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PRESENTED AND ADOPTED: November 17, 2005

SUBJECT: RELEASE OF TIIF FUNDS TO THE DISTRICT OF COLUMBIA

2005-50
**RESOLUTION
OF THE
BOARD OF DIRECTORS
OF THE
WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY**

WHEREAS, the Adams Morgan-U Street Link ("Link") is a shuttle bus service run by WMATA between the Adams Morgan neighborhood which does not have a Metrorail station and the Woodley Park and U Street neighborhoods which do have Metrorail stations; and

WHEREAS, the Link has faced lagging ridership; and

WHEREAS, the District of Columbia wants the Adams Morgan Partnership to conduct a two-phased project, with Phase 1 consisting of a study to determine why the Link has low ridership and to identify the changes necessary to increase that ridership, and Phase 2 consisting of a marketing effort to stimulate public interest and increase ridership; and

WHEREAS, the District of Columbia has asked that \$150,000 of its WMATA TIIF monies be allocated to this project, \$50,000 for Phase 1 in the current fiscal year, and \$100,000 for Phase 2 in the next fiscal year; and

WHEREAS, the District of Columbia wants the General Manager/Chief Executive Officer to negotiate a memorandum of understanding with the Adams Morgan Partnership to conduct both phases of the project; and

WHEREAS, the allocation of TIIF money for the study is subject to Federal Transit Administration ("FTA") approval; now therefore be it

RESOLVED, That \$150,000 in TIIF monies allocated to the District of Columbia shall be made available for a two-phased project by the Adams Morgan Partnership: \$50,000 will be used for Phase 1 in FY 06, and \$100,000 will be used for Phase 2 in FY 07; and be it further

RESOLVED, That the General Manager/Chief Executive Officer will assure that the funds herein authorized will be used in accordance with this Resolution and the applicable FTA guidelines; and be it further

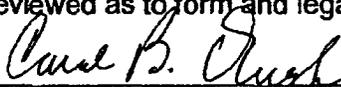
Motioned by Mr. Graham, seconded by Mrs. Mack

Ayes: 6 - Mr. Kauffman, Mrs. Mack, Mr. Deegan, Mr. Zimmerman, Mr. Graham, Mr. Smith

RESOLVED, That the General Manager/Chief Executive Officer is authorized and directed upon receipt of the requisite FTA approval to negotiate and execute a memorandum of understanding with the Adams Morgan Partnership to conduct the project; 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

**MEMORANDUM OF AGREEMENT
FOR FUNDING BETWEEN
PNH UNION SQUARE, LLC
AND
THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY**

This Memorandum of Agreement ("MOA") is made as of this 16th day of November 2007, by and between PNH Union Square, LLC ("Developer"), a limited liability corporation registered to do business in Washington D.C., and the Washington Metropolitan Area Transit Authority, a regional body, corporate and politic, organized pursuant to Public Law 89-774, 80 Stat. 1324; 1965 Maryland Laws, Chapter 869; Virginia Acts of Assembly, Chapter 2-1966; and Resolution of D.C. Board of Commissioners adopted November 15, 1966 ("WMATA").

RECITALS

(i) WMATA has established a Metrorail Station at the intersection of U Street and 11th Street N.W. in Washington, the District of Columbia (the "District").

(ii) The U Street/African-American Civil War Memorial/Cardozo Metrorail Station (the "Station") is owned and operated by WMATA.

(iii) The Station serves WMATA's Metro Bus, and *LINK* services, and is located in an area targeted for development by the District.

(iv) Developer plans to build a mix of uses including retail and high density residential development that is anticipated to bring additional transit riders to the area served by the Station. Additional pedestrian walkways, signage, lighting, security and other transit access enhancements (the "Project"), which are intended to increase ridership and improve passenger experience, are also included in the Developer's plan.

(v) The Federal Transit Administration ("FTA") has determined that WMATA is authorized to disburse monies from its Transit Infrastructure Investment Fund ("TIIF"), where such money is used for certain transit-related purposes, including construction of facilities that will promote increased WMATA transit usage and efficiency.

(vi) The District has requested that One Million Five Hundred Thousand and No/100 Dollars (\$1,500,000.00) of the District's allocated share of the WMATA TIIF funds, as allocated by the WMATA Board of Directors (the "Board of Directors"), be designated for planning and construction of the Project.

