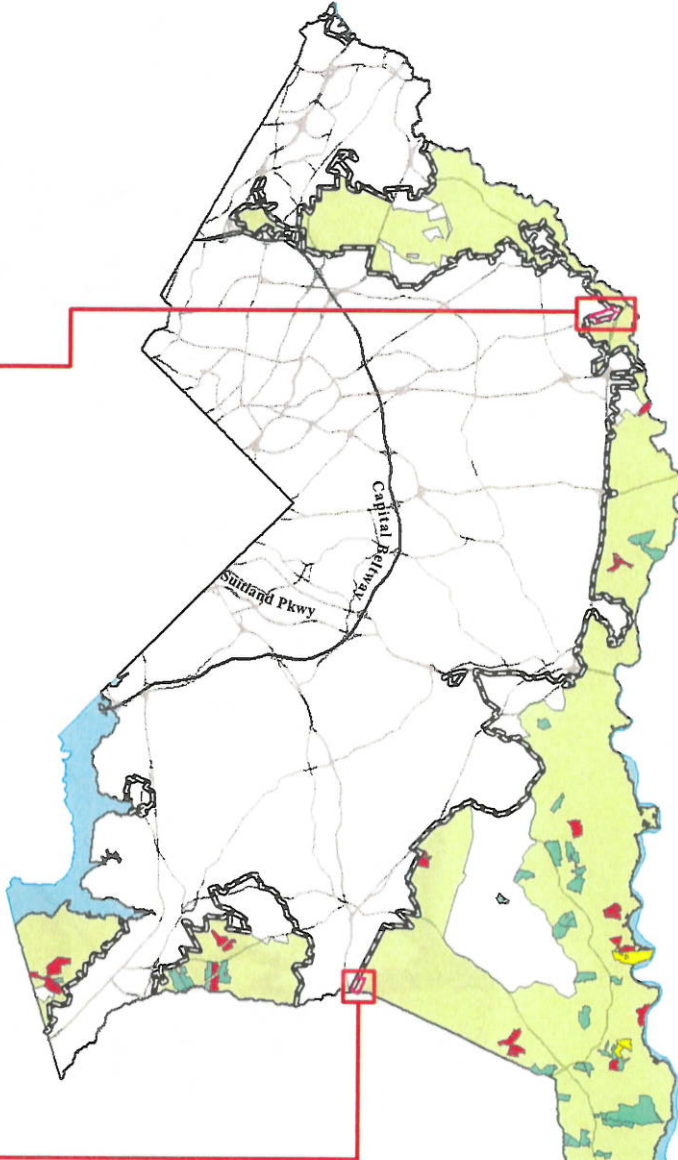
2. James et al. Properties



2012 PPA Status:
Not in PPA due to mapping error

2013 Subregion 6 Plan:
Properties outside growth boundary; within PPA

2016 PPA Status:
Properties continue to be in PPA



Note: This map shows the 2012 Priority Preservation Area (PPA) boundaries, with two technical corrections that are required as a result of changes made in other plans. None of the corrections proposed result from the preparation of the Resource Conservation Plan.

Preserved Farm Program

Historic Agriculture Resource Preservation Program

Rural Legacy

Priority Preservation Area

Maryland Agricultural Land Preservation Foundation

Maryland Department of Natural Resources Maryland Environmental Trust Easement

Property Subject to Correction

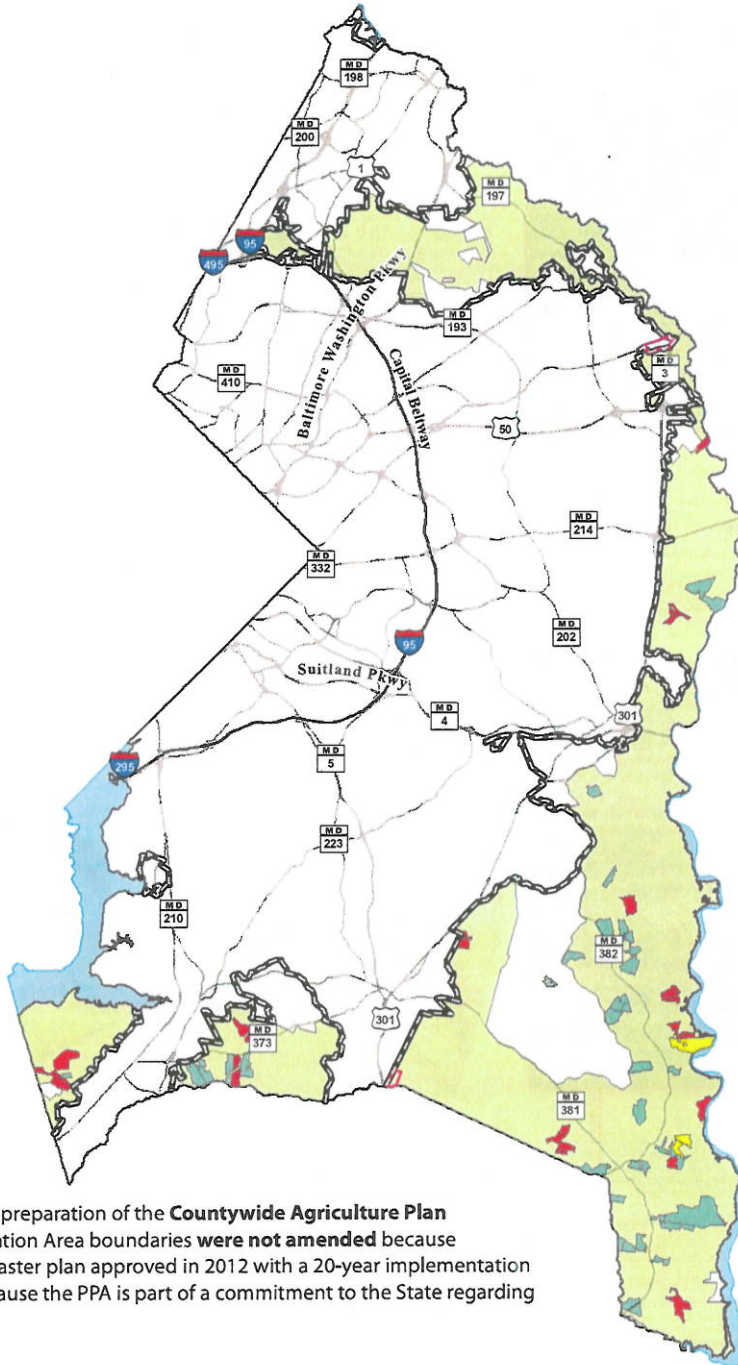
Miles 0 1 2 3

Plan 2035 Growth Boundary



Attachment 6

Map 5. 2017 Priority Preservation Area for Prince George's County



Note: As part of the preparation of the **Countywide Agriculture Plan** the Priority Preservation Area boundaries **were not amended** because they are part of a master plan approved in 2012 with a 20-year implementation timeframe, and because the PPA is part of a commitment to the State regarding designated areas.

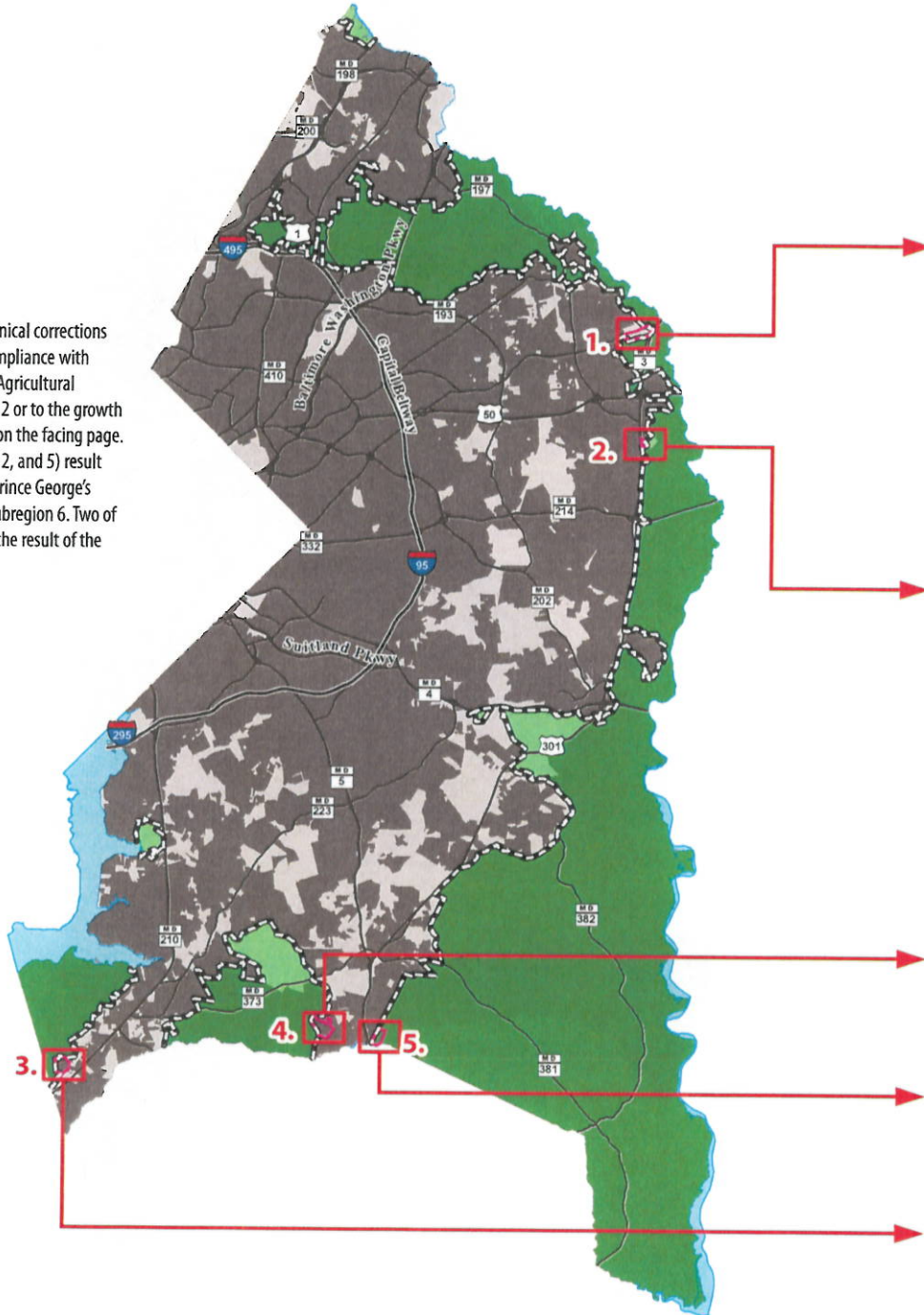
Legend

- | | | | |
|--|--|--|---|
|  Historic Agriculture Resource Preservation Program |  Rural Legacy |  Priority Preservation Area |  Plan 2035 Growth Boundary |
|  Maryland Agricultural Land Preservation Foundation |  Maryland Department of Natural Resources Maryland Environmental Trust Easement |  Property Subject to Correction |  |

Attachment 7

Map 6. Technical Corrections to the Sustainable Growth and Agricultural Preservation Act Map and Growth Boundary for Prince George's County

This map highlights five technical corrections to the tiers established in compliance with the Sustainable Growth and Agricultural Preservation (SGA) Act in 2012 or to the growth boundary and are described on the facing page. Three of these corrections (1, 2, and 5) result from changes made in Plan Prince George's 2035 or the master plan of Subregion 6. Two of the corrections (3 and 4) are the result of the 2012 SGA Tier changes.



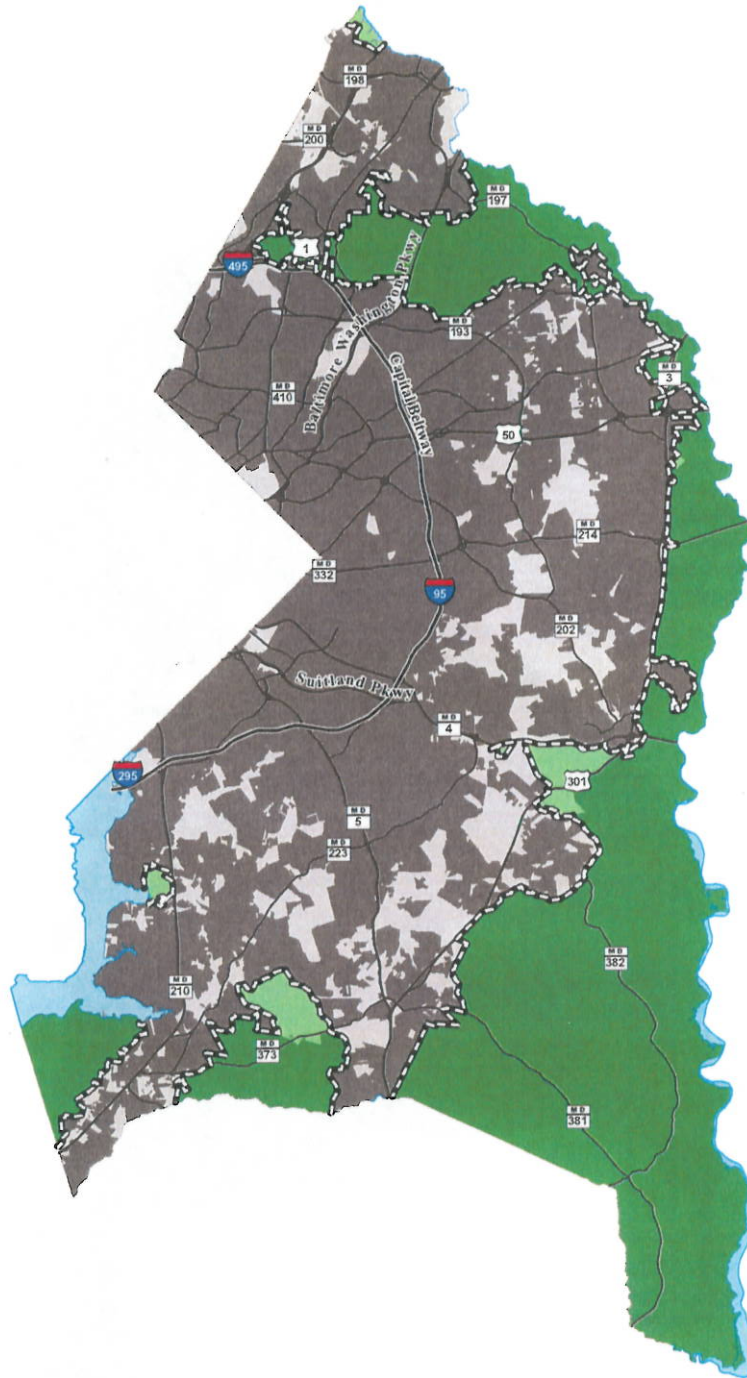
SGA Tiers (2017)

- Tier I (Sewer Categories 3 & 4)
- Tier III (Sewer Categories 6)
- Property Subject to Correction
- Tier II (Sewer Category 5)
- Tier IV (Sewer Categories 6)
- Plan 2035 Growth Boundary



Attachment 8

Map 8. 2017 Sustainable Growth and Agricultural Preservation Act Map



SGA Tiers (2017)

Tier I (Sewer Categories 3 & 4)

Tier III (Sewer Categories 6)



Plan 2035 Growth Boundary

Tier II (Sewer Category 5)

Tier IV (Sewer Categories 6)





Prince George's County Planning Department
Countywide Planning Division

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco
301-952-3650

April 4, 2017

MEMORANDUM

TO: The Maryland-National Capital Park and Planning Commission

VIA: Andree Green Checkley, Planning Director, Office of the Planning Director *AGC*
 Debra Borden, Principal Counsel, Legal Office, M-NCPPC *DB*
 Derick Berlage, Chief, Countywide Planning Division *DB*

FROM: Maria Ann Martin, Planning Supervisor, Special Projects Section, Countywide Planning Division

SUBJECT: Commission Resolution of Adoption for Uniform Standards for Mandatory Referral in Prince George's County

Attached for your review and approval is the Full Commission Resolution Number 17-07 to adopt the revision to the Uniform Standards for Mandatory Referral for Prince George's County.

The revisions to the 2014 Adopted Uniform Standards were drafted to include a discussion of the Mandatory Referral In-Take process, changes to reflect the inclusion of this new process, and the dismissal of dormant Mandatory Referral cases. Other changes were made for clarity of the text. All changes are in red. All text that is deleted is shown as strikethrough text.

In addition, attached for your information is the draft newspaper notice of adoption of the Uniform Standards for your review.

RECOMMENDATION

Staff recommends that the Full Commission approve the resolution of adoption.

Attachments:
Attachment 1 – Full Commission Resolution Number 17-07
Attachment 2 – Draft newspaper notice of adoption

M-NCPPC No. 17-07

RESOLUTION

WHEREAS, The Maryland-National Capital Park and Planning Commission (the "Commission") is a body politic and corporate agency of the State of Maryland established pursuant to the Annotated Code of Maryland, Land Use Article, at Section 15-101; and

WHEREAS, the Commission is empowered under the Land Use Article at Section 20-305 to adopt **Uniform Standards for Mandatory Referral** pertaining to the review and approval of the location and construction of certain public facilities situated within the Maryland-Washington Regional District (the "Regional District") under certain circumstances as specified therein; and

WHEREAS, upon the duly advertised public hearing held on March 30, 2017, the Commission's Prince George's County Planning Board has approved and adopted the Uniform Standards For Mandatory Referral Review (the "Prince George's County Standards") to be given effect as of the date of this Resolution, for that portion of the Regional District situated within Prince George's County only; and

WHEREAS, a true and correct copy of the Prince George's County Standards are annexed to this Resolution as Exhibit A; and

WHEREAS, the Commission desires to ratify and adopt the Prince George's County Standards, as provided by this Resolution; and

WHEREAS, the Commission desires for the Planning Board to implement the standards within its county jurisdiction to ensure the orderly administration of the law.


NOW, THEREFORE, BE IT RESOLVED, that The Maryland-National Capital Park and Planning Commission does hereby ratify and adopt *Uniform Standards for Mandatory Referral Review* for Prince George's County as annexed hereto at Exhibit A; and

BE IT FURTHER, RESOLVED, that, within Prince George's County, the Prince George's County Planning Board shall effectuate the said Prince George's County Standards in accordance with its terms; and

BE IT FURTHER, RESOLVED, that, as soon as practicable, the appropriate Commission officials are hereby authorized, and shall cause, the publication of a notice of the action so taken by this Resolution, as required under Section 20-305(b) of the Land Use Article of the Annotated Code of Maryland.

* * * * *

This is to certify that the foregoing is a true and correct copy of a resolution adopted by The Maryland-National Capital Park and Planning Commission on motion of Commissioner X, seconded by Commissioner X, with Commissioners X, X, X, and X voting in favor of the motion, with Commissioners X, X, X, and X voting against, with Commissioners X, X, X, and X being absent, at its regular meeting held on Wednesday, May 17, 2017, in Riverdale, Maryland.

APPROVED AS TO LEGAL SUFFICIENCY

M-NCPPC Legal Department
Date 3/31/17

Patricia Colihan Barney
Executive Director

**PROPOSED REVISIONS
TO
PRINCE GEORGE'S COUNTY
PLANNING DEPARTMENT
ADOPTED
UNIFORM STANDARDS FOR
MANDATORY REFERRAL REVIEW**



Adopted: July 18, 2012
Effective: September 1, 2012
Updated: September 17, 2014
Updated: Month XX, 2017

Prince George's County Department of Planning
The Maryland-National Capital Park and Planning Commission
14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772



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Section I: Introduction

Sections 20-301 through 305¹ of the Land Use Article of the Maryland Annotated Code require all federal, state, and local governments, and public and private utilities to submit proposed projects for a Mandatory Referral review and approval by the Commission. In Prince George's County the Planning Board is the statutorily created body under the Land Use Article, and performs the duties of "the Commission." This document will use the term "Planning Board," instead of "the Commission."

The law is briefly stated, but has a very broad application. It requires that the Planning Board review and approve the proposed location, character, grade and extent of any road, park, public way or ground, public (including federal) building or structure, or public utility (whether publicly or privately owned) prior to the project being located, constructed, or authorized.

