

Washington Metropolitan Area Transit Authority
Board Action/Information Summary

<input checked="" type="radio"/> Action <input type="radio"/> Information	MEAD Number: 200571	Resolution: <input checked="" type="radio"/> Yes <input type="radio"/> No
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TITLE:

Approval of TIF Use for Met Branch Trail

PRESENTATION SUMMARY:

Allocation of a portion of the District of Columbia's Transit Infrastructure Investment Fund (TIIF) to construct a Metropolitan Branch Trail extension between Cedar St, NW and Spring Place, NW in the District of Columbia.

PURPOSE:

Board approval to:

- Authorize the District of Columbia to use a portion of its share of the TIIF to extend the Metropolitan Branch Trail (MBT) and reimburse a private development company, Takoma Spring Place LP;
- Negotiate and execute a Memorandum of Understanding (MOU) with the District of Columbia and Takoma Spring Place, LP, and any other necessary documents to effectuate the dispersal of the TIIF funds; and
- Make \$390,000 available for the MBT extension subject to the completion of the following conditions: 1) sufficient funds must be available in the District of Columbia's portion of the TIIF; 2) Metro must obtain any required Federal Transit Administration approval; and 3) Metro, the District of Columbia and Takoma Spring Place must execute the MOU and all other necessary documents.

DESCRIPTION:

Key Highlights:

Approval will:

- Allow extension of the Metropolitan Branch Trail;
- Improve bicycle and pedestrian access to Takoma station; and
- Authorize the District of Columbia to use a portion of its share of the TIIF to improve connections from the surrounding community to the station.

Background and History:

The District of Columbia has been extending the MBT along the Red Line from Union Station to the border with Montgomery County, Maryland. The MBT serves both bicyclists and pedestrians.

A portion of the MBT extension will cross Metro property located next to the Takoma Metrorail Station between Cedar Street, NW and Spring Place, NW. In November 2010, the Board approved granting an easement to the District of Columbia for the Cedar Street-Spring Place portion of the MBT. By letter dated October 23, 2013, the District of Columbia Department of Transportation requested the allocation of part of its TIF money to construct an extension of the MBT from Cedar Street to Spring Place.

The TIF was established by Board Resolution 2000-50 and subsequent amendments. Its purpose is to recycle joint development revenue, in accordance with Federal Transit Administration guidelines, to improve transit facilities and connections to transit facilities in each of the three Compact local jurisdictions.

The District's portion of the TIF has sufficient funds, \$498,000, to cover the extension cost, \$390,000, for which the development company has provided a detailed budget. No other District agency has requested use of the funds. Pursuant to Board Resolution 2006-31. Board approval is required to use TIF funds.

The District is requesting that a private development company, Takoma Spring Place LP (Developer), build the extension in conjunction with construction of a nearby housing project, Metro Village apartments. The Developer will turn over the completed MBT extension to the District of Columbia.

Metro and the District are defining an easement plat and description and will execute a Deed of Easement prior to the start of MBT construction by the Developer. The Deed of Easement specifies that the District will operate, maintain and repair the MBT.

Metro, the District and the Developer are negotiating a Memorandum of Understanding (MOU). Per the MOU, the Developer will construct the MBT extension and request reimbursement from Metro for documented costs. The District will certify that the work has been completed in accordance with the MOU. The MOU will provide that the Developer or the District will be responsible for any cost overruns. Further, prior to execution of the MOU, Metro will require that there be an agreement between the District and Developer whereby the Developer agrees to construct the MBT and turn it over to the District of Columbia for operation.

Metro expects to execute the MOU in the fall of 2014. The Developer expects to commence construction immediately thereafter and complete the MBT extension in the spring of 2015.

Discussion:

The District of Columbia's use of TIF money to construct the MBT helps achieve Metro's objectives of better connecting the surrounding community to Metro facilities. The MBT will enhance mobility and choice for Metro patrons by improving pedestrian and bike access not only to Takoma station but also to the other Red Line stations adjacent to the MBT. Further, it provides a safe way for cyclists and pedestrians to reach Metro stations.

FUNDING IMPACT:

This is a District of Columbia capital project, to be constructed by the District's developer/contractor. It will be funded by \$390,000 restricted funds from the Transit Infrastructure Investment Fund (TIIF) with disbursement(s) subject to certification by the District of Columbia that the work has been completed.	
Project Manager:	Rosalyn Doggett
Project Department/Office:	CFO/LAND

TIMELINE:

Previous Actions	November 2010 - Board approved an MBT extension easement to the District of Columbia
Anticipated actions after presentation	Fall 2014 - Execute easement with the District of Columbia and MOU with the District of Columbia and the private development company Spring 2015 - Developer completes MBT extension

RECOMMENDATION:

Board approval to:

- Authorize the District of Columbia to use a portion of its share of the TIIF to extend the Metropolitan Branch Trail (MBT) and reimburse a private development company, Takoma Spring Place LP;
- Negotiate and execute a Memorandum of Understanding (MOU) with the District of Columbia and Takoma Spring Place, LP, and any other necessary documents to effectuate the dispersal of the TIIF funds; and
- Make \$390,000 available for the MBT extension subject to the completion of the following conditions: 1) sufficient funds must be available in the District of Columbia's portion of the TIIF; 2) Metro must obtain any required Federal Transit Administration approval; and 3) Metro, the District of Columbia and Takoma Spring Place must execute the MOU and all other necessary documents.