(vii) The WMATA Board of Directors, by adoption of Resolution 2006-47, directed that One Million Five Hundred Thousand and No/100 Dollars (\$1,500,000.00) in WMATA TIIF funds be added to the Fiscal 2007 System Access/Capacity Program for use in making access improvements to the U Street/African-American Civil War Memorial/Cardozo Metrorail Station area.

(viii) The Board further authorized the entering into and execution of this Memorandum of Agreement as the means to state the terms and conditions on which the funding would be disbursed.

(ix) WMATA requested approval from FTA for the Developer's anticipated expenses shown on Exhibit A and attached hereto and incorporated herein by reference.

(x) FTA approved One Million One Hundred Thousand Three Hundred Thirty Three Dollars (\$1,100,333.00) of the Developer's anticipated expenses as shown on Exhibit B and attached hereto and incorporated herein by reference.

(xi) Developer and WMATA desire to state the terms and conditions whereby WMATA will disburse, and Developer will expend, the Project Fund for planning, engineering, and construction costs for the Project.

AGREEMENT

For and in consideration of the mutual promises contained herein, Developer and WMATA agree as follows:

1. Definitions.

For purposes of this MOA, the following terms shall have the meaning ascribed to them below and, unless the context clearly indicates otherwise, shall include the plural as well as the singular:

- 1.1 Disbursement: means a disbursement from WMATA to Developer of any portion of the Project Fund, in accordance with the provisions of this MOA.
- 1.2 Draw Request: means the application for a Disbursement, which shall be made in accordance with the procedures described below in Section 3.

2. The Project Fund.

The funds to be disbursed by WMATA hereunder will be limited to One Million One Hundred Thousand Three Hundred Thirty Three Dollars (\$1,100,333.00) comprising the Project Fund.

- 2.1 The Project Fund shall be used only for costs associated with the planning and engineering of and construction efforts for the Project. If, for any reason, the cost of such activities exceeds the amount of the Project Fund, Developer shall pay such excess.
- 2.2 In the event that WMATA is required to perform tasks other than approving Draw Requests and disbursing funds under this MOA, WMATA shall charge Developer a fee, to be mutually agreed upon by WMATA and Developer, for WMATA's administrative expenses.

3. Disbursement of the Project Fund.

Subject to and in accordance with the terms, provisions, covenants and conditions of this MOA, WMATA agrees to disburse to Developer, and Developer agrees to expend, the funds comprising the Project Fund for the purpose of conducting the planning, preliminary engineering, and construction activities for the Project. The funds comprising the Project Fund shall be disbursed upon request by Developer, in accordance with the following provisions:

- 3.1 Draw Requests may be made after the expenditure of funds by Developer;
- 3.2 Disbursement from any portion of the Project Fund shall be made only for expenses incurred in connection with the planning, engineering, and construction activities for the Project;
- 3.3 In order to obtain a Disbursement from the Project Fund, Developer shall submit a Draw Request to WMATA detailing the actual expenses for which the Disbursement is sought, and such Draw Request must (i) include a detailed list of the actual task or service, (ii) show that the expenses are within the FTA-approved Exhibit B, (iii) certify that all funds requested have been used toward the tasks and/or services identified in the Draw Request, and (iv) be accompanied by supporting documentation, as reasonably necessary to substantiate the Draw Request;
- 3.4 Payment shall be made by WMATA only after the line item for which payment is requested is substantially completed and a Draw Request has been made by Developer. To the extent that a Draw Request is made for a shared cost item, the portion of those costs reimbursable through this MOA shall be the final incremental costs incurred to substantially complete all of the shared cost elements. (For example, the cost of the four parking spaces would be reimbursed only when the parking garage is substantially complete.)
- 3.5 Developer shall submit no more than one (1) Draw Request per month;
- 3.6 Developer shall deliver an original and two (2) copies of all Draw Requests to WMATA at 600 Fifth Street, NW, Washington, D.C. 20001, Attention: Assistant General Manager, Office of Planning and Joint Development, or at such other place as WMATA may designate;
- 3.7 Each Draw Request shall be executed by an authorized representative of Developer;
- 3.8 Upon WMATA's receipt, review (which may include an inspection of the Work) and approval of any Draw Request, WMATA shall disburse funds from the Project Fund to Developer to reimburse Developer for expenditures previously incurred for the Project;
- 3.9 Draws shall be reduced to the next full dollar amount; and
- 3.10 In the event that Developer's approved expenses fail to consume the entire Project Fund the unused portion of such funds shall be returned to the District's allocated share of the WMATA TIF funds.