The Planning Board must also review the widening, extension, relocation, narrowing, vacation, abandonment, or change of use of any road, park or public way or ground, and the acquisition or sale of any land by any public board, body, or official.

The Planning Board must conduct its review within 60 days of the submission of a complete application, unless a longer period is granted by the applicant. The Planning Board's failure to act within 60 days is deemed an approval, unless the applicant agrees to extend the review period. In case of disapproval, the law requires the Planning Board to communicate its reasons to the applicant agency. In practice, the Planning Board will communicate its approval, approval with **conditions comments**, and disapproval, with the reasons for its actions, to the applicant agency. Mandatory Referral review and comments by the Planning Board are advisory in that the statute allows the applicant to overrule the Planning Board's disapproval, or any **conditions-comments** attached to approval, and proceed.

See Attachment 1 for the full text of the law.

Section II: Mandatory Referral In-Take Questionnaire

To determine if the project is eligible for mandatory referral, the Legal Department associated with the Prince George's County Planning Department will review the Mandatory Referral Intake Questionnaire and determine what type of review should be conducted on a project. This will be forwarded to the

¹ Formerly Section 7-112 of the Regional District Act, **Mandatory Referrals and approval procedures after adoption of master plan of highways**

Planning Department staff to prepare a letter for the Planning Director's signature.

The applicant agency will receive a letter from the Planning Director that notifies them if the proposed project qualifies as a mandatory referral, or is exempt from the mandatory referral process, or should be reviewed under the entitlement process². If the project qualifies as a mandatory referral, the type of review (administrative or full Planning Board review) will be included in the letter along with a case number and a case manager's name and contact information.

The applicant agency should contact the listed case manager to coordinate the application submittal requirements and set a schedule to review the project.

Section III: Pre-submission Coordination

Pre-application meetings between Planning Department staff and the application agency are encouraged. These meetings provide an opportunity for the appropriate agency and the Planning Department staff to discuss public projects prior to finalizing the design and provide an opportunity to determine if the Mandatory Referral process or the entitlement process is the appropriate venue. During the pre-application period, opportunities for coordination with private development can occur. The Planning Department will provide staff from each Division to identify issues from a wide range of functional perspectives, to consider solutions, to resolve any conflicting comments between staff, and to finalize the application requirements during the pre-application meetings. The chief or supervisor will resolve any conflicting issues. The pre-application meetings provide a significant opportunity for agencies to produce public facilities and buildings that are on time and cost efficient. The pre-application meetings should consider the following:

- Review of zoning and development standards
 - ~~Determine whether the project will be required to go through the entitlement review process instead of the Mandatory Referral review process~~
 - ~~If the Mandatory Referral process is appropriate, determine whether the project should be reviewed under the administrative or full review process~~
 - Outreach method
 - Final Mandatory Referral submittal requirements
1. The Department of Planning staff (the staff) will advise the applicant to work with the staff in the early stages of a project's program and design development. The staff will advise the applicant about potential impacts

² The term "**Entitlement Process**" refers to those applications that must comply with the County Zoning Ordinance requirements and are not subject to Mandatory Referral.

and concerns in terms of proposed land use, consistency with the area master plan, other related projects, and community issues.

2. The staff will advise the applicant to seek community input before formally submitting the project for Mandatory Referral. This may include requesting the applicant to send appropriate, adequate, and timely public notice to adjacent, ~~and~~ adjoining property owners, ~~and, if necessary, the subject property owner~~. The staff will help in the process as needed, including establishing review benchmarks.
3. The staff will work with the applicant to determine the information needed to review any proposal based on its nature and scope. A suggested list of possible plans and other items is included in this package (see Section III: Submission Requirements).
4. ~~The staff will, after analysis of the project and consultation with the applicant and the community, determine and advise the applicant of the type of review needed, consistent with Section IV: Types of Review.~~

Section IV: Submission Requirements

A list of suggested materials, including any narrative description, plans, sketches, photographs, and other material that may be needed for the Mandatory Referral review, is included here as a guide. Some of these items may be needed before others in the review process (~~e.g., Natural Resource Inventory, Tree Conservation Plan~~). Some may be needed only as preliminary concepts. Therefore, **applicants are advised to consult with staff to determine which materials will be needed, and in what sequence, since not all proposals will need everything on the following list.** The plans and documents submitted for the Mandatory Referral should be at a scale sufficient to determine the compatibility, character, scope, quality, and scale of a project. All ~~formal requests and~~ applications must be from the head of the applicant agency, or a representative public official of the agency, and addressed to the Planning Director of the Department of Planning. A complete application (number of copies ~~and format of the submission~~ to be determined by the staff) should be submitted to the Prince George's County Planning Department, Countywide Planning Division, Special Projects Section, 14741 Governor Oden Bowie Drive, Upper Marlboro, Maryland 20772.

1. Written narrative of the proposal generally describing the project location, access, surrounding land uses and other existing conditions, proposed uses, scale and size of proposed structures, and other significant features of the proposal including, but not limited to the following:

- a. The hours of operation and the types of use(s) proposed within the structure(s), or on the property under consideration;
- b. Whether the proposed project is consistent with the county's General Plan, functional plans such as the Countywide Master Plan of Transportation, ~~Green Infrastructure Plan~~, the approved and adopted area master plan(s) or sector plan(s), and other public plans, policies, or programs for the area. Any deviation or lack of consistency should be fully explained;
- c. A Pedestrian and Bicycle Safety Impact Statement that includes an analysis of the effect of the project on pedestrian and bicyclist access and safety, and the identification of any capital and/or operating modifications, including road re-construction plans and road re-striping plans, that may be required to promote and maximize safe pedestrian and bicyclist access on the project site, and in the surrounding area;
- d. Whether the proposed typical roadway and pathway section meets the applicable state and county standard(s). If not, the necessary waivers requested, or to be requested, from any applicable agency or municipality, and the reasons for those waivers should be described;
- e. The status of a Historic Area Work Permit (HAWP) application, if the project would affect county-designated historic resources, sites, or districts. For state or federally funded projects, indicate the status of comments by the Maryland Historical Trust. If any historical resources, sites, or districts would be impacted, state the proposed measures to be undertaken to limit impacts, and any remedial measures to mitigate, the identified impacts;
- f. Phasing schedule or plan, if applicable;
- g. A description of the manner in which any land intended for common or quasi-public use, but not proposed to be in public ownership, will be held, owned, and maintained in perpetuity for the indicated purposes;
- h. Funding source(s) for the project: county, state, federal, and/or private;
- i. **List of permits needed from other agencies. (The Mandatory Referral process does not exempt any project from the need to meet the requirements of any other entitlement process.)**

- j. A description of the potential impacts to public parkland or land owned by M-NCPPC, if applicable, and an explanation of what efforts have been made to minimize these impacts and what mitigation will be undertaken; and
 - k. For all projects involving buildings or other structures, a statement on whether or not the proposed project will seek United States Green Building Council Leadership in Energy and Environmental Design (LEED), or equivalent green building certification. If the project is not going to seek LEED or equivalent certification, provide a LEED scorecard indicating the degree to which the project would be eligible for such certification;
2. General location map showing the relationship of the subject property to existing and proposed surrounding development, land uses and zoning, park property, traffic network, public amenities, community facilities, and historic properties (County and National Register).
 3. Site Plan describing the location of all new and existing uses and structures, size of the subject property, existing land uses of the subject and surrounding property, park property lines, proposed limits of disturbance and quantitative assessment of the disturbed area, location and areas of all existing and proposed public and private open spaces, number of existing and proposed parking spaces, calculations of building coverage, the number and type of dwelling units, ~~and~~ square footage, height, ~~and~~ number of stories of all buildings, and proposed signage.
 4. Utilities and Rights-of-Way map reflecting the location of tract boundaries, any utility or pipelines traversing the site, easements, and rights-of-way. All proposed permanent easements and right-of-way takings on park property must be quantified.
 5. Pedestrian and vehicular circulation plan identifying existing roadway, site ingress and egress, sidewalks, trails (including equestrian), bikeways, transit facilities, and all on- and off-site connections to those facilities. Indicate paving widths and the location of any anticipated median breaks. Show existing and proposed signage, all striped crosswalks, and provision of pedestrian push buttons and signal heads. If striped crosswalks are not provided on all legs of a signalized intersection, indicate where and explain why not. Movement barriers need to be identified and include:
 - a. Long crossing distances,
 - b. Short signal timing,
 - c. Medians and islands without ramps or cut-throughs,
 - d. Curbs without curb ramps,
 - e. Curb ramps without level landings,

- f. Pedestrian actuated signal devices that are difficult to activate or in hard-to-reach locations, and
 - g. Lack of information during pedestrian signal phase;
6. Natural Resource Inventory (NRI) plan that has been reviewed and approved by M-NCPPC staff, depicting existing wooded areas, streams, stream buffers, major drainage courses, wetlands, wetland buffers, 100-year-flood-plain, environmentally sensitive areas, and existing improvements, as well as the identification of any rare, threatened, or endangered species (see Section ~~IV~~ V: **Mandatory Referral and Specific Related Processes**) ~~Types of Review, Full Planning Board Review, paragraph 3~~. **An approved NRI is valid for five years only. If it is more than five years old, or there are substantial changes to the site within five years, it must be updated and submitted for staff's review and approval.**
 7. Tree Conservation plan based upon a correct and complete forest-stand delineation (See Section V: **Mandatory Referral and Specific Related Processes**). ~~If a prior Mandatory Referral action on a project did not have an approved TCP, if required, then any subsequent Mandatory Referral review must have an approved TCP at the time of the Planning Board review and action.~~
 8. Topographic map depicting the general physical characteristics of the site or sites with contours at an interval no greater than five feet, and slopes of 15 percent and greater.
 9. Stormwater Management Concept plan(s) approved by the Prince George's County Department of ~~Public Works and Transportation~~ **Department of Permitting, Inspections and Enforcement (DPIE)** or other agency authorized to approve stormwater management concept plans.
 10. Detailed Site Plan/Landscape plan that shows all improvements as indicated on the site plan, and the exact location and description of all plants and other landscaping materials, including size (at time of planting), spacing, botanical and common names, planting method, and all other details and schedules required by the 2010 *Prince George's County Landscape Manual*. Show existing trees that are proposed to be removed, and protection for those trees that are to remain within the limits of disturbance.
 11. Tree Canopy Coverage schedule shown on the landscape plan in accordance with Subtitle 25, Division 3 of the Prince George's County Code.

12. Lighting plan that provides details and specifications of all lighting fixtures, including pole heights, designs, and locations. A photometric plan should be provided. Full cut-off optics are encouraged.
13. Overall concept development plan if the proposed project or phase is a portion of a larger development plan.
14. Statement of compliance with the Prince George's County Code Noise Control Ordinance, Section 19, subsections 120 through 126.
15. Architectural elevations of all buildings shown in color.
16. Traffic impact statement or traffic study conducted in substantial accordance with the Department's *Guidelines for the Analysis of the Traffic Impact of Development Proposals*, describing the effect, if any, on the local transportation system and the proposed means of addressing any unmitigated impacts on affected facilities.
17. Statement of community outreach indicating what the applicant has done to inform the public, including the neighboring property owners, about the proposed project. Include dates of meetings or events at which the applicant shared information, and what, if any, feedback was received, positive or negative.
18. Other information as determined at the time of the pre-application meeting.

Section V: The Mandatory Referral and Specific Related Processes

A. Natural Resource Inventory/ Forest Conservation Plans: The mandatory referral process may acknowledge the necessity for a Natural Resource Inventory (NRI) and/or a Tree Conservation Plans (TCP), but they are not approved as part of the mandatory referral process. NRIs and TCPs are not required to be submitted with the mandatory referral application; however, they may be required later in the development process for projects subject to local permitting. The applicant will be notified during the mandatory referral process ~~need to contact the Environmental Planning Section to determine~~ if a NRI or TCP will be required.

Natural Resource Inventory (NRI) is defined as a plan map and supporting documentation or letter that provides all required information regarding the existing physical and environmental conditions on a site that is approved by the Planning Director or designee as described in the *Environmental Technical Manual* as approved and amended by the Planning Board from time to time.

Forest Conservation: Under the Maryland Forest Conservation Act, approval authority for forest conservation plans was delegated to the Prince George's County Planning Board, or its designee. In some cases, the state may choose to review cases, particularly state and federal sites, which are subject to the Clean Water Act. While the Planning Board's review of Mandatory Referrals is advisory, its authority to approve ~~tree conservation plans (TCP)~~ is final and can have an impact on whether such projects can proceed. Section 25-119(b)(1)(A) of the Woodland and Wildlife Conservation Ordinance provides that "all development applications shall submit either a TCP, or a Letter of Exemption," prior to issuance of a grading permit.

B. Critical Area/Conservation Plans: The Critical Area includes all land within 1,000 feet of tidal waters in the state. In Prince George's County, the Critical Area is mapped as an overlay zone. Under Title 27 of the Code of Maryland Regulations (COMAR), approval authority for local development in the Critical Area is delegated to each county; however, all federal, state, WSSC, and M-NCPPC park projects are reviewed at the state level by the Critical Area Commission.

A Critical Area Conservation Plan (CP) may be required for projects, subject to local permitting. A Mandatory Referral is not required for projects located within the Critical Area Overlay Zone that require a Conservation Plan (CP) under the County's Critical Area Ordinance (Section 5B of the county code), so long as transportation, historic preservation and community impacts are also reviewed at the same time.

C. Schools: Closed school properties reviewed in accordance with the Prince George's County Board of Education's Board Policy 2570-Closing of School Buildings, and the corresponding Administrative Procedure 2571, are to be reviewed initially when the properties are transferred to the county and the county prepares a reuse proposal. They may be reviewed a second time when a specific use is selected and a detailed program of development and schematic design is prepared. These two steps may be combined into a single review if a specific use is proposed and schematic plans and other information needed to process the application are submitted for staff review in a timely manner.

(Note: Reuse of closed school properties differs from disposition in that properties designated for reuse remain the property of the county and are subject to long-term leases, whereas disposition entails selling the closed schools after—among other conditions as cited in Sec. 2-111.01, such as sale, lease, or other disposition of county property of the County Code—the Planning Board determines the site is not needed for park or recreation use.)

Sections 27-443, 27-463, and 27-475.06.01 of the Zoning Ordinance do not require a detailed site plan review of a private educational institution when using an existing public school, which has been conveyed by the Prince George's

County Board of Education to Prince George's County, if the county maintains ownership of the facility and operates the school in it, or leases the facility for use as a private school of any type. Such projects would not be reviewed as Mandatory Referrals.

Non-public alternative schools will be reviewed as Mandatory Referrals if they meet all of the following criteria:

- 1) Prince George's County special needs students are placed in the facilities;
- 2) The school is bound by public school law; and
- 3) The school receives funds from the Prince George's County Public School system.

Section VI: Types of Review and Exemptions

After analysis of the project and consultation with the applicant and the community, the Legal Department will determine if a project is eligible for the Mandatory Referral process. If the Mandatory Referral process is the appropriate venue, then the Planning Director and/or the Countywide Planning Division Chief will determine which of the following types of Mandatory Referral review will be conducted:

- Administrative review by the staff for minor projects; or
- Full Planning Board review;

The Prince George's County Zoning Ordinance, Division 11, Sections 27-292 through 295, addresses the approval of public buildings and uses, and buildings and uses on county-owned land. According to the Zoning Ordinance, the District Council shall approve all public buildings, structures, and uses, except those of municipal, state, or federal agencies. Section 27-294(b) recognizes the Mandatory Referral process. ~~Section 27-294(e) delegates to the Planning Board the responsibility to grant minor changes to the site plan approved by the District Council, pursuant to Section 27-293(b) for buildings and uses serving public health purposes on land owned by Prince George's County, upon which hospitals or health centers are located. The criterion to determine what is a modification is set forth in this section of the Zoning Ordinance.~~

Public projects, such as interior renovations, minor modifications as part of routine maintenance, minor utility projects, minor sidewalk improvements, or minor stream restoration projects, should be exempt from ~~review as part of~~ the Mandatory Referral ~~review~~ process.

A. Administrative Review by the Staff for Minor Projects

This type of review will normally be conducted for small additions, alterations, or renovations to existing facilities that do not create any significant impact on the surrounding community, parkland, or natural resources, and are completely in compliance with applicable laws and regulations. Examples of projects that may qualify for administrative review are minor modifications conducted as part of routine maintenance, placement of a small equipment shed on a site, interior improvements that do not alter or increase the programming capacity of the facility, a bridge replacement in-kind, sidewalk construction that does not affect the roadway, minor roadway construction, and other such improvements that do not change the land use, character, intensity, scale, or nature of the program, or the facility under review.

No Mandatory Referral hearing or notification will be required for projects approved through administrative review procedures. A letter from the Planning Director will notify the applicant that no further Mandatory Referral review is required for the project. This does not exempt any project from the need to meet the requirements of any other entitlement process.

B. Full Planning Board Review

This type of review will be conducted for projects that do not fall into the first category and, therefore, will go through a full Planning Board review with a Mandatory Referral hearing and notification as described in this package. The applicant should consult with the Planning Department staff early in project development to determine when a project should be submitted for review. Projects should be submitted for Planning Board review as soon as all the necessary information is complete and there is still enough time to make changes, if needed, to address the Planning Board's recommendations. Generally, a project is to be submitted at 30-35 percent completion during the design development stage (also referred to as the facility planning, schematic design, or concept design phase). All site selections and acquisitions, even if they are consistent with the relevant master plans, must be submitted for Mandatory Referral before they are finalized.

Some projects may need to be reviewed at more than one stage as a Mandatory Referral depending upon the nature and type of development proposed. For example, a property may be initially reviewed by the Planning Board at site selection, and later for approval of the proposed design of buildings and site improvements. For large or particularly sensitive projects, the Planning Board may require a second review when a more detailed design is available. Where appropriate, two or more actions by the Planning Board may be combined into one review, e.g., land associated with rights-of-way acquisition in CIP projects

which may be part of the full project review and not a separate Mandatory Referral.

A staff report will be produced summarizing comments received from all sections from which comments were requested. The staff report will include a recommendation from staff concerning whether the Planning Board should approve the project, disapprove it, or approve it with suggested modifications. This does not exempt any project from the need to meet the requirements of any other **applicable** entitlement process.

If there **may be is** a need for additional information, or the project could potentially be modified as it continues through the final design stages before construction, a follow up review by the staff may be **needed** requested. The staff will determine if the project needs to be brought back to the Planning Board for a full review, unless a follow up review is requested by the Planning Board.

Closed Sessions: If an applicant agency is involved in sensitive negotiations (~~contract bids from a monetary aspect~~) ~~for site selections or acquisition or has reasonable security concerns~~, and a full Mandatory Referral with public review and disclosure at that point may put the applicant agency at a disadvantage ~~in its negotiations with the property owners or at a security risk~~, or if there is not enough time to conduct a full review as the available site may be sold to a private party before the review is complete, the staff may **decide propose** that a closed session consultation with the Planning Board is warranted. However, such a consultation would only be to provide the Planning Board's informal comments for the applicant's information and consideration. A full review with a public hearing and notification will be required before the proposed acquisition or sale is finalized. The comments provided in a closed session will be the Planning Board's initial response based on the information provided, and may not be the Planning Board's final recommendation.

(Note: Maryland Law permits the Planning Board to meet in closed session ~~for a number of reasons. to "consider the acquisition of real property for a public purpose."~~ See Md. Code Ann., ~~State Gov't Art., §10-508. General Provisions Code §3-305.~~ See Attachment 2 for the full text of the law.)

C. Projects Exempt from Mandatory Referral Review

When an application is received, a determination must be made by the Legal Department as to which review process will be applied. The following projects will be considered exempt from the Mandatory Referral review process:

- ~~Any county or municipal project that must go through the entitlement process.~~
- Any county project that goes through an extensive Capital Improvements Program/Projects (CIP) Review and a referral to the Planning Board.

- Emergency repairs to roadways, public buildings or structures, or existing publicly and privately owned utilities.
- Any telecommunication tower that is proposed by and used by a private entity on public property is not considered a public use and must go through the **applicable** entitlement process.

