

Washington Metropolitan Area Transit Authority  
**Board Action/Information Summary**

Action  Information

MEAD Number:  
201349

Resolution:  
 Yes  No

**TITLE:**

Child care centers at Metrorail stations

**PRESENTATION SUMMARY:**

Request Board approval for continuing the operation of a child care center at the Morgan Boulevard Station and to supersede Resolution 91-06.

**PURPOSE:**

Request Board Approval to supersede Board Resolution #91-06 and authorize staff to solicit proposals, and enter into agreements under which child care centers at Metro facilities would be operated by entities other than WMATA.

**DESCRIPTION:**

WMATA owns a child care facility at Morgan Boulevard Metro station. Metro entered into a lease with Prince George's County for the facility in 2007, who in-turn entered into sublease with a child care center operator. In 2014, Prince George's County elected not to renew its lease, thus turning over management and operation of the facility to WMATA.

In order for staff to assume responsibility for the solicitation, leasing to outside operator, and property management of the child care center, Board Resolution #91-06 must be superseded.

**Key Highlights:**

- The original 1991 Board resolution authorizing the child care center stipulated that the operation of the child care centers be under the auspices the applicable local government and that Metro shall be relieved of any and all financial involvement.
- Prince George's County has notified Metro that it does not wish to renew its lease with Metro for the child care center at Morgan Boulevard.
- However, the child care center continues to provide a valued amenity for the community, by enabling a convenient means of handling child care as part of commuting via the Morgan Boulevard Metrorail Station.
- To enable Metro to continue to provide this amenity by assuming responsibility for the center, the 1991 Board Resolution must be amended to allow Metro to re-solicit, lease, manage, collect revenues directly from the child care center operator.
- While there are a number of alternative child care facilities in proximity to the Morgan Boulevard Station, it is Metro's intention to prevent any near-term interruption in child care service for the families who currently use the

Morgan Boulevard facility.

- However, Metro anticipates advancing a new joint development project at Morgan Boulevard in the near future, which could potentially accommodate a day care use and thus allow Metro no longer directly own/operate a day care center.

**Background and History:**

Metro was directed by Congress to prepare a plan of action for developing at least two child care centers in or near Metro facilities. As a result of a feasibility study prepared by staff, it was determined that benefits may accrue to the public and Metro as a result of such child care centers. On January 31, 1991, the Metro Board of Directors adopted Board Resolution #91-06 authorizing staff to solicit proposals from the eight jurisdictions that comprise WMATA for possible child care centers to be located at Metro facilities. Board Resolution #91-06 further stipulated that the operation of any such child care center is to be under the auspices of one of the eight local governments that comprise WMATA and that Metro shall be relieved of any and all financial involvement.

Metro entered into a lease agreement dated October 29, 2007 with Prince George’s County, Maryland for a child care center at the Morgan Boulevard Metrorail station. By letter dated April 22, 2014, Prince George’s County stated its intention not to renew the lease.

In order for staff to competitively solicit proposals for the operation of a child care center at the Morgan Boulevard Metrorail station, Board Resolution #91-06 must be superseded to rescind the language in the Resolution that stipulates "that the operation of any such child care center is to be under the auspices of one of the eight local governments that comprise WMATA, and WMATA shall be relieved of any and all financial involvement".

**Discussion:**

Metro's ability to lease this facility directly will allow it to remain a public benefit to the community and will bring in a new source of revenue for Metro.

**FUNDING IMPACT:**

The lease for the facility would generate revenue for Metro.	
Project Manager:	Cynthia Jachles
Project Department/Office:	LAND/CFO

**TIMELINE:**

<b>Previous Actions</b>	Board Resolution #91-06
<b>Anticipated actions after presentation</b>	Advertise Request for Proposals to child care operators licensed by the State of Maryland to seek proposals from interested companies to operate the Morgan Boulevard child care center facility on an interim basis.  Seek to advance a joint development project at the Morgan Boulevard station which could accomodate a day care use as part of a mixed-use project.

**RECOMMENDATION:**

Approval to continue the operation of a child care center at the Morgan Boulevard station and to supersede Resolution 91-06.

**PRESENTED AND ADOPTED: March 26, 2015**

**SUBJECT: APPROVAL TO CONTINUE OPERATION OF A CHILD CARE CENTER AT THE MORGAN BOULEVARD METRORAIL STATION AND TO SUPERSEDE RESOLUTION 91-06**

**2015-16**

**RESOLUTION  
OF THE  
BOARD OF DIRECTORS  
OF THE  
WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY**

WHEREAS, The Board, in Resolution 91-06 authorized staff to solicit proposals from local governments to operate at least two child care centers in or near Washington Metropolitan Area Transit Authority ("WMATA") facilities; and

WHEREAS, The Board directed that any such child care center be operated under the auspices of a local government, and that WMATA be relieved of any and all financial involvement; and

WHEREAS, The Board further directed that it would approve the initial selection of sites and the final agreements for each of the proposed child care centers; and

WHEREAS, WMATA constructed a child care facility at the Morgan Boulevard Metrorail station and entered into a lease agreement with Prince George's County, Maryland for the operation of a child care center at the facility; and

WHEREAS, WMATA entered into a land lease agreement with Montgomery County, Maryland for the construction and operation of a child care center at the facility at the Shady Grove Metrorail station; and

WHEREAS, The majority of Resolution 91-06 is no longer relevant now that the sites have been selected, agreements are in place, the facilities have been constructed, and the child care centers are operational; and

WHEREAS, Prince George's County has stated its intention not to renew its lease; and

WHEREAS, In order to avoid an unwanted interruption of services at the Morgan Boulevard child care center, a valued community amenity, WMATA must solicit proposals from entities other than local governments, allow that entity to operate the center, and allow WMATA to be financially involved to the extent required to collect rent and perform other landlord obligations—all of which is not permitted by Resolution 91-06; now, therefore be it

**Motioned by Ms. Tregoning, seconded by Mrs. Hynes**

**Ayes: 7 – Mr. Downey, Mr. Goldman, Mr. Euille, Mr. Price, Ms. Tregoning, Mrs. Hynes and Mr. Bulger**

*RESOLVED*, The Board authorizes staff to solicit proposals to operate a child care center at the Morgan Boulevard Metrorail station, or to incorporate the child care center into a joint development project; and be it further

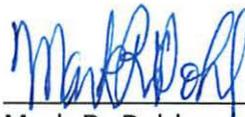
*RESOLVED*, The Board authorizes staff to enter into an agreement under which the child care center located at the Morgan Boulevard Metrorail station is operated by an entity other than WMATA, which may include WMATA collecting rent and performing landlord obligations and which shall require indemnification of WMATA and an insurance policy in an amount approved by the Office of Risk Management; and be it further

*RESOLVED*, That the Shady Grove child care center shall continue to be operated as is but in the event that Montgomery County determines it does not intend to renew its lease with WMATA, staff is authorized to solicit proposals to operate a child care center, or incorporate a child care center into a joint development project at the Shady Grove Metrorail station; and to enter into an agreement under which the child care center would be operated by an entity other than WMATA, which may include WMATA collecting rent and performing landlord obligations and which shall require indemnification of WMATA and an insurance policy in an amount approved by the Office of Risk Management; and be it further

*RESOLVED*, That this Resolution supersedes Resolution 91-06; and be it finally

*RESOLVED*, That this Resolution shall be effective 30 days after adoption.

Reviewed as to form and legal sufficiency,



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Mark R. Pohl  
Acting General Counsel

WMATA File Structure No.:  
2.5 WMATA Policy/Instructions