4. WMATA Oversight of Developer Use of Project Fund.

- 4.1 Developer shall provide WMATA with a quarterly progress report of Developer's efforts for the Project. Developer shall provide such report within twenty-one (21) days after the end of each calendar quarter.
- 4.2 Developer shall provide an accounting of funds used for tasks performed and services rendered in connection with construction efforts for the Project. Developer shall provide such accounting within thirty (30) days after the end of Developer's fiscal year.

5. Conditions Precedent to Obligation of WMATA to Make Disbursements.

WMATA shall not be obligated to make a Disbursement from the Project Fund unless and until the following conditions shall have been satisfied (as determined in WMATA's sole reasonable discretion) or waived in writing by WMATA:

- 5.1 WMATA shall have sufficient funds in the TIF to make the Project Fund available to Developer;
- 5.2 WMATA shall have received FTA approval prior to any funds being disbursed from the Project Fund;
- 5.3 Developer shall have complied with all terms, provisions, covenants and conditions of this MOA, including, but not limited to the procedure for disbursement of the Project Fund described in Section 3.

6. Scope of Project/Obligations of Developer.

- 6.1 Developer (or its contractor) shall perform construction activities for the Project. As presently planned, the Project will include those activities shown on Exhibit B.
- 6.2 [Intentionally Omitted]
- 6.3 Developer will be responsible for all necessary environmental reviews.
- 6.4 Developer shall cooperate with WMATA to ensure that the Project Fund is used in accordance with WMATA Resolution 2006-47 and FTA guidelines.
- 6.5 Developer hereby certifies that to the best of its knowledge it has used good faith efforts to comply with all applicable requirements of the FTA and/or the WMATA Compact governing this project to the extent applicable, including, but not limited to, the prevailing wage requirements of WMATA Compact Section 64.

7. Obligations of WMATA.

- 7.1 WMATA shall comply with and disburse the Project Fund in accordance with the terms and conditions of this MOA.
- 7.2 [Intentionally Omitted]

7.3 WMATA shall not be liable for any costs prior to receipt of necessary FTA approvals and the execution of this MOA.

7.4 WMATA shall provide no warranty or have any liability for any action based solely on the provision of funds for this project.

8. No Warranty by WMATA.

By reviewing or approving anything to be observed, performed or fulfilled by Developer, WMATA shall not be deemed to have warranted or represented the sufficiency, legality, effectiveness or legal effect of the same, or of any term, provision or condition thereof, and such acceptance or approval thereof shall not constitute any warranty or representation to any party with respect thereto by WMATA.

9. Notices.

The Draw Requests and other documentation or notices to be sent pursuant to this MOA, shall be sent via hand delivery or certified mail, return receipt requested to the following addresses:

WMATA: Assistant General Manager
Office of Planning and Joint Development
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, D.C. 20001

Copy to: General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, D.C. 20001

Developer: Monty Hoffman
Managing Member
PNH Union Square, LLC
c/o PN Hoffman, Inc.
4725 Wisconsin Avenue, NW, Suite 200
Washington, DC 20016

10. Effective Date.

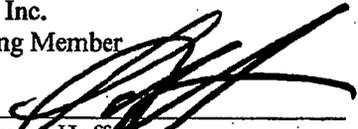
This MOA shall be effective as of the date herein above written.

IN WITNESS WHEREOF, Developer and WMATA have each caused this MOA to be executed as of the day and year first written above.

PNH Union Square, LLC

By: PNH Union Holdings, LLC
its Managing Member

By: PN Hoffman, Inc.
its Managing Member

By: 
Name: Lament Hoffman
Title: Chief Executive Officer

WMATA

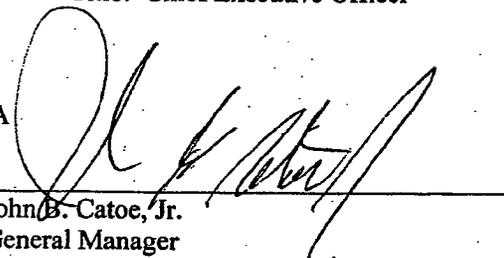
By: 
Name: John B. Catoe, Jr.
Title: General Manager

EXHIBIT A
PN Hoffman - Union Row (14th and V St., NW)
Cost Projections
December 12, 2006