These exemptions take into consideration that any county or municipal project that must go through the **permit and possible** entitlement process will be reviewed by **Commission staff as well as the Department of Permits, Inspection and Enforcement** in a detailed manner to ensure that it is in conformance with ~~the Zoning Ordinance, Subdivision Ordinance and other any applicable~~ regulatory regulations, ~~which are considered binding, since they were adopted by the governing body.~~

Second, any county project that was reviewed through an extensive CIP review process and received approval by the Planning Board and the County Council is exempt from Mandatory Referral review.

Third, any emergency repairs to existing infrastructure or buildings are exempt from Mandatory Referral review, since the Mandatory Referral review process would cause an unnecessary delay to deliver critically needed repairs.

Finally, any telecommunication tower/facility that is paid, constructed and maintained by a private entity and that private entity will retain ownership interest and operational control of the tower/facility on public land is not considered a public structure and is subject to the requirements of the **applicable** entitlement process.

Section VII: Mandatory Referral Hearing and Notification – Full Review

The Planning Board will conduct a hearing to receive community comments during its regularly scheduled sessions for all projects requiring a full review. The staff will notify the area civic associations registered with the Planning Department for notice of development activity in the location of the proposed project when the project is accepted as a complete application and the 60-day clock starts. The notice will include, but not be limited to, project name, applicant, location, a brief description, staff contact, **applicant's representative's contact information**, and a tentative date of the Planning Board meeting at which public testimony will be taken. A final notice of the hearing will be published in the Planning Board's weekly agenda, which is available on the Internet at www.pgplanning.org. It is strongly recommended that applicants' representatives attend the public hearing and be available to discuss the project and answer any questions from the Planning Board.

The Planning Board encourages applicants to conduct adequate and timely community outreach and notification, including noticing adjacent, abutting, and confronting property owners. The staff will work with the applicant to determine appropriate outreach in each case. Interagency coordination and public notification conducted pursuant to other laws and regulations are encouraged, but would not be accepted in lieu of appropriate community outreach for the Mandatory Referral processes.

Section VIII: Planning Board Consideration – Full Review

During the Mandatory Referral hearing at the Planning Board’s regularly scheduled meeting, the Planning Board will review the proposal and may seek clarifications from the staff, the applicant, or the community, if necessary. The Planning Board will consider all relevant land use and planning aspects of the proposal including, but not limited to the following:

1. Whether the proposal is consistent with the County’s General Plan, functional plans such as the Countywide Master Plan of Transportation, Green Infrastructure Plan, the approved and adopted area master plan(s) or sector plan(s), and other public plans, policies, or programs for the area;
2. Whether the proposal is consistent with the intent and the requirements of the zone(s) in which it is located;
3. Whether the nature of the proposed site and development, including its size, shape, scale, height, arrangement, and design of any structure(s), is compatible with the surrounding neighborhood and properties;
4. Whether the locations of buildings and structures, the open spaces, the landscaping, recreation facilities, and the pedestrian and vehicular access and circulation systems are adequate, safe, and efficient;
5. Whether the proposal has negative transportation impacts on the surrounding neighborhood;
6. Whether the proposal has an approved NRI and is consistent with an approved stormwater management concept plan, and meets the requirements of the Woodland and Wildlife Habitat Conservation Ordinance (Subtitle 25 Trees and Vegetation Division 2 of the County Code). The Tree Conservation Plan, if applicable, may require Planning Board approval, either before or at the time of the Planning Board’s Mandatory Referral review and action on the project, or prior to the issuance of any grading permit for the project. Unlike the Mandatory

Referral review by the Planning Board, the conditions of the Tree Conservation Plan are binding on all county projects;

7. Whether or not the site would be needed for park or recreation use (if the proposal is for disposition of a surplus school); and
8. Whether alternatives or mitigation measures have been considered for the project if the proposal is inconsistent with the General Plan, or other plans and policies for the area, or has negative impacts on the surrounding properties or neighborhood, the transportation network, the environment or other resources;

Section IX: The Planning Board Recommendation – Full Review

Based on the staff report, public comments and input, the applicant’s rationale, and the findings and considerations described in Section VI of this document, the Planning Board will approve (with comments, if appropriate), or disapprove Mandatory Referral applications.

Following the Planning Board’s review, the Chairman of the Planning Board will send a letter containing the Board’s recommendation and its rationale to the head of the applicant public agency. The Chairman’s letter will also request a written response from the applicant agency stating how the agency will proceed with the proposal and explaining any variation from the Planning Board’s recommendations. It is recommended that the applicant agency advise the Planning Board within 30 days as to whether it will accept the Planning Board’s recommendation. Because the Planning Board’s recommendations are advisory only, an applicant may overrule the Planning Board’s disapproval and proceed with the proposed project. Furthermore, there is no judicial review of the matter.

Section X: Dismissal of Dormant Mandatory Referral Cases

In accordance with Section 20-304 of the Land Use Article of the Maryland Annotated Code, the mandatory referral process is 60 days, unless the applicant agrees to waive the 60-day time limit. However, when a case is inactive for 60 days or more, the case will be closed or terminated. **The termination of the mandatory referral process does not preempt the applicant from refiling the same case in the future. The applicant may file a mandatory referral intake questionnaire (as described in Section II) to start the process again.**

A. Closing Cases for Inactivity After the Intake Questionnaire is Completed: As described in Section II: Mandatory Referral In-Take Questionnaire, an applicant receives a letter from the Planning Director that states what type of review the mandatory referral case will follow, what the

case number is, and provides the name and contact information of the case manager. The applicant should contact the case manager when they are ready to start the mandatory referral process. If there is no action from the applicant to begin the mandatory referral process 60 days from the date of the Planning Director's letter, the mandatory referral case number will be retired.

B. Closing Cases for Inactivity after a Mandatory Referral Application is Accepted: Mandatory referral cases that are inactive for 60 days will be terminated. The applicant will be notified by letter indicating that if the applicant wants to maintain the case in an active status, they must contact the case manager within a week to move the case forward.

Section X: The Mandatory Referral Uniform Standards Applicability

The Mandatory Referral Uniform Standards contained herein apply only in Prince George's County.

LAND USE
DIVISION II. MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION.
TITLE 20. MARYLAND-WASHINGTON REGIONAL DISTRICT.
SUBTITLE 3. REVIEW OF PUBLIC PROJECTS.
PART I. MANDATORY REFERRAL REVIEW.

Md. LAND USE Code Ann. § 20-301 (2017)

§ 20-301. Prior approval required.

Subject to §§ 20-303 and 20-304 of this subtitle, a public board, public body, or public official may not conduct any of the following activities in the regional district unless the proposed location, character, grade, and extent of the activity is referred to and approved by the Commission:

- (1) acquiring or selling land;
- (2) locating, constructing, or authorizing:
 - (i) a road;
 - (ii) a park;
 - (iii) any other public way or ground;
 - (iv) a public building or structure, including a federal building or structure; or
 - (v) a publicly owned or privately owned public utility; or
- (3) changing the use of or widening, narrowing, extending, relocating, vacating, or abandoning any facility listed in item (2) of this section.

§ 20-302. Jurisdiction.

(a) Federal and State referrals. -- The Commission has exclusive jurisdiction over mandatory referrals made under this part from the United States or the State, or any unit of the United States or the State.

(b) County referrals. -- A county planning board has exclusive jurisdiction over a mandatory referral under this part by the county planning board's respective county government or any unit of the county government.

(c) Additional referrals -- Montgomery County. -- The Montgomery County Planning Board has exclusive jurisdiction over a mandatory referral under this part by the county board of education, a municipal corporation or special taxing district, or a publicly owned or privately owned public utility.

§ 20-303. Commission disapproval.

(a) Required notice. -- If the Commission disapproves a referral submitted under § 20-301 of this subtitle, the Commission shall communicate the reasons for the disapproval to the entity that proposed the activity.

(b) Overruling. -- Notwithstanding § 20-301 of this subtitle, the entity that proposed the activity may overrule the disapproval of the Commission and proceed with the activity as proposed.

§ 20-304. Commission failure to act.

Unless a longer period is granted by the submitting entity, an official referral to the Commission under this part is deemed approved if the Commission fails to act within 60 days after the date of submission.

§ 20-305. Uniform standards of review.

(a) Adoption. -- After appropriate public hearings, the Commission shall adopt uniform standards of review to be followed in reviewing changes to property subject to review.

(b) Notice. --

(1) The Commission shall publish a notice of the adoption of the standards of review in a newspaper of general circulation that is published in each county.

(2) The notice shall:

(i) include a summary of the purpose of the standards and the review process; and

(ii) identify a location and a phone number to contact for a complete copy of the standards of review.

HISTORY: An. Code 1957, art. 28, § 7-112; 2012, ch. 426, § 2.

§§ 20-306, 20-307.

Reserved.

GENERAL PROVISIONS
TITLE 3. OPEN MEETINGS ACT
SUBTITLE 3. OPEN MEETINGS REQUIREMENTS

Md. General Provisions Code Ann. § 3-305 (2017)

§ 3-305. Closed sessions.

(a) Construction of section. -- The exceptions in subsection (b) of this section shall be strictly construed in favor of open meetings of public bodies.

(b) In general. -- Subject to subsection (d) of this section, a public body may meet in closed session or adjourn an open session to a closed session only to:

(1) discuss:

(i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction; or

(ii) any other personnel matter that affects one or more specific individuals;

(2) protect the privacy or reputation of an individual with respect to a matter that is not related to public business;

(3) consider the acquisition of real property for a public purpose and matters directly related to the acquisition;

(4) consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State;

(5) consider the investment of public funds;

(6) consider the marketing of public securities;

(7) consult with counsel to obtain legal advice;

(8) consult with staff, consultants, or other individuals about pending or potential litigation;

(9) conduct collective bargaining negotiations or consider matters that relate to the negotiations;

(10) discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including:

(i) the deployment of fire and police services and staff; and

(ii) the development and implementation of emergency plans;

- (11) prepare, administer, or grade a scholastic, licensing, or qualifying examination;
- (12) conduct or discuss an investigative proceeding on actual or possible criminal conduct;
- (13) comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter; or
- (14) discuss, before a contract is awarded or bids are opened, a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

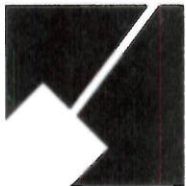
(c) Limitation. -- A public body that meets in closed session under this section may not discuss or act on any matter not authorized under subsection (b) of this section.

(d) Vote; written statement. –

- (1) Unless a majority of the members of a public body present and voting vote in favor of closing the session, the public body may not meet in closed session.
- (2) Before a public body meets in closed session, the presiding officer shall:
 - (i) conduct a recorded vote on the closing of the session; and
 - (ii) make a written statement of the reason for closing the meeting, including a citation of the authority under this section, and a listing of the topics to be discussed.
- (3) If a person objects to the closing of a session, the public body shall send a copy of the written statement to the Board.
- (4) The written statement shall be a matter of public record.
- (5) A public body shall keep a copy of the written statement for at least 1 year after the date of the session.

HISTORY: An. Code 1957, art. SG, § 10-508; 2014, ch. 94, § 2

DRAFT



Prince George's County Department of Planning
The Maryland-National Capital Park and Planning Commission
14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772

www.pgplanning.org

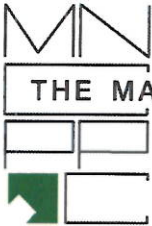
PUBLIC NOTICE**APPROVAL OF THE *Uniform Standards for Mandatory Referral Review* for Prince George's County
(MNCPPC #17-07)**

Notice is hereby given that on Wednesday, May 17, 2017, The Maryland-National Capital Park and Planning Commission adopted a resolution approving the *Uniform Standards for Mandatory Referral Review* for Prince George's County. These Uniform Standards address how public property located in for the Prince George's County will be reviewed by the Prince George's County Planning Board.

The *Uniform Standards for Mandatory Referral Review* for Prince George's County was prepared by the Prince George's County Planning Department of The Maryland-National Park and Planning Commission (M-NCPPC). According to Maryland State law (Section 20-301 of the Land Use Article of the Annotated Code of Maryland), all federal, state and local governments and public and private utilities are required to submit proposed projects (roadway improvements, public buildings, fire and police stations, and others) in Prince George's County for a Mandatory Referral review and recommended approval by the Prince George's County Planning Board. The Planning Board must also review the widening, extension, relocation, narrowing, abandonment, or change of use of any road, park, or public way, and the acquisition or sale of any land by any public board, body, or official.

The approved *Uniform Standards for Mandatory Referral Review* for Prince George's County, when published, will be available on line at [\(URL link\)](#) and from the M-NCPPC Planning Information Services, located on the Lower Level of the County Administration Building, 14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772, free of charge.

Questions concerning the Mandatory Referral review process should be directed to Maria Martin, Planning Supervisor, Prince George's County Planning Department, Countywide Planning Division, Special Projects Section, at 301-952-3472 or by e-mail at Maria.Martin@ppd.mncppc.org.



PCB17-01

April 11, 2017

To: The Commission

Via: Patricia C. Barney, Executive Director 

From: Anju Bennett, Corporate Policy and Management Operations Division Chief 
Shelley Dorsey, DHRM Budget Manager

Re: Budget Transfer for the Department of Human Resources and Management

Action

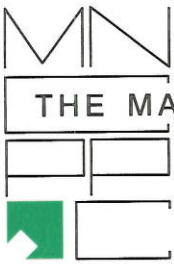
For FY17, the Administration Fund for the Department of Human Resources and Management (DHRM) is projected to have some savings in personnel costs, primarily from unanticipated salary lapse and benefits savings due to position turnover and difficulty in filling positions. We are requesting approval of a budget transfer for a portion of these savings to enable us to address critical needs. The requested use of salary lapse is in the amount of \$260,000.

Proposed Use of Lapse/Savings

We are requesting to use the funds as follows:

- Classification/Compensation Study \$150,000
Additional funding is needed for consulting services to implement significant recommendations from the agency's Classification and Compensation study.
- Computer Equipment \$110,000
The Chief Information Officer (CIO) requested a technical review of existing computer/electronic equipment assigned to the DHRM. The CIO has recommended we replace older and/or improperly functioning equipment. Replacement will provide improved security, reduce system failures, and minimize maintenance concerns.

We appreciate your consideration of our request.





THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

6611 Kenilworth Avenue • Riverdale, Maryland 20737

April 19, 2017

TO: The Maryland-National Capital Park and Planning Commission

VIA: Patricia C. Barney, Executive Director 
William Spencer, Human Resources Director

FROM: Jennifer McDonald, Benefits Manager 

SUBJECT: Mental Health and Substance Abuse

Background

In calendar year 2016, pursuant to a request from then Commission Chair, Casey Anderson, an educational and awareness campaign was conducted on getting assistance for mental health, drug and alcohol abuse concerns. Information was posted on the agency's intranet site, inSite, with a summary list of services available to staff, (Attachment 1). Notice 16-02 was published to provide guidance on accessing the services for mental health, drug and alcohol abuse concerns provided through The Maryland-National Capital Park and Planning Commission's (agency) Employee Assistance Provider, (Attachment 2). Emails were mass distributed with similar information. The following is an update on the various resources available to employees and dependents through programs provided through the agency. Reports on program utilization from the agency's medical health plan (Attachment 3) and the Employee Assistance Program (Attachment 4) are included.

Resources

Employee Assistance Program (EAP): The EAP is a free resource for employees and/or their family members to help address many life challenges including mental health and substance abuse. Individuals receive up to 8 free sessions for counseling. If an employee elects to use counseling benefits during their work hours, M-NCPPC grants the employee paid time off through the use of Administrative Leave.

Services Available under M-NCPPC Health Plans:

Referral services; assessment and treatment planning; individual, family and group therapeutic counseling; crisis intervention; partial and inpatient hospitalization are available under the

agency's health plans, UnitedHealthcare and Kaiser Permanente. The benefits for mental health and substance abuse treatment are on par with those for medical treatment, i.e., the same co-pay, deductibles and number of visits apply.

Employee Wellness Portal: In January 2017, the agency launched an online employee wellness program. It is a free resource for employees to help address health and wellness concerns. Individuals may receive online or personal telephonic coaching for a variety of health topics, some of which address mental health and substance abuse such addiction, emotional well-being, and stress.

Community Resources:

- *National Helpline for Mental Health and Substance Abuse:* 1-800-662-HELP (4357) or www.samhsa.gov,
- *Maryland Substance Abuse:* 1-888-996-2190 or www.rehabandtreatment.com/maryland,
- *National Suicide Prevention Lifeline:* 1-800-273-8255 or www.suicidepreventionlifeline.org.

Utilization of Services

UnitedHealthcare: In calendar year 2016, 480 members sought services for mental health and substance abuse through the UnitedHealthcare medical plans. This represents approximately 9% of the employees, spouses and dependents covered under the plan. The agency paid \$741,135 in claims. The presenting diagnoses were as follows:

- 892 Mental Health claims with a total spend of \$415,310;
- 48 Alcohol Abuse claims with a total spend of \$217,663;
- 31 Opioid claims with a total spend of \$107,859;
- 4 Other substance abuse claims with a total spend of \$302.

ComPsych EAP: In calendar year 2016, 146 employees and dependents received services through the EAP. Of the users, 85% were employees and 16% were spouses/dependents. 92% of cases were resolved within the 8 visits, the others were referred to the health plans. The primary issues presented were as follows:

- 6 were for Alcohol Abuse;
- 4 were for Substance Use;
- 63 were for mental health;
- 73 were for other issues.

On-Site and On-Line Workshops: During calendar year 2016, the following workshops on mental health and substance abuse were offered to employees:

- The emotionally healthy teen: Dealing with issues of substance abuse, depression, suicide and eating disorders;
- Helping a loved one through difficult times;
- Managing your emotions in the workplace;
- Resiliency – Bouncing back after a set-back;

- Understanding depression;
- Mental Health in the workplace;
- Connecting mind and body for healthy living.

Summary

Employees and dependents are availing themselves of the resources the agency provides to help with substance abuse and mental health concerns. The agency will continue to provide and promote resources available to assist employees and dependents with their mental health and substance abuse treatment needs.

ATTACHMENT 1

Resources

M-NCPPC Health and Benefits Office: Call Jennifer McDonald at 301-454-1694 with questions regarding EAP or services available under M-NCPPC medical plans.

Employee Assistance Program (EAP): 1-855-286-1678 or www.guidanceresources.com. The EAP is a free resource for employees and/or their family members to help address challenges. Individuals receive up to 8 free sessions for counseling. If an employee elects to use counseling benefits during their work hours, M-NCPPC grants the employee paid time off through Administrative Leave.

Services Available under M-NCPPC Health Plans:

Referral services, assessment and treatment planning,
Short-term individual, family, and group therapeutic services,
Crisis intervention,
Partial and Inpatient hospitalization.

Community Resources:

National Helpline For Mental Health And Substance Abuse: 1-800-662-HELP (4357) or www.samhsa.gov,

Maryland Substance Abuse: 1-888-996-2190 or www.rehabandtreatment.com/maryland,

National Suicide Prevention Lifeline: 1-800-273-8255 or www.suicidepreventionlifeline.org.

Information on M-NCPPC's Drug and Alcohol Free Workplace:

[M-NCPPC Notice 16-02, Getting Assistance for Drug and Alcohol Concerns](#)

[M-NCPPC Policies on Substance and Alcohol-Free Workplace](#)

If you do not have access to a computer, and would like paper copies of these M-NCPPC documents, please contact the Policy Office at 301-454-1740, and we'll send one to you via fax, interoffice mail, or USPS.

 NOTICEIssued by Patricia Colihan Barney,
Executive Director

No. 16-02

Issue date: 01/12/16

GETTING ASSISTANCE FOR DRUG AND ALCOHOL CONCERNS

Individuals cope with stress differently. While we hope everyone has the necessary support system to deal with the more difficult times, unfortunately, each of us likely knows someone who might find incidents of depression, grief, anxiety, and family stress to be overwhelming.

Some individuals may turn to, or increase the consumption of, alcohol and other controlled substances. For those dealing with addiction issues, including individuals in recovery, stressful situations may pose multiple challenges. The following resources assist individuals in addressing concerns.