PRESENTED AND ADOPTED: September 24, 2014

SUBJECT: APPROVAL OF USE OF \$390,000 FROM THE TRANSIT INFRASTRUCTURE INVESTMENT FUND (DISTRICT OF COLUMBIA) FOR CONSTRUCTION OF AN EXTENSION OF THE METROPOLITAN BRANCH TRAIL

2014-46

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

WHEREAS, By Resolution 2006-31, the Transit Infrastructure Investment Fund (TIIF) allocation policy requires that the Board of Directors approve jurisdictional requests for TIIF funds and mandates that in reviewing requests for TIIF funds, the Board will consider certain priority expenditures, including projects that increase rail system access and ridership, and projects that enhance design and integration of the project into the community and transit system; and

WHEREAS, The District of Columbia is extending the Metropolitan Branch Trail (MBT) along the Metrorail Red Line from Union Station to the border with Montgomery County, Maryland; and

WHEREAS, A portion of the MBT will cross the Washington Metropolitan Area Transit Area (WMATA) property located next to the Takoma Metrorail Station between Cedar Street, NW and Spring Place, NW, Washington, DC (the Property); and

WHEREAS, In November 2010, the Board of Directors approved granting an easement to the District of Columbia for construction of an extension of the MBT (the Project) on and over the Property; and

WHEREAS, By letter dated October 23, 2013, Attachment A, the District of Columbia Department of Transportation requested that \$390,000 of the District's Board-allocated share of TIIF money be designated for construction of an extension of the MBT on and over the Property; and

WHEREAS, The Project will improve pedestrian and bicycle access and connectivity to the Takoma Metrorail Station; and

WHEREAS, The District of Columbia's portion of the TIIF has sufficient funds, \$498,000, to cover the cost of the Project; and

Motioned by Mrs. Hynes, seconded by Mr. Downey

Ayes: 7 – Mr. Downs, Mr. Downey, Mrs. Hudgins, Mrs. Hynes, Ms. Bowser, Mr. Acosta and Mr. Goldman

WHEREAS, Prior to the construction of the Project, the District of Columbia and WMATA will negotiate and execute a Deed of Easement that will require, among other things, that the District operate, maintain and repair the extension of the MBT once constructed; and

WHEREAS, Takoma Spring Place, LP (Developer) will construct the Metro Village Apartments complex adjacent to the Project and will also construct the Project pursuant to an agreement to be entered into between the District of Columbia and Developer; and

WHEREAS, Developer, WMATA and the District of Columbia are negotiating a Memorandum of Understanding (MOU) pursuant to which WMATA will reimburse the Developer from the TIIF for documented and approved costs of constructing the Project up to \$390,000, and the District of Columbia or the Developer will pay for any costs above \$390,000; now, therefore be it

RESOLVED, That the Board of Directors authorizes the District of Columbia to use a portion of its share of the TIIF to extend the MBT and reimburse Developer for documented and approved costs of constructing the Project; and be it further

RESOLVED, That the Board of Directors authorizes the General Manager/Chief Executive Officer to negotiate and execute a MOU with the District of Columbia and Developer, and any other necessary documents to effectuate the dispersal of the TIIF funds; and be it further

RESOLVED, That the \$390,000 be made available for construction of the Project subject to the completion of the following conditions: 1) sufficient funds must be available in the District of Columbia's portion of the TIIF; 2) WMATA must obtain any required Federal Transit Administration approval; and 3) WMATA, the District of Columbia and Developer must execute the MOU and all other necessary documents; and be it finally

RESOLVED, That this Resolution shall be effective immediately.

Reviewed as to form and legal sufficiency,



Kathryn H.S. Pett
General Counsel

WMATA File Structure Nos.:
4.7 Transportation Infrastructure Investment Fund (TIIF)

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF TRANSPORTATION**



d. Office of the Director

October 23, 2013

Stan Wall, PE
Director, Office of Real Estate and Station Planning
Washington Metropolitan Area Transit Authority
600 Fifth Street NW, Room 5B20
Washington, DC 20001

Re: Metro Village Project / Metropolitan Branch Trail Extension Project TIF Funding

Dear Mr. Wall,

The District wishes to make up to \$390,000 available from the Transportation Infrastructure Investment Fund (TIIF) for the construction of the Metropolitan Branch Trail Extension from Cedar Street NW to Spring Place NW. This project will be completed in coordination with the Metro Village development project. DDOT has been actively engaged with Bruce Levin of MAC Realty Advisors on the project, and has reviewed conceptual plans for the project.

DDOT will continue to work with Mr. Levin on the design of the trail connection as he works to secure all needed approvals from WMATA and CSX. We expect that the \$390,000 from the TIIF will be sufficient to complete this trail extension and we look forward to working with you and Mr. Levin on the successful completion.

If you have any questions or concerns, please contact Sam Zimbabwe, Associate Director for the Policy, Planning & Sustainability Administration at 202-671-2542 or sam.zimbabwe@dc.gov

Sincerely,

A handwritten signature in black ink that reads 'Terry Bellamy'.

Terry Bellamy
Director

cc: Heather Deutsch/Anna Chamberlin, PPSA
Steve Strauss, PTSA