Exterior Enhancements to Sidewalk and Walkway

Plaza at SW Corner - Area #1 on Site Plan

Brick Pavers	32,000
Glass Rail	11,000
Stairs (Brick and Precast)	3,000
Handicap Ramp	7,000
Retaining Wall (Brick Face, Precast Cap)	20,000

Landscaping

Benches	48,000
Street Trees	18,000
Tree Box Landscaping	7,000
Tree Box Enclosures	10,000

Sidewalk Improvements - Area #2 on Site Plan

Sidewalk Paving (Incl. Precast Bands, Concrete and Brick Pavers)	225,000
Curb, Gutter, Paving	110,000
Painting Crosswalks	1,000
Exterior Lighting (Building)	25,000
Street Lights on 14th, V, & W	130,000
Traffic Light Enhancements	125,000

Signage

Exterior Directional Signage	3,000
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Pedestrian Promenade (Area #3 on Site Plan)

Promenade

Paving	210,000
Lighting	28,000
Benches	17,000
Water Fountain	110,000
Pedestrian Access at Rear of Warehouses	10,000

Public Alley Improvements (Areas #4 & #5 on Site Plan)

Improvements to Alley system

Stamped Concrete at West Alley	125,000
Repaving of Existing East, North, and South Alleys	32,000
Exterior Building Lighting	9,000

General

Dedicated Car Sharing Parking Spaces (Zip Car/Flex Car)

4 Parking spaces in Private Garage	190,000
Elevator Access to Car Sharing Parking Spaces	275,000

Bus Stop

1 Stop	3,000
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TOTAL	1,784,000
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EXHIBIT B

PN Hoffman - Union Row (14th and V St., NW) FTA Approved Costs

Exterior Enhancements to Sidewalk and Walkway

Plaza at SW Corner - Area #1 on Site Plan

Brick Pavers	32,000
Glass Rail	11,000
Stairs (Brick and Precast)	3,000
Handicap Ramp	7,000
Retaining Wall (Brick Face, Precast Cap)	20,000

Landscaping

Benches	48,000
Street Trees	18,000
Tree Box Landscaping	7,000
Tree Box Enclosures	10,000

Sidewalk Improvements - Area #2 on Site Plan

Sidewalk Paving (Incl. Precast Bands, Concrete and Brick Pavers)	225,000
Street Lights on 14th, V, & W	130,000

Signage

Exterior Directional Signage	3,000
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Benches	17,000
Water Fountain	110,000
Pedestrian Access at Rear of Warehouses	10,000

Public Alley Improvements (Areas #4 & #5 on Site Plan)

Improvements to Alley system—None Approved

General

Dedicated Car Sharing Parking Spaces (Zip Car/Flex Car)

4 Parking spaces in Private Garage	190,000
Elevator Access to Car Sharing Parking Spaces	18,333

Bus Stop

1 Stop	3,000
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TOTAL

1,100,333

PRESENTED AND ADOPTED: September 21, 2006

**SUBJECT: AMENDED FISCAL 2007 SAP FOR U STREET/AFRICAN-AMERICAN
CIVIL WAR MEMORIAL/CARDOZO METRORAIL ACCESS IMPROVEMENTS**

**2006-47
RESOLUTION
OF THE
BOARD OF DIRECTORS
OF THE
WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY**

WHEREAS, On July 20, 2006, the Board of Directors amended the Fiscal 2007 System Access/Capacity Program (SAP) totaling \$21,537,000; and

WHEREAS, The District of Columbia is in a process of making access improvements to the U Street/African-American Civil War Memorial/Cardozo Metrorail Station in connection with the several joint development projects located near the station; and

WHEREAS, The District of Columbia will provide its allocated TIIF funds of \$1,500,000 for this project; now therefore be it

RESOLVED, That the Board of Directors approves adding the U Street/African-American Civil War Memorial/Cardozo Metrorail Station Access Improvements to the Fiscal 2007 SAP and amending the Fiscal 2007 SAP by \$1,500,000 from \$21,537,000 to \$23,037,000 for this project; and be it finally

RESOLVED, That this Resolution will be effective immediately.

Reviewed as to form and legal sufficiency.