The Employee Assistance Program (EAP): This is a free resource that may be used for employees and/or their family members to help address challenges. The EAP is administrated by Guidance Resources. Guidance Resources is staffed with trained clinicians who help provide the needed resources and counseling. There are several options for its use.

- **Employee/Family Initiated:** When this service is initiated by the employee or the employee's family member, it designed to be confidential and the information is not shared with M-NCPPC or supervisors. Assistance can be scheduled outside of work hours, or during the work day.
 - Individuals receive up to 8 free sessions for counseling. If longer term assistance is needed, Guidance Resources works with the individual to make sure appropriate and accessible resources are identified.
 - If an employee elects to use counseling benefits during their work hours, M-NCPPC grants the employee paid time off through Administrative Leave.
- **Supervisor Initiated:** Sometimes supervisors may spot a concern and believe that an employee could benefit from support. As it is difficult for supervisors to assess underlying problems, trained staff and the EAP are available to assist. The primary focus of the M-NCPPC is to get employees the help they need.
 - Sometimes, a supervisor may be approached by an employee who volunteers that he/she is facing drug and alcohol challenges. For these concerns, the supervisor may contact Guidance Resources and make a supervisor referral. The employee will be assessed and provided assistance.
 - In other instances, supervisors may be faced with more immediate concerns stemming from alcohol /substance use in the workplace or other safety-related concerns which fall under the agency's Controlled Substance and Alcohol Free Workplace Policy (M-NCPPC [Practice 2-26](#)). The handling of these concerns can be very complex and sensitive. Supervisors should contact the Risk Management and Workplace Safety Office, which will assist managers in the proper review and handling of concerns. A copy of Practice 2-26 is available online at Insite (under Policy Documents), or by calling the Policy Office at 301-454-1740.

To preserve employee's privacy, the EAP does not discuss the employee's personal issues with the M-NCPPC. Only information pertaining to the workplace goals are communicated. General questions on the EAP program can be answered by calling 1-855-286-1678. Employees can also access the EAP by going online to www.guidanceresources.com.

Services Available Under the M-NCPPC Medical Health Plans: Employees, who are enrolled in UnitedHealthcare or CIGNA health plans, are provided benefit coverage for out-patient and in-patient services for treatment of mental health, substance abuse, and chemical dependency. Covered services include:

- Referral services
- Assessment and treatment planning
- Short-term individual, family, and group therapeutic services
- Crisis intervention
- Residential crisis services with intensive therapy and support services
- Partial and Inpatient hospitalization

Benefits are paid the same as for medical conditions, requiring a \$10 copay for out-patient visits and partial hospitalization, and no copay for in-patient hospitalization. Some services require prior authorization. Call your health plan's customer service number on your medical ID card before receiving services.

Community Resources

- National Helpline For Mental Health And Substance Abuse: 1-800-662-HELP (4357) or www.samhsa.gov.
- Maryland Substance Abuse: 1-888-996-2190 or www.rehabandtreatment.com/maryland.
- National Suicide Prevention Lifeline: 1-800-273-8255 or www.suicidepreventionlifeline.org.

Additional Information/Questions?

- Employee Assistance Program (Administered by Guidance Resources): Individuals may access services by calling 1-855-286-1678. Employees can also access the EAP by going online to www.guidanceresources.com.
- The M-NCPPC's Drug and Alcohol Free Workplace Program is outlined in M-NCPPC [Practice 2-26](#).
- The M-NCPPC Risk Management and Workplace Safety Office: The Office manages the Drug and Alcohol Free Workplace program and is available to answer any questions regarding the program, agency policies, and handling of workplace safety issues. Questions should be referred to the M-NCPPC Safety Office at 301-454-1693.
- The M-NCPPC Health and Benefits Office: Questions regarding the use of the EAP or services available under medical plans should be referred to 301-454-1694.



M-NCPPC 2016 Substance and Mental Health Report

Members with Behavioral Health claims

Demographic	Members	Claims	Paid Amount
Employee	211	402	\$323,701
Spouse	107	206	\$154,255
Dependent	162	367	\$263,179
Grand Total	480	975	\$741,135

- 480 members had a Substance or Mental Health claims in 2016.
- The employee segment had the highest percentage of claims (41%) and paid amount (44%). Dependents had 38% of claims and 36% of the paid amount.

Category	Employee		Spouse		Dependent		Total		
	Claims	Paid Amount	Claims	Paid Amount	Claims	Paid Amount	Claims	Paid Amount	
Mental Health	Depressive	153	\$76,004	59	\$25,582	69	\$31,647	281	\$133,234
	Anxiety	70	\$33,953	38	\$21,802	71	\$43,938	179	\$99,693
	Trauma and Stress	76	\$31,310	36	\$11,269	49	\$27,491	161	\$70,070
	Neurodevelopmental	13	\$4,895	13	\$3,129	106	\$39,407	132	\$47,431
	Bipolar	32	\$11,970	28	\$18,761	21	\$10,667	81	\$41,398
	Schizophrenia	11	\$2,142	3	\$654	9	\$8,126	23	\$10,922
MH Total	Other	18	\$6,677	5	\$1,350	12	\$4,537	35	\$12,563
		373	\$166,951	182	\$82,547	337	\$165,812	892	\$415,310
	Alcohol	25	\$150,330	20	\$64,268	3	\$3,066	48	\$217,663
	Opioid	3	\$6,250	4	\$7,440	24	\$94,169	31	\$107,859
	Other substance	1	\$170	0	\$0	3	\$132	4	\$302
SU Total		29	\$156,750	24	\$71,708	30	\$97,367	83	\$325,825
Grand Total		402	\$323,701	206	\$154,255	367	\$263,179	975	\$741,135

- Substance Use represented 8.5% of all claims and 44% of total paid amount.
- Mental Health paid amount was 21% Out of Network while Substance Use was 54% Out of Network.
- Depressive was the top Mental Health diagnostic category in both total claims and paid amount.
- Assuming a High Cost Claimant threshold of \$30K, there were three HCCs (two for Alcohol, one for Opioid).
- Within Substance Use, Alcohol was 96% of Employee paid amount, Opioid was 97% of Dependent paid amount



GuidanceResources Utilization Report
 Customer Name: Maryland National Capital Park and Planning
 Reporting Period: (10/1/2016 - 12/31/2016)

	Q1		Q2		Q3		Q4		Year To Date		Last Year	
Employee Assistance Program®												
U.S. Services												
Primary Issue Presented												
Alcohol/Related	0	0%	0	0%	1	3%	5	16%	6	4%	10	6%
Anger Issues	0	0%	1	3%	0	0%	1	3%	2	1%	3	2%
Anxiety Related	3	7%	3	8%	2	6%	1	3%	9	6%	12	7%
Attention Issues	0	0%	0	0%	1	3%	0	0%	1	1%	0	0%
Bereavement	2	5%	3	8%	0	0%	1	3%	6	4%	2	1%
Depression Related	2	5%	7	18%	1	3%	3	9%	13	9%	13	8%
Employee-related Issue	0	0%	0	0%	0	0%	0	0%	0	0%	3	2%
Family/Child	1	2%	0	0%	0	0%	2	6%	3	2%	4	2%
Family/Child - Behavioral Issues	0	0%	0	0%	0	0%	1	3%	1	1%	6	3%
Family/Child - Family Issues	4	10%	5	13%	1	3%	1	3%	11	8%	15	9%
Gambling	0	0%	0	0%	0	0%	0	0%	0	0%	1	1%
Medical	0	0%	1	3%	0	0%	0	0%	1	1%	4	2%
Mood Disturbance Related	0	0%	0	0%	1	3%	0	0%	1	1%	3	2%
Occupational	5	12%	5	13%	5	15%	2	6%	17	12%	15	9%
Occupational - Attendance	5	12%	1	3%	0	0%	0	0%	6	4%	0	0%
Occupational - Interpersonal	2	5%	2	5%	1	3%	2	6%	7	5%	13	8%
Occupational - Performance	0	0%	0	0%	0	0%	0	0%	0	0%	8	5%
Partner/Relationship	5	12%	0	0%	11	33%	3	9%	19	13%	26	15%
Psychological	6	15%	6	15%	3	9%	6	19%	21	14%	17	10%
Stress	6	15%	5	13%	4	12%	2	6%	17	12%	11	6%
Substance Use Related	0	0%	0	0%	2	6%	2	6%	4	3%	5	3%
Trauma	0	0%	1	3%	0	0%	0	0%	1	1%	1	1%
Sub-Total Issues	41		40		33		32		146		172	
Consultation Type												
Face to Face	39	95%	35	88%	28	85%	24	75%	126	86%	143	83%
Phone Only	0	0%	0	0%	0	0%	1	3%	1	1%	0	0%
BehavioralExpert	0	0%	1	3%	0	0%	0	0%	1	1%	4	2%
Community Resources	0	0%	1	3%	1	3%	0	0%	2	1%	2	1%
DOT	0	0%	0	0%	0	0%	3	9%	3	2%	5	3%
Supervisor / Management Consult	2	5%	3	8%	4	12%	4	13%	13	9%	18	10%
Sub-Total - Consultations	41		40		33		32		146		172	



Financial System Replacement

History and Overview

By: Mazen Chilet

February 10, 2017

Item 5e

Agenda

- ERP Background
- ERP Definition
- Initial ERP Project Team
- ERP Components
- Enhancement Projects (Planned and Current)
- Challenges
- Define Success



Before Lawson



The Commission determined that the Performance Series (Financial) and e-Personality (HR/Payroll) solutions needed to be replaced in order to meet basic business needs. The Performance Series had become functionally obsolete and was no longer supported by the vendor because it had reached its end of life.

The e-Personality replacement decision was based on the software's inability to meet the evolving needs of the Commission's operating departments. As a result:

- Report generation and analysis were manual processes performed on spreadsheets
- Work-around processes were developed individually by each department leaving the Executive leadership with no real complete view of data

Lawson Implementation Factors



- The initial goal of the implementation was to an “apples-to-apples” replacement of the financial system.
- Analysis of financial systems led to discussion regarding the technology posture of the Commission.
- Financial system discussion evolved into ERP discussion.
- The Commission included HR in the analysis considering the discussion was now regarding an ERP solution.
- The Lawson implementation for the Commission began in July 2012 and was completed in April 2014.

What is ERP?



- **E** – enterprise
- **R** – resource
- **P** – planning

An ERP system is a group of business software applications that integrate or connect business information by managing the flow of data across an entire organization.

Three integrated changes took place in 2013 - 2014:

- Lawson ERP
- EAM
- KRONOS

ERP Senior Project Teams



The Project Executive Steering Committee:

- Project Sponsor - Secretary Treasurer (Joe Zimmerman)
- Executive Director (Patti Barney)
- Clifford Clarke (Acting CIO)
- PG Planning (Al Dobbins)
- PG Parks and Rec. (Bill Henaghan)
- MC Parks (Mike Riley)
- MC Planning (Piera Weiss)
- HR Director (Bill Spencer)

Project Manager: Chip Bennett

Functional and Change Management Lead: Abbey Rodman

Technical Lead: Joe Bistany

ERP project support teams were assigned from across the Commission's functional areas.

ERP Components



Enterprise Financial Management (EFM)

- General Ledger
- Budgeting & Planning
- Project & Activities
- Accounts Payable
- Accounts Receivable
- Billing for Project Accounting
- Asset Management
- Grant Management
- Invoice Matching

Supply Chain Management (SCM)

- Requisitions
- Requisition Center
- Purchase Order
- Inventory Control
- Contract Management
- Strategic Sourcing
- Supplier Order Management

Human Capital

Management (HCM)

- Human Resources
- Personnel Administration
- Benefits Administration
- Payroll
- Absence Management
- Employee and Manager Self Service

Implementation Schedule



- **Enterprise Financial and Supply Chain**

Management:

Planned: July 2012 – March 2013

Actual Completion Date: March 2014

- **Human Capital Management:**

Planned: July 2013 – April 2014

Actual Completion Date: May 2015

ERP Enhancements



Resource Allocation

STANDARD OPERATIONAL WORK

Daily Operational Activities

Accounting, Purchasing, Payroll, Human Resources, Budget

System Maintenance

ERP Environment Upgrades,
Landmark Upgrades,
KRONOS Service Packs / Firmware

Project Work

Tier 1 Projects

Active

Pending

- Version 10 Upgrade
- ESS Inquiry (Career) Ben Enroll (Career)
- Requisition Center Attachments (MHC)
- Kronos ERP Integration
- Personnel Action Automation
- EAM Integrations
FASTER, SmartLink, EnergyCap

Tier 2 Projects

- Discovery Session EAM / ERP EFM
- Discovery Session EAM/ERP SCM (Add'l Scope)
- AP Invoice Automation
- EAM Kronos Integration
- Managed by ERP PM
- Managed by EAM PM
- Managed by Kronos PM
- SCM Contract Management Digital Signature
- EAM EFM Integration
- Kronos Upgrade
- EAM HCM Integration
- ESS Inquiry (Seasonal) Ben Enroll (Retiree)
- SCM Sourcing
- EAM SCM Integration
- Kronos B2 Seasonals
- LBP Migration to d/EPM



EAM Kronos dependent upon Kronos ERP, Kronos upgrade and EAM HCM integration



Project Intake Process

- A project Intake process will streamline the evaluation process
- The Process will Optimize resource utilization and maximize project success
- The Process used a three step approach:
 - IDENTIFY – Evaluate – DECIDE



Microsoft
PowerPoint Presentat

Projected Enhancements



Projects to commence after the Infor V10x upgrade:

- **SCM CONTRACT MANAGEMENT**
SIMPLIFY CONTRACT CREATION AND PROCESSING BY ELIMINATING PAPER BASED CONTRACT CREATION, ROUTING AND APPROVAL PROCESS
- **SCM SOURCING**
THIS PROJECT WILL ALLOW PURCHASING TO CONSOLIDATE PURCHASING POWER ACROSS THE COMMISSION
- **LBP MIGRATION TO D/EPM**
ADDITIONAL FUNCTIONALITY TO FURTHER AUTOMATE THE BUDGET DEVELOPMENT PROCESS
- **SCM/EAM INTEGRATION**
THIS INTEGRATION WILL SEEK TO MAXIMIZE THE BENEFITS OF THE EAM AND SCM SYSTEMS BY LEVERAGING THE CAPABILITIES OF BOTH SYSTEMS.
- **HCM/EAM INTEGRATION**
THIS INTEGRATION WILL SUCCESSFULLY ADDRESS ISSUES WITH EAM BY USING DATA WITHIN THE HCM SYSTEM TO ADDRESS DEFICIENCIES.
- **KRONOS ERP INTEGRATION**
ENABLE ACTIVITY LEVEL TIME ENTRY USING KRONOS; SYNCHRONIZE ACTIVITY CODES BETWEEN INFOR AND KRONOS
- **KRONOS/EAM INTEGRATION**
THIS INTEGRATION WILL SEEK TO REDUCE CURRENT INEFFICIENCIES THAT ARE BROUGHT ABOUT BY DUPLICATE TIME ENTRY PROCEDURES FOR OPERATIONS

Version 10x Upgrade Project Overview



Business Case/Objectives	Issues/Risk	Response
<p>Support for the current version of Lawson will end in May of 2017. Infor will no longer provide software updates, fixes, however, Infor will extend support while MNCPPC completes the upgrade to V10.</p>	<ul style="list-style-type: none"> • Competing with the operations for resources time will cause missed deadline and inaccurate schedules. • RFP response due date has been extended to March 8, 2017 	<ul style="list-style-type: none"> • * Develop resourcing strategy to allow Commission operations and the ERP project activity to coexist

Resources	High Level Timeline
<p>Project Sponsor: Chip Bennett</p> <p>Project Manager: Reggie Dixon</p> <ul style="list-style-type: none"> • A complete resource requirement plan is being developed by the assigned PM 	<p>Project Start 06 / 2017</p> <p>Milestone TBD</p> <p>Go Live 01 / 2018</p>

Requisition Center Attachments (MHC)

Project Overview



Business Case	Issues/Risk	Response
<p>The objective of this project is to add document imaging capability so that each requisition can be accompanied with the appropriate supporting documentation. The result is greater efficiency in the procurement requisition approval process.</p>	<ul style="list-style-type: none"> * Risk - Test environment does not mirror production, so testing has the potential to be limited. 	<p>Issue resolved by identifying enhancement items that may not be testable in the test environment and determine significance.</p> <p>Projected was completed on time ✓✓</p>
RESOURCES		
<p>Project Manager: Reggie</p> <p>Functional Lead: Lawrence Taylor</p> <p>Additional Team:</p> <ol style="list-style-type: none"> 1. Lawrence Taylor 2. Tonya Johnson 3. Chip Bennett 4. Andy Gelfert 5. Charlotte Hammond 6. MHC / RPI consultants 7. Byron Ortiz 		<p style="text-align: right;">111</p>

Employee Self Service (ESS) & Benefits Enrollment (Career) Project Overview



Business Case/Objectives	Issues/Risk	Response
<ul style="list-style-type: none"> • ESS gives employees access to inquire on their own human resources and payroll system data • Create systematic approach to self service benefits enrollment for annual open enrollment and newly hired. 	<ul style="list-style-type: none"> • Some system messaging issues were identified and need to be corrected. • Open enrollment will go from paper based to 100% paperless 	<ul style="list-style-type: none"> • A preparation plan will be developed by the PMO • Issues to be compiled and addressed • Pre go live testing will be conducted

Personnel / Resources

High Level Timeline

<p>Project Manager: Reggie</p> <p>Functional Lead: Donna Z/Terri B</p> <p>Additional Team:</p> <ol style="list-style-type: none"> 1. Boni King 2. Tracey Harris 3. Alvin Miller 4. Chip Bennett 	
---	--

Personnel Action Automation Project Overview



Business Case	Issues/Risk	Response
<ul style="list-style-type: none"> The purpose of this project is two fold: <ul style="list-style-type: none"> ➢ Review the personnel action (PA) process from start to finish and re-engineer the process to address systemic issues that cause delay independent of a technical solution. ➢ Use Infor Process Automation (IPA) to complete the technical solution 	<ul style="list-style-type: none"> contract's process for onboarding the Sr. Business Analyst resource is completed. 	<ul style="list-style-type: none"> The Business Analyst resource began work onsite on March 20th The PMO met with the HR team of Donna Zajachowska and Terri Berry to get an initial problem definition. The project team is working on developing and validating an "as-Is" process document

Resources		High Level Timeline
<p>Project Manager: Reggie</p> <p>Functional Lead: Donna Z/Terri B</p> <p>Additional Team:</p> <ol style="list-style-type: none"> Boni King Tracey Harris Chip Bennett Alvin Miller 	<p>Project Start 04 / 2017</p> <p>Build Complete TBD</p> <p>Go Live TBD</p>	<p style="text-align: right;">113</p>

Accounts Payable Invoice Automation & Check Request Project Overview



Business Case	What is being solved?	Goals
<p>The purpose of this project is to automate the AP processing and provide electronic signature capabilities for the approval Commission invoices</p>	<ul style="list-style-type: none"> • Inefficient data capture/storage issues • Automate invoice approval • Development of the features below: <ul style="list-style-type: none"> • Electronic Signature • New Approval levels • Document Repository 	<ul style="list-style-type: none"> • Invoice data capture and loading into Lawson • Automated invoice routing and approval via workflow • Image capture and image retrieval from within Lawson
Resources		
High Level Timeline		
<p>Project Manager: Michael Wigglesworth</p> <p>Functional Lead: Barbara Walsh</p> <p>Additional Team:</p> <ol style="list-style-type: none"> 1. Sharon Jones 		

Challenges



Despite a successful implementation of the Lawson Technology in April 2014, the items listed below are challenges that must be addressed by the Commission in order to fully take advantage of technical enhancements derived from the current or future solutions.

- Commitment to project time requirements
- Process Improvements
- Capability /Competency
- Culture
- Project Staffing
- Communications

Define Success



- Provide authorized Commission users the ability to easily view and track the status of organizational transactions.
- Utilize technology to accurately manage Commission financial activities.
- Streamline and automate business processes through a series of process re-engineering exercises.
- Significantly reduce redundant data entry.
- Make critical management reports are easily available.
- Integrate Enterprise Applications with the ERP.



