

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

<input checked="" type="radio"/> Action <input type="radio"/> Information	MEAD Number: 99990	Resolution: <input checked="" type="radio"/> Yes <input type="radio"/> No
---	-----------------------	--

**TITLE:**

Property Transfer Policy

**PURPOSE:**

To obtain Board approval of a proposed policy allowing the no-cost transfer of WMATA-owned real property to local jurisdictions and state governments for reimbursable and other transit projects and to apply any sale proceeds from land transfers with non-governmental entities in connection with these projects to the particular reimbursable or transit project.

**DESCRIPTION:**

Transit projects requested by the local jurisdictions and state governments that provide WMATA with new transit facilities are typically classified as reimbursable projects and governed by Board Resolution #99-63. Resolution #99-63 specifically excludes adjacent construction projects, charter bus services and projects with a full funding grant agreement.

With the completion of the 106-mile system, the number and complexity of reimbursable projects and other transit projects sponsored by local jurisdictions and state governments has increased. Some of these projects require the transfer of WMATA-owned real property in furtherance of these projects.

Under the proposed policy, WMATA may convey its real property at no cost to the sponsoring jurisdiction, or to a non-governmental entity for consideration at the request of the sponsoring jurisdiction, in connection with a reimbursable project or a jurisdictional transit project that will improve WMATA transit facilities at no cost to WMATA or generally enhance Metro transit operations. Under this policy, such a no-cost transfer of WMATA-owned real property would be permitted provided that i) there is no cost to WMATA other than the real estate contribution; ii) such a conveyance does not negatively affect Metro's operations, or its regionally-funded annual operating or capital improvement program budgets; iii) the enhanced benefit of the transit improvements is commensurate in value to the real estate that is being contributed; iv) the transfer is approved by the Federal Transit Administration, if required; and v) if WMATA or the sponsoring

jurisdiction receives funds from a non-governmental source on the land transaction or yields any other savings, those funds shall be applied to that particular reimbursable or transit project. The policy would not apply to Joint Development projects or the disposition of excess property.

**FUNDING IMPACT:**

WMATA currently receives fair market value for the transfer or conveyance of its real property, and the proceeds are deposited in the Capital Budget or the Transit Infrastructure Investment Fund (TIIF). Under the new policy, WMATA would receive no revenue from the conveyance of those properties which meet the criteria outlined in the proposed policy. However, WMATA receives in return new transit facilities or enhancement of Metro`s transit operations.

**RECOMMENDATION:**

That the Board approve the policy allowing the no-cost transfer of WMATA-owned real property to local jurisdictions and state governments for reimbursable and other transit projects and to apply any sale proceeds from land transfers with non-governmental entities in connection with these projects to the particular reimbursable or transit project.

PRESENTED AND ADOPTED:

SUBJECT: APPROVAL OF TRANSFER OF AUTHORITY REAL PROPERTY TO LOCAL JURISDICTIONS AND STATE GOVERNMENT FOR REIMBURSABLE AND OTHER TRANSIT PROJECTS

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

WHEREAS, On October 28, 1999, the WMATA Board of Directors passed Board Resolution #99-63 which provides for policy guidelines for reimbursable projects stemming from requests by the local jurisdictions and state governments that are of benefit to the Authority; and

WHEREAS, With the completion of the 106-mile system, the number and complexity of reimbursable and other transit improvement projects sponsored by local jurisdictions and state governments have increased; and

WHEREAS, Some of these projects necessitate the transfer of Authority property in furtherance of the projects; and

WHEREAS, Because these projects will benefit the Authority directly in the form of new transit improvements or generally enhance Authority transit operations, it can be appropriate to convey the affected Authority property at no cost to the local jurisdictions or state governments, provided that such transfers do not negatively affect the Authority's operations, approved annual operating, capital improvement program, or subsidies; and

WHEREAS, At times, land transactions with the non-governmental entities associated with these projects may yield additional funds which can be used to support the particular reimbursable or transit project; now, therefore be it

*RESOLVED*, That the Board of Directors encourages staff to support, to the extent possible, requests for reimbursable and other transit projects sponsored by the local jurisdictions and state governments that are beyond the regionally funded annual operating, capital improvement program and subsidies approved by the Board of Directors subject to the following guidelines:

1. Upon request by a sponsoring jurisdiction for the transfer of Authority property at no cost to the sponsoring jurisdiction or to a non-governmental entity for

consideration at the behest of the sponsoring jurisdiction, in connection with a reimbursable project or a jurisdictional transit project under the following conditions:

- (i) the project will improve Authority or regional transit facilities;
  - (ii) the property will be permanently maintained for transit purposes;
  - (iii) there is no cost to the Authority, other than the real estate contribution;
  - (iv) the transfer will not adversely affect the Authority's operations, or its regionally funded annual operating or capital improvement program budgets;
  - (v) the enhanced benefit of the transit improvements is commensurate in value to the real estate that is being contributed;
  - (vi) the transfer receives the approval of the Board of Directors and, if required, the Federal Transit Administration; and
2. If the disposition of Authority property for transit or reimbursable project purposes as described should additionally result in the Authority or the sponsoring jurisdiction receiving funds from a non-governmental source, or should the property disposition otherwise yield additional revenue, those funds shall be applied to that particular reimbursable project or transit project or to such other purposes as the Board of Directors shall determine; and
3. This policy does not extend to Joint Development projects; and be it finally

*RESOLVED*, That this Resolution shall be effective immediately.

Reviewed as to form and legal sufficiency,



---

Carol B. O'Keeffe  
General Counsel