Carol B. O'Keeffe
General Counsel

Motioned by Mr. Deegan, seconded by Mr. Graham

Ayes: 6 - Mrs. Mack, Mr. Deegan, Mr. Zimmerman, Mr. Graham, Mr. Briscuso, Mrs. Hudgins

EXHIBIT A
PN Hoffman - Union Row (14th and V St., NW)
Cost Projections
December 12, 2006

Exterior Enhancements to Sidewalk and Walkway

Plaza at SW Corner - Area #1 on Site Plan

Brick Pavers	32,000
Glass Rail	11,000
Stairs (Brick and Precast)	3,000
Handicap Ramp	7,000
Retaining Wall (Brick Face, Precast Cap)	20,000

Landscaping

Benches	48,000
Street Trees	18,000
Tree Box Landscaping	7,000
Tree Box Enclosures	10,000

Sidewalk Improvements - Area #2 on Site Plan

Sidewalk Paving (Incl. Precast Bands, Concrete and Brick Pavers)	225,000
Curb, Gutter, Paving	110,000
Painting Crosswalks	1,000
Exterior Lighting (Building)	25,000
Street Lights on 14th, V, & W	130,000
Traffic Light Enhancements	125,000

Signage

Exterior Directional Signage	3,000
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Improvements to Alley system

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Repaving of Existing East, North, and South Alleys	32,000
Exterior Building Lighting	9,000

General

Dedicated Car Sharing Parking Spaces (Zip Car/Flex Car)

4 Parking spaces in Private Garage	190,000
Elevator Access to Car Sharing Parking Spaces	275,000

Bus Stop

1 Stop	3,000
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TOTAL

1,784,000

EXHIBIT B
PN Hoffman - Union Row (14th and V St., NW)
FTA Approved Costs

Exterior Enhancements to Sidewalk and Walkway

Plaza at SW Corner - Area #1 on Site Plan

Brick Pavers	32,000
Glass Rail	11,000
Stairs (Brick and Precast)	3,000
Handicap Ramp	7,000
Retaining Wall (Brick Face, Precast Cap)	20,000

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Benches	48,000
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Benches	17,000
Water Fountain	110,000
Pedestrian Access at Rear of Warehouses	10,000

Public Alley Improvements (Areas #4 & #5 on Site Plan)

Improvements to Alley system--None Approved

General

Dedicated Car Sharing Parking Spaces (Zip Car/Flex Car)

4 Parking spaces in Private Garage	190,000
Elevator Access to Car Sharing Parking Spaces	18,333

Bus Stop

1 Stop	3,000
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TOTAL	1,100,333
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NOTE COX COMMENTS

10100 AM
Friday
COX/BSH

**WMATA Joint Development Term Sheet
Shaw-Howard/Florida Avenue Sites
March 3, 2008**

This Term Sheet, entitled "Joint Development Term Sheet" ("Term Sheet"), for a joint development project at WMATA's Shaw-Howard/Florida Avenue sites in Washington, DC, dated _____ March , 2008, is intended to summarize the principal terms of a proposal being considered by the undersigned parties regarding a lease of certain real property on the south side of Florida Avenue, NW between 7th and 9th streets, NW. The undersigned parties wish to negotiate a Definitive Agreement, as defined in Section 2.1 herein.

1. Parties

- 1.1 Washington Metropolitan Area Transit Authority ("WMATA").
- 1.2 Banneker Ventures, LLC, together with District Development Group, LLC and Metropolis Development Company LLC, will form a limited liability corporation for the Project (as defined in Section 4 herein), to be known as The Jazz @ Florida Avenue, LLC (the "DEVELOPER"). Other parties may not be included in the DEVELOPER, nor may the DEVELOPER's interest in the Project or DEVELOPER's Improvements (as defined in Section 4.1, herein) be assigned or sold, without the written consent of WMATA, the terms of which consent will be provided in the Definitive Agreement.

2. Definitive Agreement

The Definitive Agreement, to be presented to the Board for approval within five months' of Board Term Sheet approval, will be a Master Development Agreement ("MDA") that will include, as an exhibit, a 60-year ground lease agreement ("Lease"), together with all related documentation upon which WMATA and DEVELOPER mutually agree. The Lease term will begin with the earlier of fourteen months (14) months after the WMATA Board approves the Term Sheet or the issuance of the initial building permit to the DEVELOPER for the DEVELOPER Improvements.

3. Property to Be Leased by Developer

WMATA will lease to DEVELOPER approximately 28, 892 sf of land area outlined in red in **Exhibit A** and attached hereto (the "Leased Premises"). The land is in three separate parcels: 1) approximately 3,799 sf in Square 393, lot 44; 2) approximately 8,621 sf in Square 393, lot 45; and 3) approximately 16,452 sf in Square 416, lots 18 and 31.

