

Consent Item (A) 07-11-2024

Washington Metropolitan Area Transit Authority Board Action/Information Summary

☒ Action ☐ Information

Document
Number:
207817

Resolution:
☐ Yes ☒ No

Presentation Name:

Indemnification - City of Greenbelt

Project Manager:

John Pasek

Project Department:

Office of the Board Corporate Secretary

Purpose/Key Highlights:

Request Board approval to indemnify the City of Greenbelt within a facility usage agreement. This action will align with Metro's "Community Partnership and Engagement" focus under the Strategic Transformation Plan's Goal 3 - Regional Opportunity & Partnership by facilitating the process to engage members of the public and advance transit-oriented development at Greenbelt Station.

Interested Parties:

There are no Interested Parties for this action.

Background:

Resolution 2011-30, requires Board of Directors' approval to indemnify a counterparty.

In Resolution 2022-26, the Board authorized staff to hold a public hearing on proposed changes at the Greenbelt Metro Station.

WMATA desires to use the Springhill Lake Recreation Center, owned by the City of Greenbelt, Maryland, to conduct a public hearing on the proposed changes at the Greenbelt Metro Station. The City of Greenbelt requires WMATA to agree to the terms of its Facility Usage Policy in order to use the Springhill Lake Recreation Center, which policy includes an indemnification provision.

Discussion:

Under Section 15 of the WMATA Compact (Adoption of Mass Transit Plan) Metro is required to conduct a Compact public hearing for any changes to its transit facilities and provide thirty (30) days' notice to the public of the proposed change prior to conducting the hearing. To ensure that the prescribed notice can be provided in advance of a fall 2024 hearing, staff is requesting approval prior to the Board's summer recess.

Funding Impact:

No impact on funding. This action will only allow Metro and the City of Greenbelt to enter into an agreement for Metro to hold a Compact public hearing at the City's facility.

Previous Actions:

September 2022 - Board authorization to consider an unsolicited proposal from the General Services Administration and hold a Compact public hearing for amendments to the Mass Transit Plan at the Greenbelt Metro station

Next Steps:

Fall 2024 - Conduct Compact public hearing and associated outreach on proposed changes to transit facilities at the Greenbelt Metro station

Spring 2025 - Board consideration of the Compact Public Hearing Staff Report and changes to transit facilities at the Greenbelt Metro station

Recommendation:

Approval to: indemnify the City of Greenbelt, Maryland as may be required in the Facility Usage Policy for use of the Springhill Lake Recreation Center.

SUBJECT: APPROVAL TO INDEMNIFY CITY OF GREENBELT, MARYLAND FOR USE OF
SPRINGHILL LAKE RECREATION CENTER

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

WHEREAS, Resolution 2011-30 requires Board of Directors approval for WMATA to indemnify a counterparty; and

WHEREAS, In Resolution 2022-26, the Board authorized staff to hold a public hearing on proposed changes at the Greenbelt Metro Station; and

WHEREAS, WMATA desires to use the Springhill Lake Recreation Center, owned by the City of Greenbelt, Maryland, to conduct a public hearing on the proposed changes at the Greenbelt Metro Station; and

WHEREAS, The City of Greenbelt requires WMATA to agree to the terms of its Facility Usage Policy in order to use the Springhill Lake Recreation Center, which policy includes an indemnification provision in substantially the form shown in Attachment A;

NOW, THEREFORE, be it

RESOLVED, That the Board of Directors authorizes the Board Corporate Secretary or her designee to indemnify the City of Greenbelt, Maryland, as may be required by the Facility Usage Policy for use of the Springhill Lake Recreation Center, in substantially the form as shown in Attachment A; and be it finally

RESOLVED, That in order to provide for timely public hearings on the proposed changes at the Greenbelt Metro Station, this Resolution shall be effective immediately.

Reviewed as to form and legal sufficiency,

/s/
Patricia Y. Lee
Executive Vice President, Chief Legal Officer,
and General Counsel

Attachment A

CITY OF GREENBELT, MARYLAND FACILITY USAGE POLICY, INDEMNIFICATION PROVISION:

18. Applicants/Organizations will indemnify and hold harmless the City of Greenbelt from and against all actions, liability, claims, suits, damages or expenses of any kind arising from the event for which this reservation is made.

PROPOSED