Financial System Replacement

History and overview

Thank You

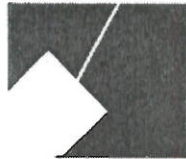


THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
EMPLOYEE PERFORMANCE EVALUATIONS NOT COMPLETED BY DUE DATE
BY DEPARTMENT AS OF March 2017

	31 - 60 DAYS	61 - 90 DAYS	91 + DAYS	DEPARTMENT TOTALS	
	02/16	03/17	02/17	02/16	03/17
CHAIRMAN, MONTGOMERY COUNTY	0	0	0	0	1
CHAIRMAN, PRINCE GEORGE'S COUNTY	0	0	0	0	0
OFFICE OF CIO	0	0	0	0	0
INTERNAL AUDIT	0	0	0	0	0
EXECUTIVE COMMITTEE/CHAIRS	0	0	0	0	0
DEPT. OF HUMAN RESOURCES & MGT.	3	0	0	3	0
LEGAL DEPARTMENT	1	1	0	2	1
FINANCE DEPARTMENT	1	1	2	2	3
PRINCE GEORGE'S PLANNING	4	2	1	5	5
PRINCE GEORGE'S PARKS & RECREATION	3	2	2	5	4
MONTGOMERY COUNTY PARKS	2	1	1	3	2
MONTGOMERY COUNTY PLANNING	3	2	1	4	4
DEPARTMENT TOTAL BY DAYS LATE	17	9	6	11	1
				COMMISSION WIDE TOTAL:	23
				COMMISSION WIDE TOTAL:	21

Item 6a

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

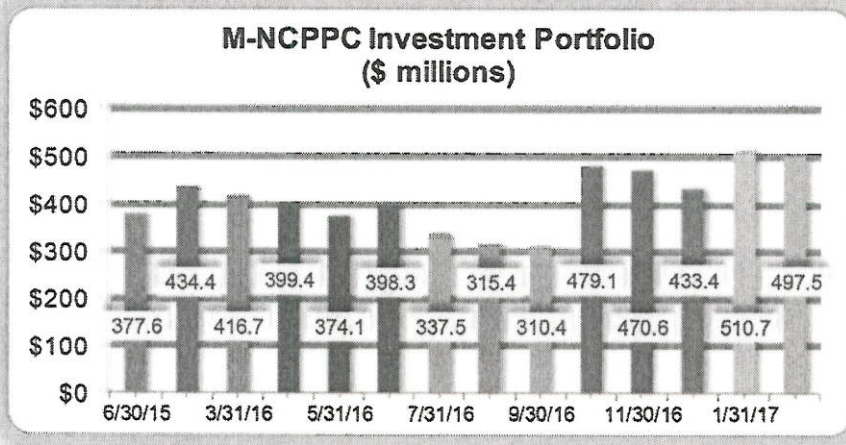


THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
TREASURY OPERATIONS, FINANCE DEPARTMENT
 6611 Kenilworth Avenue, Suite 302, Riverdale, MD 20737
 Telephone (301) 454-1541 / Fax (301) 209-0413

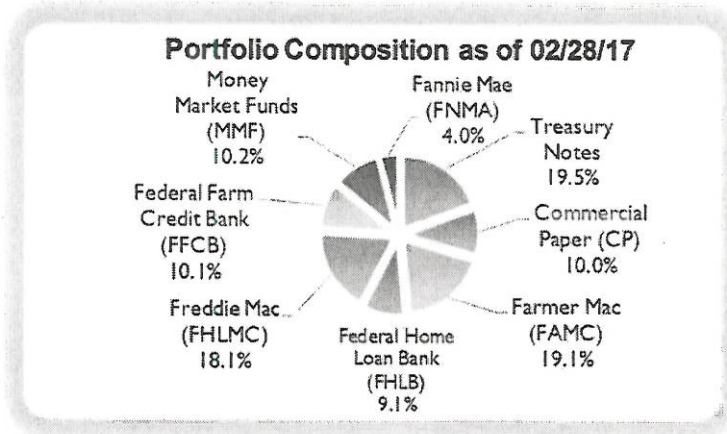
MEMO

TO: Commissioners
VIA: Joseph Zimmerman, Secretary-Treasurer
FROM: Abbey Rodman, Investment & Treasury Operations Manager *[Signature]*
DATE: 3/10/2017
SUBJECT: Investment Report – February 2017

The Commission’s pooled cash investment portfolio totaled \$497.5 million as of February 28, 2017, with a 2.6% decrease from January 31, 2017. Details are as follows:

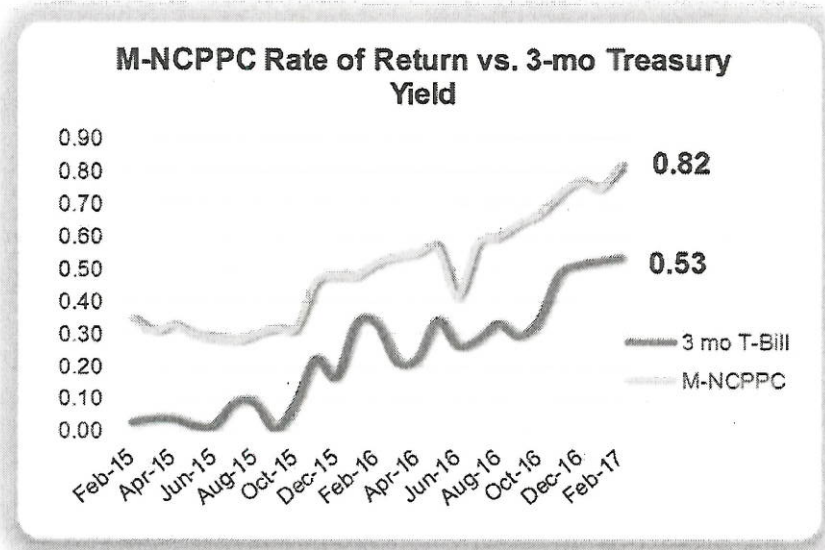


The composition of the pooled cash portfolio as of February 28, 2017 is summarized below:

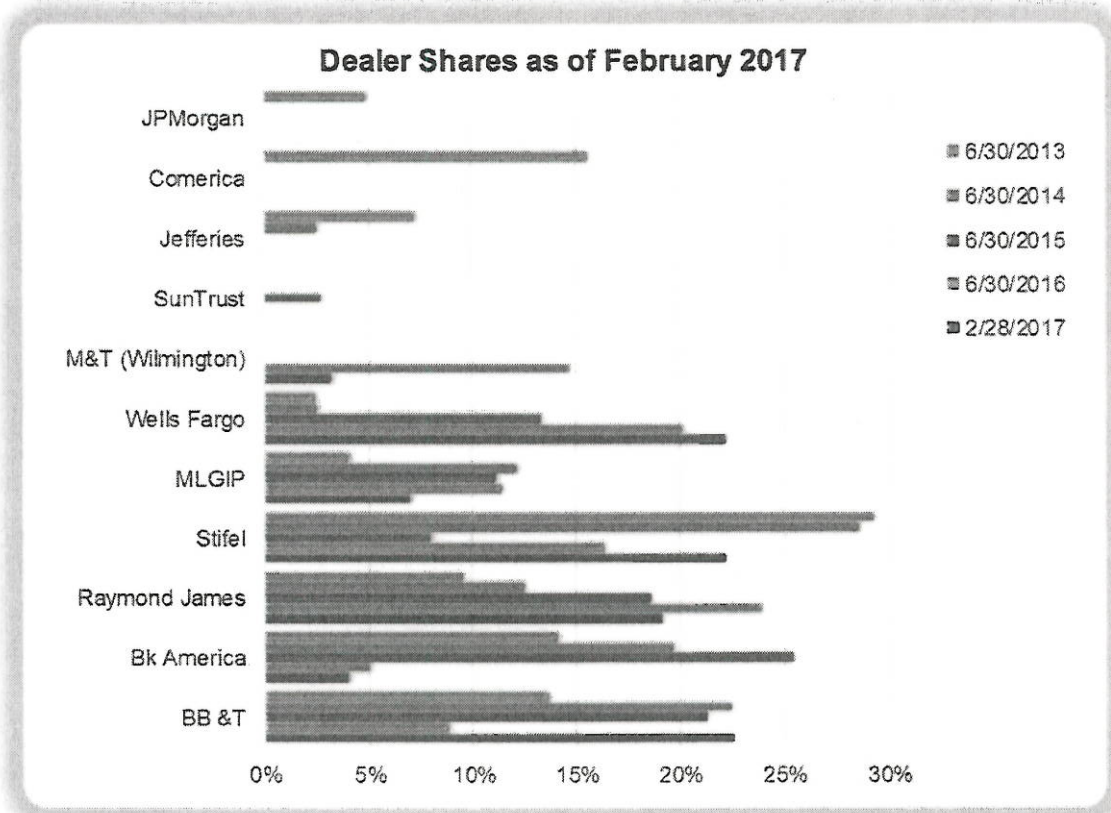


Current Investment Portfolio - February 2017				
Instrument	Policy		Par Value	Wtd. Avg. Return (B/E)
	Limit	Actual		
Treasury Notes	100%	20%	\$ 97,000,000	0.72%
Farmer Mac	20%	19%	95,000,000	0.66%
Freddie Mac	20%	18%	90,000,000	0.89%
Money Funds	25%	10%	50,543,064	n/a
Federal Farm Credit Bureau	20%	10%	50,000,000	0.71%
Commercial Paper	10%	10%	50,000,000	1.33%
Federal Home Loan Banks	20%	9%	45,000,000	0.90%
Fannie Mae	20%	4%	20,000,000	0.65%
Certificates of Deposit	50%	0%	-	
Bankers Acceptances	50%	0%	-	
Repurchase Agreements	60%	0%	-	
			\$ 497,543,064	0.85%

The pooled cash portfolio complied with all policy limits with regard to product types and proportions throughout the month.



In addition to the product limits, portfolio purchases also adhered to the 30% limit per dealer. Dealer participation is shown below:



The market values of unspent debt balances (invested by T. Rowe Price) were as follows:

Market Value- 02/28/17	
Montgomery County (MC-2016A)	\$ 3,632,795
Prince George's County (PGC-2015A)	-
Prince George's County (PGC-2014A)	-
\$	<u>3,632,795</u>

The Commission had no debt service payments during the month.

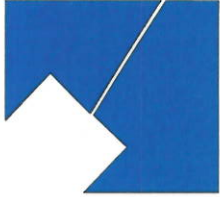
Details by issue of debt outstanding as of February 28, 2017 appear below:

Debt Balances - February 2017					
	Initial Par	Amount Outstanding	% Outstanding	Issue Date	Maturity Date
Bi-County					
Total Bi-County	\$ -	\$ -	0%		
Prince George's County					
KK-2 (Refunded AA-2)	17,300,000	3,683,126	21%	Apr-08	May-18
NN-2 (Refunded Z-2)	14,080,000	6,865,000	49%	Mar-10	May-21
PGC-2012A (Refunded P-2, M-2, EE-2)	11,420,000	6,135,000	54%	Jun-12	Jun-24
PGC-2014A	26,565,000	23,385,000	88%	May-14	Jan-34
PGC-2015A (Refunded JJ-2)*	24,820,000	24,220,000	98%	Oct-15	Jan-25
Total Prince George's County	\$ 94,185,000	\$ 64,288,126	68%		
Montgomery County					
LL-2	8,405,000	2,625,000	31%	May-09	Nov-20
MM-2	5,250,000	735,000	14%	Nov-16	Nov-19
MC-2012A (Refunded CC-2, FF-2)	12,505,000	10,045,000	80%	Apr-12	Dec-32
MC-2012B	3,000,000	2,505,000	84%	Apr-12	Dec-32
MC-2014A	14,000,000	12,495,000	89%	Jun-14	Jun-34
MC-2016A	12,000,000	11,580,000	97%	Apr-16	Nov-35
MC-2016B (Refunded FF-2, II-2, MM-2)	6,120,000	6,120,000	100%	Apr-16	Nov-28
MC-2016C (Refunded FF-2 ALA of 2004)	1,075,000	1,020,000	95%	Apr-16	Nov-24
Total Montgomery County	\$ 62,355,000	\$ 47,125,000	76%		
Total	\$ 156,540,000	\$ 111,413,126	71%		

ATTACHMENT A

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
 REPORT ON COMPLIANCE TO INVESTMENT POLICY Approved March 21, 2012
 FISCAL YEAR 2017 - February 28, 2017



OBJECTIVES			Met Objective	Within Limits	Comments
Protection of principal			Yes		
Limiting types and amounts of securities	Limit			Yes	
US Government	100%				All securities purchases were within the limits established by the Investment Policy at the time of purchase of the investments. This monthly report is prepared for the Secretary-Treasurer to demonstrate compliance with investment policy objectives and limitations.
US Federal Agencies - combined	60%				
US Federal Agencies - each	20%				
Repurchase Agreements	60%				
CD's and Time Deposits	50%				
Commercial Paper	10%				
Money Market Mutual Funds	25%				
MD Local Gov't Investment Pool	25%				
Investing Bond Proceeds:					
State and local agency securities	100%				
Money Market Mutual Funds	10%				
Bond Proceeds:					Yes T. Rowe Price managed all funds within limits
Highly-rated state / local agency securities					
Highly-rated money market mutual funds (Max. 10% in lower-rated funds)					
Pre-qualify financial institutions, broker/dealers, intermediaries and advisers				Yes	All firms must meet defined capital levels and be approved by the Secretary-Treasurer
Ensure competition among participants	30%			Yes	No dealer share exceeded 30%
Competitive Bidding				Yes	All purchases awarded competitively.
Diversification of Maturities					All maturities within limits
Majority of investments shall be a maximum maturity of one (1) year. A portion may be as long as two years.				Yes	
Require third-party collateral and safekeeping, and delivery-versus-payment settlement				Yes	M&T Investments serves as custodian, monitoring compliance daily
Maintain sufficient liquidity			Yes		Sufficient funds available for all cash requirements during period
Attain a market rate of return			Yes		Exceeded by 29 basis points.
	The pro-rated rates of return for the portfolio and T-bills were 0.82% and 0.53%, respectively.				



The Maryland-National Capital Park & Planning Commission
Department of Finance - Purchasing Division

6611 Kenilworth Avenue, Suite 300 • Riverdale, Maryland 20737 • 301-454-1600 Fax: 301-454-1606

March 3, 2016

TO: Commissioners
VIA: Patricia C. Barney, Executive Director 
FROM: Joseph C. Zimmerman, Secretary/Treasurer 
SUBJECT: MFD Purchasing Statistics— First Quarter FY17

The Commission's procurement policy (Practice 4-10, Purchasing) includes an anti-discrimination component which assures that fair and equitable vendor opportunities are made available to minority, female or disabled owned firms (MFDs). This program is administered jointly by the Office of the Executive Director and the Purchasing Division and includes a price preference program and an MFD subcontracting component based on the Commission procurement practices and the available MFD vendors in the marketplace. The price preference program has been suspended until a MFD study is conducted to provide evidence that the price preference is/is not needed. This report is provided for your information and may be found on the Commission's intranet.

Some of the observations of this FY17 report include:

- Attachment A indicates that through the first quarter of FY17, the Commission procured approximately \$23 million in goods, professional services, construction and miscellaneous services. Approximately 22.1% or \$5 million was spent with minority, female and disabled (MFD) owned firms.
- Attachment B indicates that in the first quarter MFD utilization was 22.1%.
- Attachment C represents the MFD participation by type of procurement. The MFD participation for construction through the first quarter of FY17 was 30%. Attachment C also indicates that the largest consumers of goods and services in the Commission are the Prince George's County Department of Parks and Recreation and the Montgomery County Department of Parks. These programs significantly impact the Commission's utilization of MFD firms. The MFD cumulative utilization numbers for these departments through the first quarter are 35.7% and 12.3%, respectively.
- Attachment D presents the FY17 activity for the Purchase Card program totaling approximately \$3.3 million of which 4.7% was spent with minority, female and disabled (MFD) firms. The amount of procurement card activity represents approximately 14.3% of the Commission's total procurement dollars. One reason for lower MFD participation

on the purchase card is that the cards are used with national retail corporations when a quick purchase for a maintenance job is needed. The purchase cards are also used for training registration in order to guarantee attendance.

- Attachment E portrays the historic MFD participation rates, and the total procurement from FY 1991 to first quarter FY17.
- Attachments F & G shows the MFD participation in procurements at various bid levels to determine if MFD vendors are successful in obtaining opportunities in procurements that require informal bidding and formal bidding. Based on the department analysis, MFD vendors do appear to be participating, at an overall rate of 17.5% in informal (under \$30,000) and 25% in the formal (over \$30,000) procurements. For transactions under \$10k, MFD participation is 15%. MFD vendors are participating at an overall rate of 19.8% in transactions over \$250,000.
- Attachment H presents the total amount of procurements and the number of vendors by location. Of the \$23 million in total procurement, \$14.2 million was procured from Maryland vendors. Of the \$5 million in procurement from MFD vendors, \$4.4 million was procured from MFD vendors located in Maryland.
- Attachment I compares the utilization of MFD vendors by the Commission with the availability of MFD vendors. The results show under-utilization in the following categories: African American, Asian, Native American and Females. The amount and percentage of procurement from MFD vendors is broken out by categories as defined by the Commission's Anti-Discrimination Policy. The availability percentages are taken from the most recent State of Maryland disparity study dated July 5, 2013.
- Attachments J and K are prepared by the Department of Human Resources and Management and show the amount and number of waivers of the procurement policy by department and by reason for waiver. Total waivers were approximately 2.8% of total procurement.

For further information on the MFD report, please contact the Office of Executive Director at (301) 454-1740.

Attachments

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MFD PROCUREMENT STATISTICS
FY 2017
FOR THREE MONTHS ENDED SEPTEMBER 30, 2016

Attachment A

	<u>Procurement</u>		<u>Waivers</u>		<u>Procurement</u>	
	<u>Total \$</u>		<u>Total \$</u>	<u>Total #</u>	<u>MFD \$</u>	<u>%</u>
<u>Prince George's County</u>						
Commissioners' Office	\$ 14,539	\$	-	-	\$ 2,305	15.9%
Planning Department	502,092		-	-	312,686	62.3%
Parks and Recreation Department	14,040,881		501,720	5	3,979,616	28.3%
Total	<u>14,557,512</u>		<u>501,720</u>	<u>5</u>	<u>4,294,607</u>	<u>29.5%</u>
<u>Montgomery County</u>						
Commissioners' Office	8,268		-	-	-	0.0%
Planning Department	354,710		140,700	1	1,900	0.5%
Parks Department	7,934,682		14,800	2	789,915	10.0%
Total	<u>8,297,660</u>		<u>155,500</u>	<u>3</u>	<u>791,815</u>	<u>9.5%</u>
<u>Central Administrative Services</u>						
Dept. of Human Resources and Mgt.	193,691		-	-	31,726	16.4%
Finance Department	73,710		-	-	25,032	34.0%
Legal Department	31,045		-	-	-	0.0%
Merit Board	-		-	-	-	0.0%
Office of Chief Information Officer	82,740		-	-	435	0.0%
Office of Internal Auditor	8,248		-	-	177	2.1%
Total	<u>389,434</u>		<u>-</u>	<u>-</u>	<u>57,370</u>	<u>14.7%</u>
Grand Total	<u>\$ 23,244,606</u>	<u>\$</u>	<u>657,220</u>	<u>8</u>	<u>\$ 5,143,792</u>	<u>22.1%</u>

Note: The "Waivers" columns report the amount and number of purchases approved to be exempt from the competitive procurement process, including sole source procurements.