4. Project

DEVELOPER will construct improvements on the Leased Premises (the "Project" or "Project Improvements") in the configuration shown in **Exhibit B**. The Project will consist of:

- 4.1 DEVELOPER improvements (the "DEVELOPER Improvements") are a minimum 130,014 FAR gross square feet including not less than 104 dwelling units per District of Columbia ("District") approvals and approximately 11,750 gross square feet of retail/arts use plus associated residential and retail parking, estimated at 47

below-grade spaces, per District approvals. The DEVELOPER Improvements will be built in a single phase on the Leased Premises.

- 4.2 No improvements will be constructed on the Leased Premises other than the Project Improvements, unless approved in advance in writing by WMATA.

43 - Excluding WMATA Tunnel Area

5. Due Diligence

- 5.1 Leased Premises Condition: In the Definitive Agreement, WMATA will provide representations customarily acceptable to WMATA, but will not warrant title to the Leased Premises, the environmental history or condition of the property, or the fitness of the Leased Premises for any use. Subject to the representations customarily acceptable to WMATA, DEVELOPER will accept its interest in the Leased Premises in an "as is - where is" condition.

- 5.2 Study Period: No later than full execution of the Definitive Agreement, WMATA will grant DEVELOPER a Right-of-Entry Permit. DEVELOPER shall have sixty (60) days from the effective date of the Definitive Agreement to conduct its due diligence related to the Leased Premises (the "Study Period").

* Expend? Provide Four of ROE?

6. Security Deposit

- 6.1 Within two (2) business days of the execution of the Definitive Agreement, the DEVELOPER will place with WMATA a cash security deposit in the amount of Two Hundred Fifty Thousand and No/100 Dollars (\$250,000.00) (the "Security Deposit") to secure DEVELOPER's performance. The Security Deposit will replace the \$100,000 Proposal Security.

- 6.2 The Security Deposit will not be applied to any rental payments due to WMATA under the Definitive Agreement.

- 6.3 The entire Security Deposit shall be forfeited and may be retained by WMATA if the Definitive Agreement is not consummated for any reason other than WMATA's default, non-satisfaction of an express condition precedent to DEVELOPER's obligations, or DEVELOPER exercising its rights under the Study Period.

- 6.4 The Security Deposit may be applied by WMATA in whole or in part to cure or remedy any breach or default by DEVELOPER. No such application of the Security Deposit shall constitute a waiver of any breach or default by DEVELOPER or an election of remedies. If the Security Deposit is applied in whole or in part as described herein, DEVELOPER shall, within ten (10) days, increase the Security Deposit by an amount equal to the amount applied.

- 6.5 The Security Deposit, less any amounts previously applied in connection with any breach or default by DEVELOPER and not replenished by DEVELOPER, shall be refunded to DEVELOPER upon the acceptance by WMATA of those sureties and guarantees identified in Sections 9.6 and 9.8 of this agreement.

7. Consideration

Cost?
Risk?
Express?
Safety?
Security?
Index?
Insurance

- 7.1 Option Fee: DEVELOPER will pay WMATA \$100,000 (the "Option Fee"), within ten (10) days of WMATA Board approval of the Term Sheet. The Option Fee shall not be applicable to Pre-development Rent, Initial Base Rent, Base Rent, or Capital Event Participation (as defined in this Section 7) and shall be non-refundable.

Define Terms

(7.2) Pre-stabilization Rent: Non-refundable Pre-stabilization Rent payments will begin upon execution of the Definitive Agreement and continue until the earlier of the date of receipt of Project Stabilization, to be defined in the Definitive Agreement, or sixteen (16) months after WMATA Board approval of the Definitive Agreement (the "pre-Development Period"). Pre-Development Rent will be \$100,000 per year.

- 7.3 Base Rent: The first base rent payment shall be paid by DEVELOPER to WMATA within fourteen (14) calendar days of the end of the Pre-stabilization Period ("Initial Base Rent"). Any delay in first payment of Initial Base Rent will require a penalty payment. Initial Base Rent will be for the first calendar year after the end of the Pre-stabilization Period and will be pro-rated accordingly. In no event shall the Initial Base Rent (for a full year) be less than Five Hundred and Eighty Thousand and No/100 Dollars (\$580,000.00). After the Initial Base Rent payment, Base Rent will be due annually on the first day of the calendar year for the remaining term of the Lease ("Base Rent"), and will be pro-rated accordingly. Base Rent payments will be determined as follows:

7.3.1 For the first Base Rent payment due after the Initial Base Rent payment, DEVELOPER will pay WMATA an amount equal to the product of the Initial Base Rent multiplied by 1.--* for that year (the "Initial Escalation Factor"). [*TBD—this is an escalator that would be less than 3% and would be designed to bring Base Rent to the pro forma amount (\$500,000 escalated by 3% per year) through year 10 of the lease]

7.3.2 For the second through tenth years of the Lease subsequent Base Rent payments due after the Initial Base Rent payment, except for the first Base Rent payment to be determined pursuant to 7.3.4 below, each Base Rent payment will be the product of the immediately preceding Base Rent payment and the Initial Escalation Factor. In no event will any Base Rent payment be less than the Base Rent payment for the preceding calendar year.

7.3.3 For the eleventh year of the Lease and thereafter, except for Base Rent to be determined pursuant to 7.3.4 and 7.5 below, each Base Rent payment will be the product of the immediately preceding Base Rent payment multiplied by 1.03 (the Escalation Factor). In no event will any Base Rent payment be less than the Base Rent payment for the preceding calendar year.

7.3.4 At the time of any Capital Event as defined in Section 7.4, Base Rent will be reset at 7% of the Project land value derived through a three-appraiser process that establishes unit values for each type of Project land use

multiplied by the total gross Project FAR square footage of each land use. In no event will any Base Rent payment be less than the Base Rent payment for the preceding calendar year.

7.4 Capital Event Participation: Whenever a capital event occurs, the DEVELOPER will make a payment to WMATA ("Capital Event Participation"). Capital events include assignments of the Definitive Agreement or the Lease, sales or re-financings of DEVELOPER's Improvements, and other dispositions, transfers, and conversions ("Capital Event"). Any transaction, at any level of organization, that changes the membership of the DEVELOPER to include new members not originally included as of the execution date of the Definitive Agreement shall be a Capital Event. A one-time payment per Capital Event will be paid to WMATA in an amount equal to ten percent (10%) of any Adjusted Gross Capital Event Proceeds. Adjusted Gross Capital Event Proceeds are the gross transaction revenues to DEVELOPER from a Capital Event, and any affiliated entities receiving income from such a Capital Event, less the payoff of remaining original Project debt secured by DEVELOPER Improvements and repayment of the original equity to DEVELOPER not yet repaid. To confirm DEVELOPER's original project debt and equity, within thirty days of the start of Project construction, DEVELOPER will provide WMATA with documentation confirming such amounts from DEVELOPER's Project lender. Total debt and equity to finance the Project (amounts paid prior to the subject Capital Event) will total no more than one hundred percent (100%) of the original total Project cost, including both hard and soft costs. WMATA Base Rent will never decrease as a result of any Capital Event.

7.5 Periodic Rent Revaluation: Upon a Capital Event or every ten years, whichever is earlier, the Base Rent will be adjusted to 7 % of Project land value established through a three-appraiser process as described in Section 7.3.4 above. WMATA Base Rent will never decrease as a result of any Periodic Rent Revaluation.

7.6 WMATA Improvements: intentionally omitted

7.7 Proposal Security: If WMATA and DEVELOPER do not execute a Definitive Agreement, WMATA will refund DEVELOPER's Proposal Security of One Hundred Thousand and No/100 Dollars (\$100,000.00) to DEVELOPER.

7.8 WMATA Delays: The maximum length of 18 months for the Pre-development Period will be extended, on a day-for-day basis, for delays caused by WMATA. In no other event will payment of Pre-development Rent, Initial Base Rent, or Base Rent be delayed, even though DEVELOPER's schedule may take longer than anticipated.

7.9 Additional Density:

7.9.1 If prior to Lease execution, DEVELOPER receives approval for additional density over that in Section 4.1, DEVELOPER will pay additional Base Rent to be determined by multiplying such density at \$60/FAR sf of additional density and

multiplying the product derived (Project land value) by 7%.

7.9.2 During the term of the Lease, any densities or unit totals approved for DEVELOPER Improvements that are more than those originally shown in the Approved site Plan will require DEVELOPER to pay additional Base Rent. The revised Base Rent payments will be determined through the three-appraiser as described in Section 7.3.4 above.