Prepared by Finance Department
February 8, 2017

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MFD PROCUREMENT STATISTICS

FY 2017

MFD STATISTICS - CUMULATIVE AND ACTIVITY BY QUARTER

Attachment B

CUMULATIVE BY QUARTER

	SEPTEMBER	DECEMBER	MARCH	JUNE
<u>Prince George's County</u>				
Commissioners' Office	15.9%			
Planning Department	62.3%			
Parks and Recreation Department	28.3%			
Total	<u>29.5%</u>			
<u>Montgomery County</u>				
Commissioners' Office	0.0%			
Planning Department	0.5%			
Parks Department	10.0%			
Total	<u>9.5%</u>			
<u>Central Administrative Services</u>				
Dept. of Human Resources and Mgt.	16.4%			
Finance Department	34.0%			
Legal Department	0.0%			
Merit Board	0.0%			
Office of Chief Information Officer	0.0%			
Office of Internal Auditor	2.1%			
Total	<u>14.7%</u>			
Grand Total	<u><u>22.1%</u></u>			

ACTIVITY BY QUARTER

	FIRST QUARTER	SECOND QUARTER	THIRD QUARTER	FOURTH QUARTER	TOTAL
<u>Prince George's County</u>					
Commissioners' Office	15.9%				15.9%
Planning Department	62.3%				62.3%
Parks and Recreation Department	28.3%				28.3%
Total	<u>29.5%</u>				<u>29.5%</u>
<u>Montgomery County</u>					
Commissioners' Office	0.0%				0.0%
Planning Department	0.5%				0.5%
Parks Department	10.0%				10.0%
Total	<u>9.5%</u>				<u>9.5%</u>
<u>Central Administrative Services</u>					
Dept. of Human Resources and Mgt.	16.4%				16.4%
Finance Department	34.0%				34.0%
Legal Department	0.0%				0.0%
Merit Board	0.0%				0.0%
Office of Chief Information Officer	0.0%				0.0%
Office of Internal Auditor	2.1%				2.1%
Total	<u>14.7%</u>				<u>14.7%</u>
Grand Total	<u><u>22.1%</u></u>				<u><u>22.1%</u></u>

Prepared by Finance Department
February 8, 2017

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MFD PROCUREMENT STATISTICS
BY MAJOR PROCUREMENT CATEGORY
FY 2017

FOR THREE MONTHS ENDED SEPTEMBER 30, 2016

ATTACHMENT C

	Grand Total	Montgomery Planning	Montgomery Parks	Pr. Geo. Parks & Recreation	Pr. Geo. Planning	Dept. of Human Res. & Mgt.	Legal Department	Finance Department
Goods:								
Total \$	\$ 7,859,463	\$ 41,872	\$ 3,906,200	\$ 3,502,292	\$ 326,329	\$ 37,302	\$ 1,614	\$ 43,854
MFD \$	\$ 911,732	\$ 0	\$ 190,777	\$ 394,326	\$ 279,526	\$ 22,071	\$ 0	\$ 25,032
Percentage	11.6%	0.0%	4.9%	11.3%	85.7%	59.2%	0.0%	57.1%
Miscellaneous Services:								
Total \$	\$ 3,093,724	\$ 294,550	\$ 729,953	\$ 1,781,642	\$ 165,006	\$ 68,364	\$ 28,853	\$ 25,356
MFD \$	\$ 635,744	\$ 0	\$ 191,038	\$ 411,891	\$ 23,160	\$ 9,655	\$ 0	\$ 0
Percentage	20.5%	0.0%	26.2%	23.1%	14.0%	14.1%	0.0%	0.0%
Professional Services:								
Total \$	\$ 1,924,984	\$ 0	\$ 878,141	\$ 962,315	\$ 10,000	\$ 69,450	\$ 578	\$ 4,500
MFD \$	\$ 513,175	\$ 0	\$ 111,300	\$ 391,875	\$ 10,000	\$ 0	\$ 0	\$ 0
Percentage	26.7%	0.0%	12.7%	40.7%	100.0%	0.0%	0.0%	0.0%
Construction:								
Total \$	\$ 10,252,640	\$ 18,288	\$ 2,420,388	\$ 7,794,632	\$ 757	\$ 18,575	\$ 0	\$ 0
MFD \$	\$ 3,080,224	\$ 1,900	\$ 296,800	\$ 2,781,524	\$ 0	\$ 0	\$ 0	\$ 0
Percentage	30.0%	10.4%	12.3%	35.7%	0.0%	0.0%	0.0%	0.0%
SUBTOTAL								
Total \$	\$ 23,130,811	\$ 354,710	\$ 7,934,682	\$ 14,040,881	\$ 502,092	\$ 193,691	\$ 31,045	\$ 73,710
MFD \$	\$ 5,140,875	\$ 1,900	\$ 789,915	\$ 3,979,616	\$ 312,686	\$ 31,726	\$ 0	\$ 25,032
Percentage	22.2%	0.5%	10.0%	28.3%	62.3%	16.4%	0.0%	34.0%
Pr. Geo. Commissioners' Office								
Total \$	\$ 14,539							
MFD \$	\$ 2,305							
Percentage	15.9%							
Mont. Commissioners' Office								
Total \$	\$ 8,268							
MFD \$	\$ 0							
Percentage	0.0%							
Merit Board								
Total \$	\$ 0							
MFD \$	\$ 0							
Percentage	0.0%							
Office of Chief Information Officer								
Total \$	\$ 82,740							
MFD \$	\$ 435							
Percentage	0.0%							
Office of Internal Auditor								
Total \$	\$ 8,248							
MFD \$	\$ 177							
Percentage	2.1%							
GRAND TOTAL \$	\$ 23,244,606							
MFD \$	\$ 5,143,792							
Percentage	22.1%							

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MFD PROCUREMENT STATISTICS
Comparison of MFD % for Total Procurement and Purchase Card Procurement
FY 2017
FOR THREE MONTHS ENDED SEPTEMBER 30, 2016

Attachment D

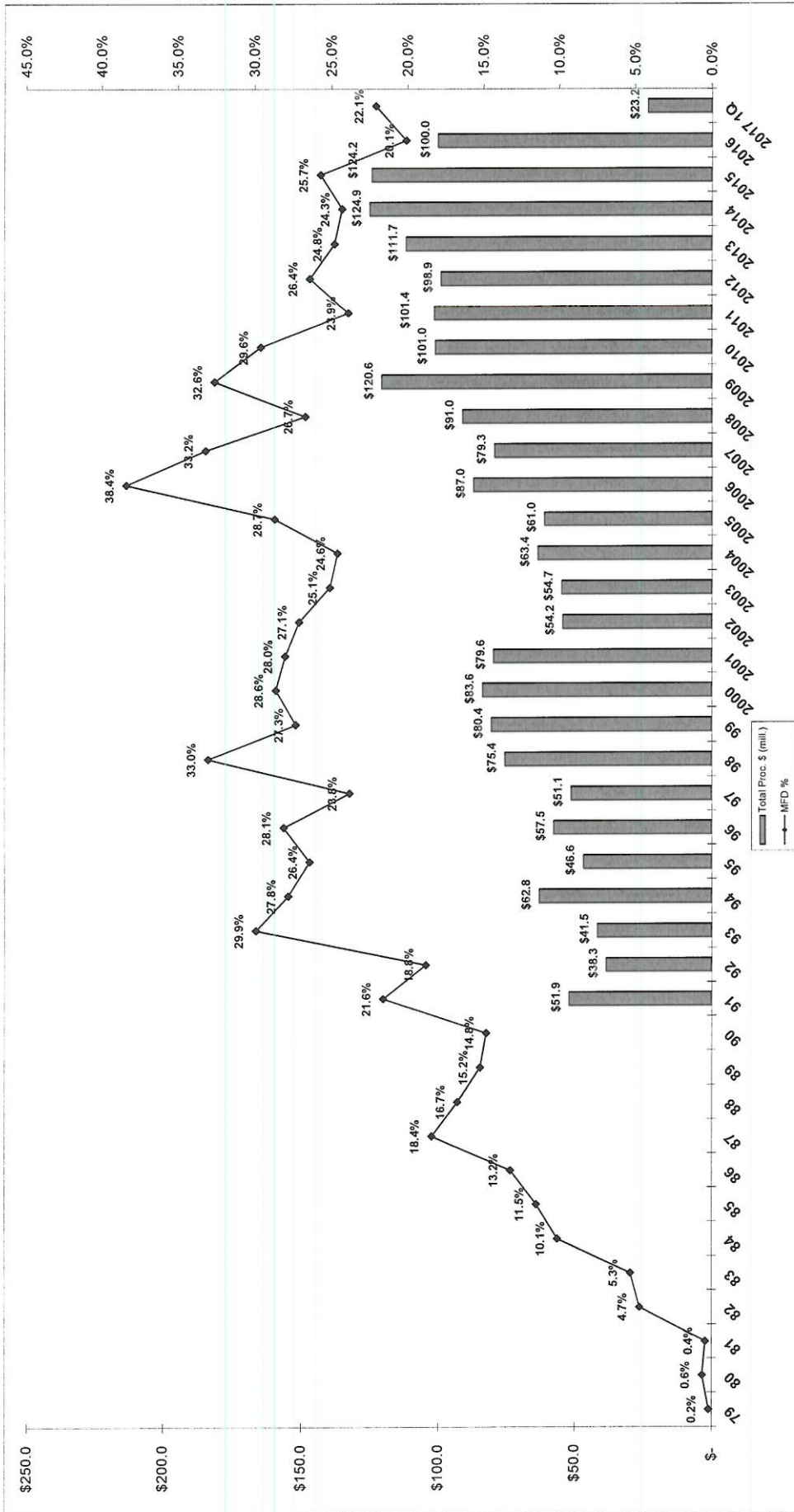
	Total Procurement		Purchase Card Procurement	
	Total \$	MFD %	Total \$	MFD %
<u>Prince George's County</u>				
Commissioners' Office	\$ 14,539	15.9%	\$ 9,536	21.8%
Planning Department	502,092	62.3%	23,436	0.0%
Parks and Recreation Department	14,040,881	28.3%	1,897,406	4.8%
Total	<u>14,557,512</u>	<u>29.5%</u>	<u>1,930,378</u>	<u>4.8%</u>
<u>Montgomery County</u>				
Commissioners' Office	8,268	0.0%	1,694	0.0%
Planning Department	354,710	0.5%	66,317	0.0%
Parks Department	7,934,682	10.0%	1,296,189	4.7%
Total	<u>8,297,660</u>	<u>9.5%</u>	<u>1,364,200</u>	<u>4.5%</u>
<u>Central Administrative Services</u>				
Dept. of Human Resources and Mgt.	193,691	16.4%	7,532	-0.3%
Finance Department	73,710	34.0%	22,841	16.4%
Legal Department	31,045	0.0%	1,092	0.0%
Merit Board	-	0.0%	-	0.0%
Office of Chief Information Officer	82,740	0.0%	4,211	10.3%
Office of Internal Auditor	8,248	2.1%	1,335	13.3%
Total	<u>389,434</u>	<u>14.7%</u>	<u>37,011</u>	<u>11.7%</u>
Grand Total	<u>\$ 23,244,606</u>	<u>22.1%</u>	<u>\$ 3,331,589</u>	<u>4.7%</u>

Percentage of Purchase Card Procurement to Total Procurement **14.3%**

Prepared by Finance Department
February 8, 2017

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MFD PROCUREMENT RESULTS and TOTAL PROCUREMENT (millions)

Attachment E

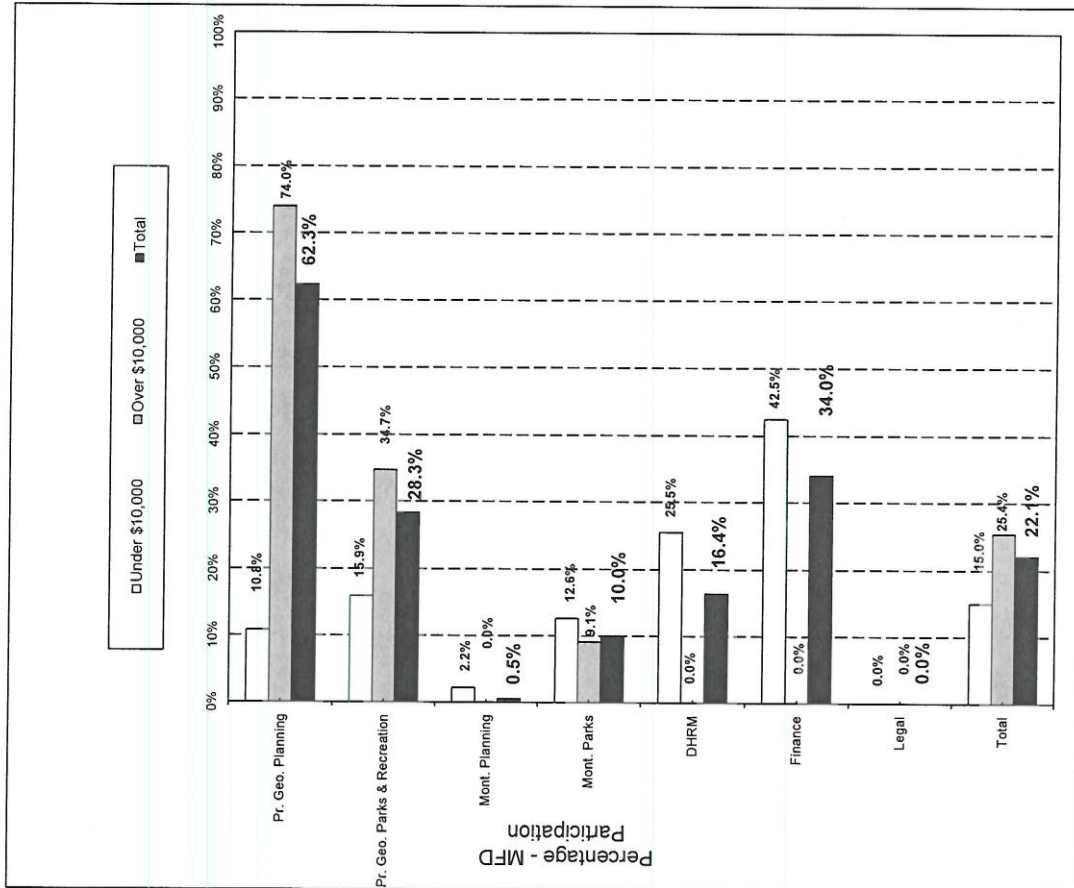


Prepared by Finance Department
February 8, 2017

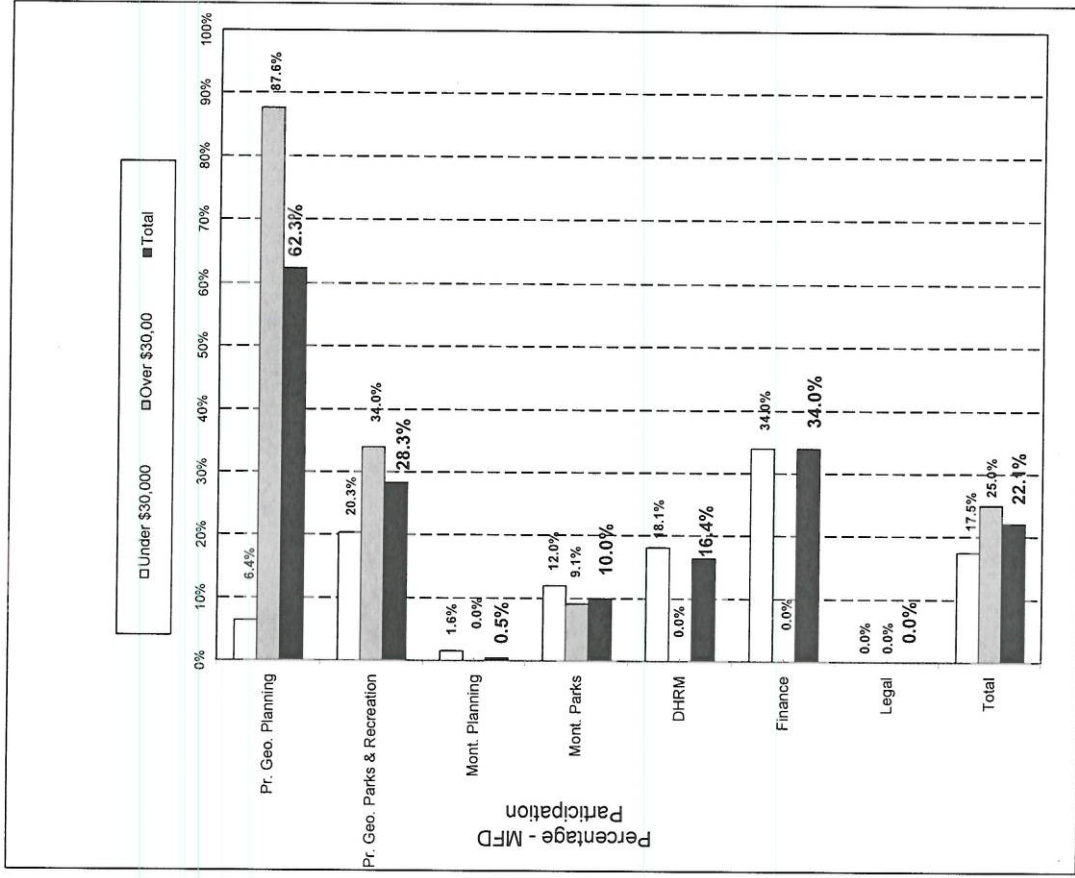
The Maryland-National Capital Park and Planning Commission

MFD Procurement Statistics - Transactions Under/Over \$10,000 & \$30,000 plus Total %
FY 2017 1Q

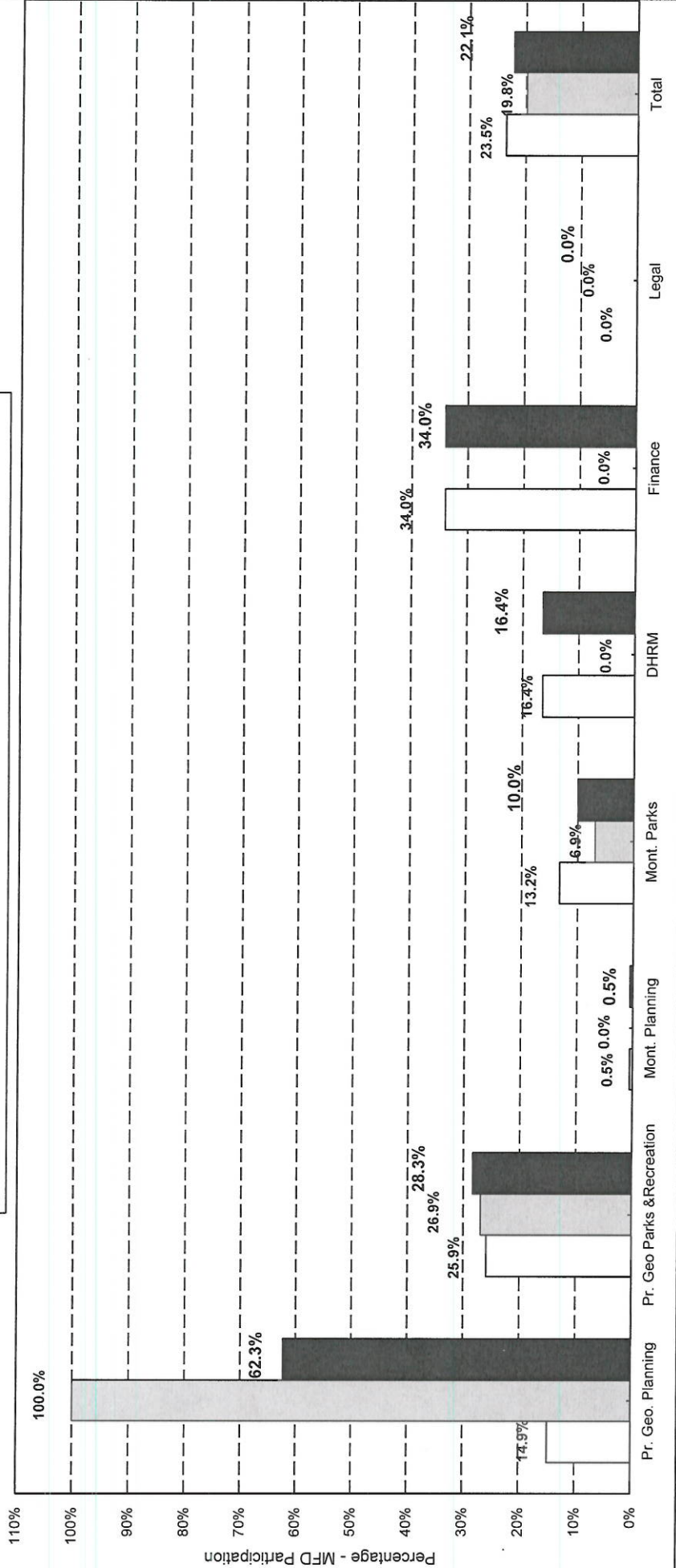
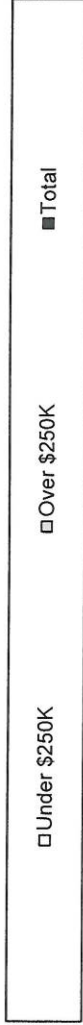
Under/Over \$10,000



Under/Over \$30,000



The Maryland-National Capital Park and Planning Commission
 MFD Procurement Statistics - Transactions Under /Over \$250,000 and Total %
 FY 2017 1Q



Prepared by Finance Department
 February 8, 2017

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Amount of Procurement and Number of Vendors by Location
FY 2017
FOR THREE MONTHS ENDED SEPTEMBER 30, 2016

Attachment H

TOTAL of ALL VENDORS

<u>Location</u>	<u>Procurement</u>		<u>Number of Vendors</u>	
	<u>Amount</u>	<u>Percentage</u>	<u>Number</u>	<u>Percentage</u>
Montgomery County	\$ 2,673,002	11.6%	139	17.0%
Prince George's County	4,285,140	18.7%	254	30.9%
Subtotal	6,958,142	30.3%	393	47.9%
Maryland - other locations	7,244,776	31.6%	152	18.5%
Total Maryland	14,202,918	61.9%	545	66.4%
District of Columbia	289,635	1.3%	44	5.4%
Virginia	672,647	2.9%	69	8.4%
Other Locations	7,779,406	33.9%	162	19.8%
Total	\$ 22,944,606	100.0%	820	100.0%

TOTAL of Non-MFD Vendors

<u>Location</u>	<u>Procurement</u>		<u>Number of Vendors</u>	
	<u>Amount</u>	<u>Percentage</u>	<u>Number</u>	<u>Percentage</u>
Montgomery County	\$ 1,043,848	5.9%	91	15.2%
Prince George's County	2,701,909	15.2%	161	27.0%
Subtotal	3,745,757	21.1%	252	42.2%
Maryland - other locations	6,035,174	33.9%	124	20.8%
Total Maryland	9,780,931	55.0%	376	63.0%
District of Columbia	240,400	1.4%	24	4.0%
Virginia	555,477	3.1%	51	8.5%
Other Locations	7,224,006	40.5%	146	24.5%
Total	\$ 17,800,814	100.0%	597	100.0%

TOTAL of MFD Vendors

<u>Location</u>	<u>Procurement</u>		<u>Number of Vendors</u>	
	<u>Amount</u>	<u>Percentage</u>	<u>Number</u>	<u>Percentage</u>
Montgomery County	\$ 1,629,154	31.7%	48	21.5%
Prince George's County	1,583,231	30.8%	93	41.6%
Subtotal	3,212,385	62.5%	141	63.1%
Maryland - other locations	1,209,602	23.5%	28	12.6%
Total Maryland	4,421,987	86.0%	169	75.7%
District of Columbia	49,235	1.0%	20	9.0%
Virginia	117,170	2.3%	18	8.1%
Other Locations	555,400	10.7%	16	7.2%
Total	\$ 5,143,792	100.0%	223	100.0%

Note: The following shows the amounts and percentages of procurement by the location of the department. The bi-county departments' activity is divided equally between the two Counties.

	<u>Total Procurement</u>		<u>MFD Procurement</u>	
	<u>Amount</u>	<u>Percentage</u>	<u>Amount</u>	<u>Percentage</u>
Prince George's County	\$ 14,752,229	63.5%	\$ 4,323,292	84.0%
Montgomery County	8,492,377	36.5%	820,500	16.0%
Total	\$ 23,244,606	100.0%	\$ 5,143,792	100.0%

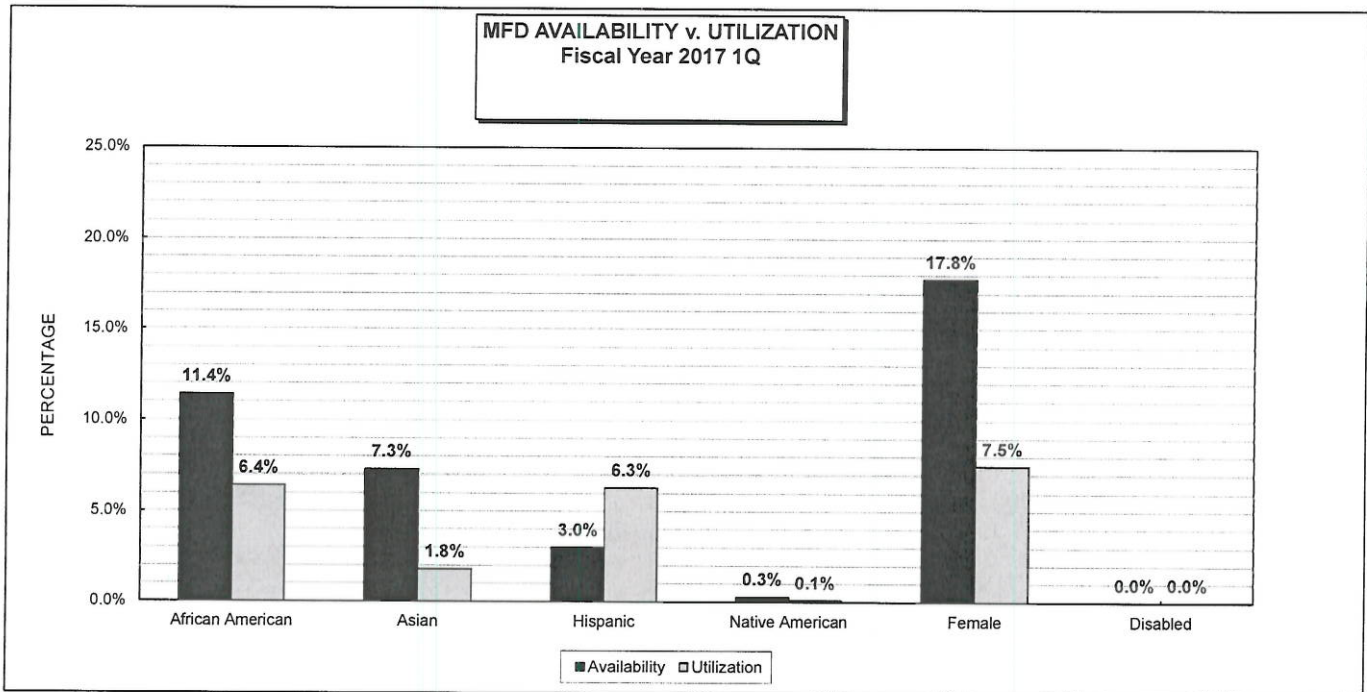
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
MFD PROCUREMENT RESULTS
FY 2017
FOR THREE MONTHS ENDED SEPTEMBER 30, 2016

Attachment I

Total Amount of Procurement \$ 23,244,606

Amount, Percentage of Procurement by Category, and
 Percentage of Availability by Category:

	Procurement		Availability
	Amount	%	%
Minority Owned Firms			
African American	\$ 1,479,287	6.4%	11.4%
Asian	422,412	1.8%	7.3%
Hispanic	1,456,237	6.3%	3.0%
Native American	22,599	0.1%	0.3%
Total Minority Owned Firms	3,380,535	14.6%	22.0%
Female Owned Firms	1,754,415	7.5%	17.8%
Disabled Owned Firms	8,842	0.0%	n/a
Total Minority, Female, and Disabled Owned Firms	\$ 5,143,792	22.1%	39.8%



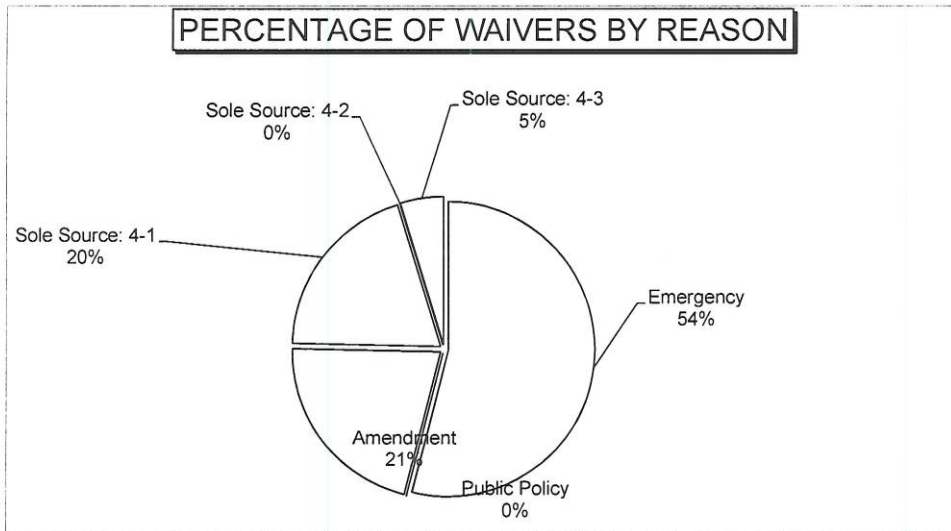
Note: (1) Availability percentages are taken from State of Maryland study titled "Disadvantaged Business Enterprise Disparity Study: Volume 1", dated July 5, 2013, table 2.23 on page 84.
 (2) n/a = not available

Prepared by Finance Department
 February 8, 2017

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
REASONS FOR WAIVERS
CUMULATIVE DOLLAR AMOUNT & NUMBER OF WAIVERS
FY 2017
FOR THREE MONTHS ENDED SEPTEMBER 30, 2016

Attachment J

	NUMBER	AMOUNT	PERCENTAGE
Emergency	3	\$ 354,360	54%
Public Policy	0	-	0%
Amendment	2	\$ 140,700	21%
Sole Source: 4-1	2	\$ 131,150	20%
Sole Source: 4-2	0	-	0%
Sole Source: 4-3	1	\$ 31,010	5%
Total	8	\$ 657,220	100%



Waiver Reason Definitions:

Emergency:

Sudden and unforeseeable circumstance have arisen which actually or imminently threaten the continuance of an essential operation of the Commission or which threaten public health, welfare or safety such that there is not enough time to conduct the competitive bidding.

Required by Law or Grant:

Public law or the terms of a donation/grant require that the above noted vendor be chosen.

Amendment:

A contract is already in place and it is appropriate for the above noted vendor to provide additional services and/or goods not within the original scope of the contract because the interested service and/or goods are uniquely compatible with the Commission's existing systems and patently superior in quality and/or capability than what can be gained through an open bidding process.

Sole Source 4:

It has been determined that:

- #1: The vendor's knowledge and experience with the Commission's existing equipment and/or systems offer a greater advantage in quality and/or cost to the Commission than the cost savings possible through competitive bidding, or
- #2: The interested services or goods need to remain confidential to protect the Commission's security, court proceedings and/or contractual commitments, or
- #3: The services or goods have no comparable and the above noted vendor is the only distributor for the interested manufacturer or there is otherwise only one source available for the sought after services or goods, e.g. software maintenance, copyrighted materials, or otherwise legally protected goods or services.

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
TOTAL WAIVERS, MFD WAIVERS, AND SOLE SOURCE WAIVERS BY DEPARTMENT
PROCESSED FY 2017
FOR THE THREE MONTHS ENDED SEPTEMBER 30, 2016

Attachment K

	Total Waivers	% of MFD	Sole Source 4-1	Sole Source 4-2	Sole Source 4-3	% Sole Source
	Number	%	Number	Number	Number	%
	\$	\$	\$	\$	\$	
Prince George's County						
Commissioners' Office	0	0.0%	0	0	0	0.0%
Planning Department	0	0.0%	0	0	0	0.0%
Parks and Recreation Department	501,720	0.0%	131,150	-	31,010	32.3%
Total	501,720	0.0%	131,150	0	31,010	32.3%
Montgomery County						
Commissioners' Office	0	0.0%	0	0	0	0.0%
Planning Department	140,700	0.0%	0	0	0	0.0%
Parks Department	14,800	0.0%	0	0	0	0.0%
Total	155,500	0.0%	0	0	0	0.0%
Central Administrative Services						
Dept. of Human Resources and Mgt.	0	0.0%	0	0	0	0.0%
Finance Department	0	0.0%	0	0	0	0.0%
Legal Department	0	0.0%	0	0	0	0.0%
Merit Board	0	0.0%	0	0	0	0.0%
Total	0	0.0%	0	0	0	0.0%
Grand Total	657,220	0.0%	131,150	0	31,010	24.7%

Purpose of Summary of Waiver Report:

- (1) To monitor the amount, number, reasons for waivers in order to ensure the Commission is encouraging and maintaining good community, public, vendor, and interdepartmental relations;
To ensure fair and equitable treatment of all persons who deal in purchasing matters; to promote economy in Commission purchasing; and to ensure that minority owned firms receive a fair share of Commission awards (source: Practice 4-10); and
- (2) To comply with the Prince George's Planning Board directive of January 29, 1991 to report waiver activity to the Department Heads and the Planning Boards on a quarterly basis.

Sole Source: 4

It has been determined that:

- 4-1: The vendor's knowledge and experience with the Commission's existing equipment and/or systems offer a greater advantage in quality and/or cost to the Commission than the cost savings possible through competitive bidding, or
- 4-2: The interested services or goods need to remain confidential to protect the Commission's security, court proceedings and/or contractual commitments, or
- 4-3: The services or goods have no comparable and the above noted vendor is the only distributor for the interested manufacturer or there is otherwise only one source available for the sought after services or goods, e.g. software maintenance, copyrighted materials, or otherwise legally protected goods or services.



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

Reply To

April 6, 2017

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 April, 2017

Please find the attached litigation report we have prepared for your meeting scheduled on Wednesday, April 19, 2017. 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.

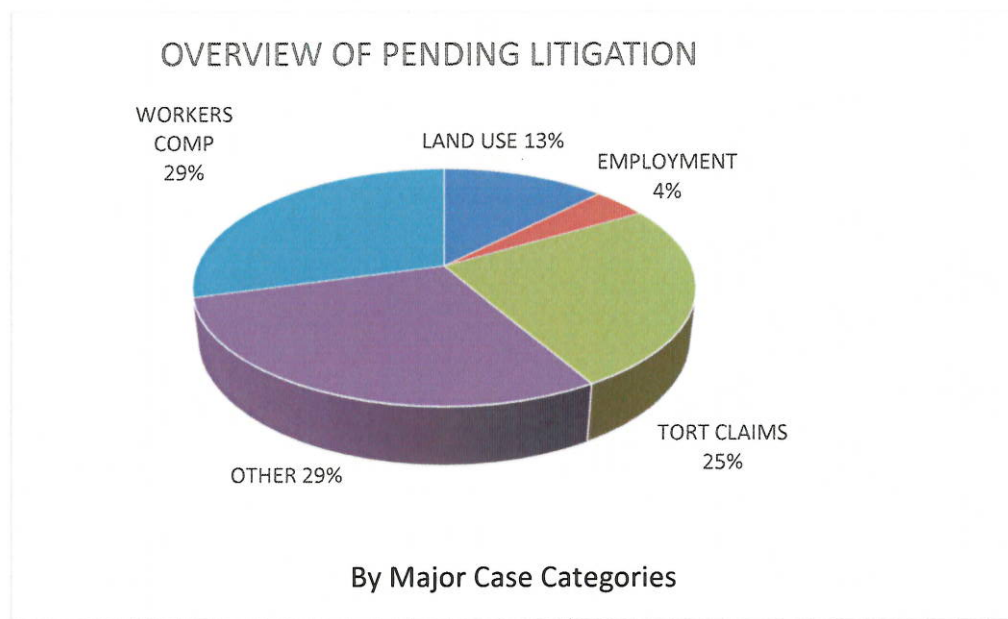
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March 2017 Composition of Pending Litigation

(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				1
Admin Appeal: Other							0
Land Use Dispute		1					1
Tort Claim	7						7
Employment Dispute	1						1
Contract Dispute	1			1			2
Property Dispute			1				1
Civil Enforcement	1						1
Workers' Compensation	7						7
Debt Collection							0
Bankruptcy							0
Miscellaneous	2		1		1		4
Per Forum Totals	19	1	3	1	1	0	25



March, 2017 Litigation Activity Summary

	COUNT FOR MONTH			COUNT FOR FISCAL YEAR 2017			
	Pending In Feb/17	New Cases	Resolved Cases	Pending Prior F/Y	New Cases F/YTD**	Resolved Cases F/YTD**	Pending Current Month
Admin Appeal: Land Use (AALU)	1			2		1	1
Admin Appeal: Other (AAO)	0			0			0
Land Use Disputes (LD)	1			3		3	1
Tort Claims (T)	6	1		10	8	9	7
Employment Disputes (ED)	1			1	1	1	1
Contract Disputes (CD)	2			3	1	2	2
Property Disputes (PD)	0	1		1	2	2	1
Civil Enforcement (CE)	1			1			1
Workers' Compensation (WC)	6	1		12	2	7	7
Debt Collection (D)	0			0			0
Bankruptcy (B)	0			0			0
Miscellaneous (M)	4			4	2	3	4
Totals	22	3	0	37	16	28	25

**INDEX OF YTD NEW CASES
(7/1/2016 TO 6/30/17)**

<u>A. New Trial Court Cases.</u>	<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>
Brooks v. PG County Planning Board, et al	PG	LD	July 16
Green v. Commission	PG	Tort	July 16
Commission v. Town of Forest Heights	PG	Misc	Sep 16
Commission v. Edwards	MC	WC	Sep 16
North Point Builders v. Commission	PG	Tort	Sep 16
Burnette v. Commission	PG	ED	Sep 16
Swain v. Seay, et al	PG	Tort	Oct 16
State Farm/Lee v. Commission	MC	Tort	Oct 16
Commission v. Ayoub	MC	PD	Nov 16
Milam v. John Doe, et al	PG	Tort	Feb 17
O'Brien v. Sports & Learning Center	PG	Tort	Feb 17
Parker v. Commission	PG	WC	Mar 17
Napier v. Sewell	PG	Tort	Mar 17

<u>B. New Appellate Court Cases.</u>	<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>
Commission v. Fort Myer Construction Corp.	MC	CD	Aug 16
Cohn v. Commission	MC	Misc	Sep 16
Rounds v. Montgomery County, MD, et al	MC	PD	Mar 17

**INDEX OF YTD RESOLVED CASES
(7/1/2016 TO 6/30/17)**

<u>C. Trial Court Cases Resolved.</u>	<u>Unit</u>	<u>Subject Matter</u>	<u>Month</u>
Leeks v. Commission	PG	WCC	July 2016
Newell v. Commission	PG	Tort	July 2016
Commission v. 2005 Toyota Camry	MC	MISC	July 2016
Commission v. Morgan	MC	WCC	July 2016
Progressive Specialty Insurance Co. v. Davis, et al	MC	Tort	Sept 2016
Prince George's County, Md. v. Commission	PGPR	LD	Sept 2016
Commission v. Landover Polk Street Property, LLC	PGPR	PD	Sept 2016
Town of Riverdale Park, et al v. Commission	PGPB	AALU	Sept 2016
Cohn, et al v. Commission	MCPR	Misc	Sept 2016
Smith v. Commission	MC	WCC	Sept 2016
Merlos-Montoya v. Commission	MC	Tort	Oct 2016
Richardson v. Arnette	MC	Tort	Oct 2016
Beatty v. Commission	PGPR	Tort	Oct 2016
Burnette v. Commission	PG	WCC	Oct 2016
Starks v. Kellogg, et al	MC	Tort	Oct 2016
Belt v. Commission	MC	WCC	Nov 2016
Harford Casualty Insurance Co. v. Commission	PG	CD	Nov 2016
Commission v. Ayoub	MC	PD	Jan 2017
Brooks v. Prince George's County Planning Board	PGPB	LD	Jan 2017
Berry v. Lopez, et al	MC	Tort	Jan 2017
Sutton v. Commission	PG	Tort	Feb 2017
North Point Builders v. Commission	PG	Tort	Feb 2017
Dixon v. Commission	MC	WCC	Feb 2017
Dixon v. Commission	MC	WCC	Feb 2017
Trevan, et al v. Cannizzio, et al	MC	LD	Feb 2017

D. Appellate Court Cases Resolved.

Fort Myer Construction Co. v. Commission	MC	CD	Sept 2016
The Town of Forest Heights v. Commission	PG	M	Jan 2017
Commission v. Hill	PG	ED	Feb 2017

Disposition of FY17 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		
Trevan, et al v. Cannizzio, et al	Claim related to transferable development rights associated with private party transaction relating to a parcel of land in Montgomery County.	01/24/17-Court grants Commission's Motion for Summary Judgment
Montgomery County Department of Parks		
Cohhn, et al v. Commission	Plaintiff filed complaint attempting to restrain Commission from implementing Archery Managed Deer Hunting Program in Montgomery County.	08/25/16-Court grants Commission's Motion for Summary Judgment.
Commission v. 2005 Toyota Camry	Commission filed motor vehicle forfeiture incident to drug related arrest	06/14/16-Commission withdraws complaint.
Commission v. Ayoub	Complaint for tenant holding over on Commission property located in Montgomery County.	12/14/16- Default judgment and right of possession
Commission v. Morgan	Commission appealed WCC Order finding that employee sustained an accidental injury arising out of and in the course of employment.	06/28/16- Stipulation of Dismissal filed with Court; to be remanded back to Workers' Compensation Commission
Dixon v. Commission	Claimant/employee is appealing WCC Order denying that employee sustained an accidental injury arising out of and in the course of employment.	01/10/17-Case settled and dismissed.
Dixon v. Commission	Claimant/employee is appealing WCC Order denying that further medical treatment and total temporary disability.	01/10/17-Case settled and dismissed.

Fort Myer Construction Corporation v. Commission Commission v. URS Corporation	Fort Myer Construction Corporation appeals award of sanctions against it. Commission notes cross appeal, as does URS Corporation.	08/19/16-Court of Appeals grants Petition for Certiorari of Commission and URS
Merlos-Montoya v. Commission	Defense of claim for personal injury and property damages to motor vehicle involving a vehicle allegedly operated by Commission employee.	09/07/16-Case dismissed
Progressive Specialty Insurance Co. v. Davis, et al	Defense of claim for personal injury and property damages to motor vehicle involving a vehicle allegedly operated by Commission employee.	07/08/16-Case dismissed by Plaintiff.
Richardson v. Arnette	Defense of claim for personal injury and property damages to motor vehicle involving a vehicle allegedly operated by Commission employee.	09/21/16-Case dismissed.
Smith v. Commission	Claimant/employee is appealing the WCC's award of permanent partial disability under "other cases".	08/09/16-Trial; verdict in favor of Plaintiff; remanded to Worker's Compensation.
Starks v. Kellogg, et al	Defense of claim for personal injury and property damages to motor vehicle involving a vehicle allegedly operated by Commission employee.	09/26/16-Case settled and dismissed.
Montgomery County Park Police		
Berry v. Lopez, et al	Defense of police liability claim for alleged false imprisonment and wrongful detention arising from an incident in Montgomery County	12/12/16- Court grants Commission's Motion for Summary Judgment, case dismissed
Montgomery County Planning Board		
Prince George's County Department of Parks and Recreation		
Beatty v. Commission	Defense of claim for personal injuries involving a vehicle allegedly owned by Commission and operated by Commission employee.	9/30/16-Case settled and dismissed.

Belt v. Commission	Claimant/employee is appealing the WCC's decision regarding permanent partial disability benefits.	10/25/16-Case remanded to WCC
Burnette v. Commission	Claimant/employee is appealing the WCC's decision regarding permanent partial disability benefits.	09/08/16-Case remanded to WCC.
Commission v. Landover Polk Street Property, LLC	Commission filed a condemnation action to acquire property for use by the Department of Parks and Recreation.	08/02/16-Stipulation of Dismissal filed.
Commission v. Hill	Commission appealed Circuit Court ruling reversing and remanding employee termination to Merit Board System.	01/18/17- Court reverses Circuit Court and upholds Merit Board's dismissal of employee's appeal.
Leeks v. Commission	Claimant/employee is appealing the WCC's decision denying occupational hypertension disease as causally related to his course of employment.	06/27/16-Case remanded to WCC.
Newell v. Commission	Defense of claim for trip and fall on alleged wire hanging from the light display at Watkins Regional Park	06/07/16-Case settled and dismissed.
North Point Builders v. Commission	Plaintiff filed complaint for alleged delays and damages associated with the construction of College Park Airport Operations Building in College Park, Maryland.	02/15/17—Case settled and dismissed.
Prince George's County, Md. v. Commission	Defense of claim for injunctive relief issued by Prince George's County for unlicensed dog kennel on Commission property which is actually owned by person in neighborhood encroaching on Commission property.	08/11/16-Case dismissed.
Prince George's County Planning Department		
Hartford Casualty Insurance Company v. Commission	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.	09/09/16 Case settled.
Prince George's County Planning Board		

Brooks v. Prince George's County Planning Board, et al	Declaratory judgment action challenging Planning Board approval of an application pertaining to a parcel neighboring that of the Plaintiffs	12/19/16- Court order- Commission's Motion to Dismiss granted, case dismissed.
The Town of Forest Heights v. Commission	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. Appellant files appeal after Circuit Court declares 6 th and 7 th annexation null and void	11/28/16- Appeal dismissed by Plaintiff/Appellant.
Town of Riverdale Park, et al v. Commission	Defense against Administrative Appeal of decision by the Planning Board to approve Special Permit SP-150003 in 7-Eleven, Inc.	07/13/16-Court affirms decision by Planning Board.
Prince George's Park Police		
Sutton v. Commission	Defense of police liability claim	01/13/17-Commission's Motion for Summary Judgment granted, case dismissed.
Office of Internal Audit		

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DISTRICT COURT FOR MONTGOMERY COUNTY, MARYLAND

State Farm & Lee v. Commission
Case No. 0602-00138102016(Tort)

Lead Counsel: Harvin
Other Counsel:

Abstract: Defense of claim for property damage involving fallen tree on insured's property.

Status: Complaint filed.

Docket:

10/14/16	Complaint filed
11/10/16	Notice of Intention to Defend filed by Commission
05/31/17	Trial date

DISTRICT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

Milam v. Doe and Commission
Case No. 0502-0034226-2016(Tort)

Lead Counsel: Harvin
Other Counsel:

Abstract: Defense of claim for personal injury involving vehicle owned by Commission.

Status: Complaint filed.

Docket:

12/27/16	Complaint filed
02/03/17	Subpoena served on Commission
03/22/17	Court issues notice of service on Commission

CIRCUIT COURT FOR CARROLL COUNTY, MARYLAND

Shipe v. Louketis, et al
Case No. 06-C-15-070021 (Tort)

Lead Counsel: Harvin
Other Counsel: Dickerson

Abstract: Defense of claim for assault & battery, intentional infliction of emotional distress, negligence, negligent hiring.

Status: In discovery.

Docket:

10/26/15	Complaint filed
11/20/15	Commission served
12/18/15	Motion to Dismiss and Memorandum filed by Commission
01/04/16	Partial Motion to Dismiss filed by Louketis
01/22/16	Opposition to Motion to Dismiss & Request for Hearing filed
03/07/16	Court grants & denies portions of Commission Motion to Dismiss
06/20/16	Counter-claim filed by Defendant Louketis
08/30/16	Order consolidating case with 06-C-15-069996
12/02/16	Pre-trial conference
09/11/17	Trial

Tugwell v. Louketis, et al
Case No. 06-C-15-069996 (Tort)

Lead Counsel: Adams
Other Counsel: Dickerson

Abstract: Defense of claim for assault & battery, intentional infliction of emotional distress, negligence, negligent hiring.

Status: In discovery.

Docket:

10/21/15	Complaint filed
11/20/15	Commission served
12/16/15	Motion to Dismiss and supporting Memorandum, Motion for Protective Order filed by Commission
01/04/16	Partial Motion to Dismiss filed by Louketis

01/22/16	Amended Complaint filed by Plaintiff
01/27/16	Second Amended Complaint filed by Plaintiff
02/17/16	Line filed by Commission responsive to Second Amended Complaint and renewing previous Motion to Dismiss
04/15/16	Motions hearing
05/31/16	Motion to Dismiss denied. Court orders Commission to produce documents with 30 days for in-camera inspection.
06/09/16	Court order modifying scheduling order for discovery and expert identification
08/30/16	Order consolidating case with 06-C-15-070021
12/02/16	Pre-trial hearing
09/11/17	Trial

CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

Burnette v. Commission

CAL16-35180 (ED)

Lead Counsel: Adams
Other Counsel: Dickerson

Abstract: Former park police officer seeks judicial review of termination.

Status: Petition filed.

Docket:

09/08/16	Petition filed
09/23/16	Response to Petition filed by Commission
02/07/17	Pre-trial conference
03/24/17	Commission Memorandum of Law filed

Commission v. Ford

CAL16-02123 (WC W070371)

Lead Counsel: Foster
Other Counsel:

Abstract: Commission is appealing the WCC's decision regarding determination that injury occurred during course of employment.

Status: Pending settlement.

Docket:

02/12/16	Petition for Judicial Review filed
02/29/16	Response to Petition for Judicial Review filed by Commission
09/21/16	Pre-trial conference
03/02/17	Case to be dismissed pending settlement approval by WCC.

Commission v. Fulwood

CAL16-02193 (WC W070371)

Lead Counsel: Foster
Other Counsel:

Abstract: Commission is appealing the WCC's finding that claimant had an occupational disease.

Status: Pending trial.

Docket:

02/26/16	Petition for Judicial Review filed
----------	------------------------------------

09/06/16	Motion to Exclude Claimant as Party filed by Commission
10/28/16	Court denied Commission's Motion to Exclude Claimant as Party
01/19/17	Status conference
0 1/25/17	Pre-trial statement filed by Commission
05/18/17	Trial

Commission, et al v. The Town of Forest Heights

CAL 16-29110 (M)

Lead Counsel: Mills
Other Counsel:

Abstract: Commission filed a declaratory judgment action against the Town of Forest Heights.

Status: Complaint filed.

Docket:

07/20/16	Complaint filed
08/31/16	Defendant filed Answer
09/20/16	Court returns Defendant's Answer failure to pay filing fees
09/27/16	Defendant files Answer
02/08/17	Pretrial conference
02/16/17	Memorandum of Court extending motions and discovery deadlines
05/19/17	Motions hearing

Green, et al v. Commission

CAL16-26277 (Tort)

Lead Counsel: Harvin
Other Counsel:

Abstract: Defense of claim for personal injury involving fall by minor child from playground equipment at Peppermill Recreation Center.

Status: In discovery.

Docket:

06/14/16	Complaint filed.
08/22/16	Commission files answer.
02/28/16	Pre-trial conference
06/30/17	ADR Conference
08/30/17	Trial date

Napier v. Sewell
CAL17-04285 (Tort)

Lead Counsel: Foster
Other Counsel:

Abstract: Defense of claim for personal injury involving automobile accident.

Status: Motion to Dismiss filed.

Docket:

02/14/17	Complaint filed
04/04/17	Commission filed Motion to Dismiss Complaint and/or in the alternative, Motion for Summary Judgment

O'Brien v. Sports & Learning Complex
CAL17-00241(Tort)

Lead Counsel: Harvin
Other Counsel:

Abstract: Defense of claim for personal injury involving slip and fall at swimming pool.

Status: Complaint filed.

Docket:

01/11/17	Complaint filed
03/03/17	Service of complaint on Commission
03/31/17	Amended Complaint filed

Parker v. Commission
CAL16-07506 (WC W071945)

Lead Counsel: Foster
Other Counsel:

Abstract: Claimant/employee is seeking de novo judicial review of the WCC's decision denying she has an occupational disease.

Status: Pending trial.

Docket:

03/11/16	Petition for Judicial Review filed
03/21/16	Response to Petition filed
04/04/16	Interrogatories/Production of Documents filed by Commission
05/31/17	ADR hearing date
07/31/17	Trial date

Swain v. Seay, et al
CAEF16-10315 (M)

Lead Counsel: Dickerson
Other Counsel:

Abstract: Plaintiff files to foreclose a statutory attorney's lien on property with a Historic Agriculture Resource Preservation Program Deed of Easement.

Status: Complaint filed.
Docket:

04/01/16	Complaint filed
09/23/16	Motion to Dismiss filed
10/06/16	Opposition to Motion to Dismiss filed
11/18/16	Answer to Petition filed by Commission
12/08/16	Motion to Dismiss filed by North Arundel Savings Bank
12/27/16	Opposition to Motion to Dismiss and request for hearing filed by Plaintiff

Watkins v. Commission
CAL15-40296 (WC W050003)

Lead Counsel: Foster
Other Counsel:

Abstract: Claimant/employee is seeking de novo judicial review of the WCC's decision denying authorization for medical treatment.

Status: Pending trial.
Docket:

12/30/15	Petition for Judicial Review filed
01/21/16	Response to Petition filed
06/08/16	Pretrial conference
04/04/17	Case continued; entry of new counsel for Claimant/Employee
05/08/17	Trial date

Watkins v. Commission
CAL16-07583 (WC W050003)

Lead Counsel: Foster
Other Counsel:

Abstract: Claimant/employee is seeking de novo judicial review of the WCC's decision

denying authorization for medical treatment.

Status:
Docket:

Pending trial.

03/16/16	Petition for Judicial Review filed
04/05/16	Response to Petition filed
08/18/16	Pre-trial conference; Court orders this case to be consolidated with case CAL15-40296 for hearing.
04/04/17	Case continued; entry of new counsel for Claimant/Plaintiff
05/08/17	Trial date

CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND

Commission v. Atwell

Case No. 422131-V (WC #W072421)

Lead Counsel: Foster
Other Counsel:

Abstract: Commission seeks judicial review of WCC Order finding that employee sustained an accidental injury arising out of and in the course of employment.

Status: Case to be remanded to WCC.

Docket:

06/03/16	Petition filed.
11/17/16	Pretrial hearing
03/28/17	Joint Motion to Remand and Stipulation of Dismissal filed

Commission v. Edwards

Case No. 425765-V (WC #W072408)

Lead Counsel: Foster
Other Counsel:

Abstract: Commission seeks judicial review of WCC Order entitling Claimant to 25% loss of body use under other cases.

Status: Case remanded to WCC.

Docket:

09/30/16	Petition for Judicial Review filed by Commission.
10/11/16	Answer by Claimant
03/15/17	Case remanded to WCC.

Commission v. Johnson

Case No. 366677-V (CE)

Lead Counsel: Harvin
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

Fort Myer Construction Corporation v. Commission

Case No. 399804-V (CD)

Lead Counsel: MarcusBonsib, LLC (Bruce L. Marcus)

Other Counsel: Dickerson

Abstract: Plaintiff filed complaint for alleged delays and damages associated with the erection of a steel girder pedestrian bridge in Montgomery County.

Status: Pending status hearing.

Docket:

01/23/15	Complaint filed
04/27/15	Motion for Appropriate Relief (Motion to Stay) filed by Commission
05/19/15	Plaintiff's Response to Commission's Motion for Appropriate Relief
10/27/15	Court grants Commission's Motion to Stay pending decisions from Court of Special Appeals
10/27/15	Commission's Motion for Stay granted
10/28/16	Notice of 2-507 Letter issued
11/23/16	Plaintiff's Motion to Defer Entry of Md. Rule 2-507
12/05/16	Commission's response to Plaintiff's Motion to Defer Entry of Dismissal or in alternative Motion to Compel Answer
12/23/16	Court orders case to stay on the docket, to be set in for status hearing
3/16/17	Status Hearing; Court orders continuation of stay; to remain on docket
06/08/17	Status Hearing

MARYLAND COURT OF SPECIAL APPEALS

Cohn v. Commisison

September Term 2016, No. 1577 (M)
(Originally filed under 409148-V in Montgomery County)

Lead Counsel: Harvin
Other Counsel: Dickerson

Abstract: Plaintiff appealed Circuit Court ruling granting the judgment in favor of the Commission and denying Plaintiff's request to restrain Commission's Archery Managed Deer Hunting Program in Montgomery County.

Status: Appeal filed.

Docket:

09/30/16	Notice of Appeal filed
01/26/17	Brief filed by Appellant
03/31/17	Commission Brief filed
10/2017	Oral Argument

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

Case No. 02177, September Term 2015 (AALU)
(Originally filed under CAL14-32333)

Lead Counsel: Mills
Other Counsel: Borden

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

Status: Awaiting decision.

Docket:

12/07/15	Notice of Appeal
05/27/16	Commission Brief due
12/06/16	Oral Argument, pending decision

Rounds v. Montgomery County, MD, et al
September Term, 2016, No. 02501(PD)
(Originally filed under #350954-V in Montgomery County)

Lead Counsel: Gardner
Other Counsel: Dickerson
Harvin

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

Status: Appeal filed.

Docket:

02/03/17	Notice of Appeal filed
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MARYLAND COURT OF APPEALS

URS Corporation, et al v. Fort Myer Construction Corporation

September Term, 2016, No. 31 (CD)

Lead Counsel: MarcusBonsib, LLC (Bruce L. Marcus)
Other Counsel: Dickerson

Abstract: Commission seeks review of reversal of award of sanctions against Fort Myers and other related procedural issues.

Status: Awaiting decision.

Docket:

06/07/16	Petition for Writ of Certiorari filed by Commission.
08/19/16	Court grants Certiorari petitions of Commission and URS.
12/02/16	Oral Argument, pending decision

U.S. DISTRICT COURT OF MARYLAND

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: Outside Counsel-Whiteford Taylor and Preston
Other Counsel: Gardner/Dickerson/Adams

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

Status: In discovery.

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
07/17/15	Order denying Pulte's Motion to Remand; Order denying MNCPPC's Motion to Dismiss with leave to respond to complaint with 14 days
07/31/15	Commission's Answer to Complaint
07/31/15	Commission's Motion for Reconsideration
08/26/15	Plaintiffs' Opposition to Commission's Motion for Reconsideration filed
09/24/15	Commission's Reply to Plaintiff's Opposition to Reconsideration of the Court's Denial of the Commission's Motion to Dismiss filed
12/29/15	Court denies Commission Motion for Reconsideration of Denial of Motion to Dismiss
01/07/16	Chambers Conference Call
02/19/16	E-Discovery Conference
04/01/16	E-Discovery Conference
05/27/16	County's Motion for Protective Order filed
05/27/16	Commission's Motion for Protective Order filed
06/16/16	Protective Order Motions denied without prejudice
05/14/17	Dispositive pretrial motions
09/17/16	Joint Defense Agreement executed between Commission and Montgomery County, Maryland
09/29/16 & 10/3/16	Outside counsel enters appearance
01/12/17	Motions hearing on discovery related matters

01/25/17	Rulings entered on various discovery matters
03/06/17	Telephone Conference
03/10/17	Court ordered discovery by Pulte & Commission to be completed by 4/10/17
09/27/17	Discovery deadline; status report due

U.S. COURT OF APPEALS FOR THE FOURTH CIRCUIT

American Humanist Association, et al v. Commission

No. 15-2597 Case #8:14-cv550-DKC (M)

Lead Counsel: Dickerson
Other Counsel: Gardner
Adams

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

Status: Awaiting decision.

Docket:

12/30/15	Notice of Appeal filed
02/29/16	Appellant's brief filed
04/04/16	Response brief by Appellees filed
03/07/16	Brief Amici Curiae filed by Freedom from Religion Foundation and Center for Inquiry in Support of Appellants
04/11/16	Brief Amici Curiae of The Becket Fund for Religious Liberty in Support of Appellees
04/11/16	Brief Amici Curiae Senator Joe Machin and Representatives Doug Collins, Vicky Hartzler, Jody Hice, Evan Jenkins, Jim Jordan, Mark Meadows and Alex Mooney in Support of Appellees
04/11/16	Brief Amici Curiae State of West Virginia and 24 Other States supporting Appellees
04/18/16	Appellant's Reply brief filed
12/07/16	Oral Argument held, awaiting decision

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