8. Conditions to Definitive Agreement Consummation

- 8.1 Design Approvals: Within sixty (60) days after the execution of the Definitive Agreement and prior to any submission to the District, DEVELOPER must obtain WMATA's approval of a conceptual Project site plan in substantial conformance with **Exhibit B**, including building elevations and floor plans and related improvements to the Leased Premises such as streetscape, plazas, and sidewalks and landscaping (the "WMATA-Approved Site Plan"). The design of the Project shall be oriented in such a manner as to encourage use of WMATA transit facilities by tenants, residents, customers, and employees (as applicable) travelling to and from the Leased Premises. DEVELOPER must make its initial submission to WMATA no more than ten (10) days after execution of the Definitive Agreement.
- 8.3 Public Hearing: DEVELOPER acknowledges that WMATA has concluded that a WMATA Compact Public Hearing is not required for this Project.
- 8.4 Subsequent Approval: DEVELOPER acknowledges that WMATA will not be bound by the Definitive Agreement unless and until such Definitive Agreement is approved by WMATA's Board of Directors and executed by WMATA.
- 8.5 FTA Approval: The transaction described herein is subject to Federal Transit Administration approval (the "FTA Approval"). WMATA will apply for said FTA Approval within thirty (30) days after full execution of the Definitive Agreement. The Definitive Agreement will contain appropriate termination provisions to address the possibility that the FTA may not approve the Definitive Agreement.

9. Special Considerations

- 9.1 Community Contact: Within sixty (60) days of the WMATA Board's approval of the negotiated Definitive Agreement, DEVELOPER shall contact the appropriate community groups in the area, as specified by WMATA, to apprise such groups of the Project and provide WMATA with a written report naming each group contacted, its contact person and phone number, and a brief list of issues expressed by each group. DEVELOPER's failure to perform under this provision will constitute an event of default under the Definitive Agreement.
- 9.2 Rezoning Approvals: DEVELOPER will be responsible for obtaining all entitlements, including, but not limited to, re-zonings, variances, special exceptions, historic district approvals, zoning modifications, TDR's or similar actions relating to the Leased Premises (collectively, "Zoning") required to allow construction of the

Project on the Leased Premises. DEVELOPER will use commercially reasonable best efforts to obtain such entitlements.

9.2.1 DEVELOPER will fund any and all costs of the Zoning. WMATA will not incur any costs in connection with the Zoning either in the actual Zoning process or for required on-site or off-site improvements or other work. DEVELOPER shall indemnify WMATA against any such costs.

9.2.2 At no expense to WMATA, DEVELOPER also shall be responsible for, and shall diligently and expeditiously pursue, all necessary permits and approvals, including, without limitation, land disturbance permits, building permits, and soil and erosion control measures as required by the District or any other local, state, or federal agency having jurisdiction.

9.3 Site Plan Approval by the District: DEVELOPER will submit to the District a Zoning request and an application for District approval of the WMATA-approved Site Plan, for development of the Leased Premises.

9.4 WMATA Review and Approval of Site Plan: In the event that DEVELOPER makes any modifications to the Site Plan approved by the District and subsequently by WMATA (the "Approved Site Plan"), such modifications will be subject to WMATA's approval.

9.5 WMATA Review and Approval of Construction Drawings: WMATA will have the right to approve or disapprove, and require changes to any of the DEVELOPER Improvements that materially or adversely affect WMATA's operations. The design and construction plans for the Project Improvements will incorporate the most recent revisions of WMATA's design and construction standards and criteria, including, without limitation "*STANDARDS— March 2006 Drawings/ Specifications/ Design Criteria,*" and WMATA's *Adjacent Construction Design Manual, Revision 2* (collectively, "WMATA Design and Construction Standards").

9.6 Construction Requirements: DEVELOPER shall cause all of the components of the Project Improvements to be constructed by one or more reputable contractors having a record of successfully constructing similar projects. Construction of DEVELOPER Improvements shall be insured by one hundred percent (100%) performance and payment surety bonds with a nationally recognized corporate surety acceptable to WMATA. Such surety bonds shall name WMATA as a co-obligee, and evidence of such bonds shall be furnished by DEVELOPER to WMATA at least thirty (30) calendar days prior to commencement of construction of the DEVELOPER Improvements.

9.7 Interim Improvements: intentionally omitted

9.8 Guaranty: DEVELOPER will obtain from one or more third-party Guarantors, guarantees for the completion of a) construction of the Project Improvements, b) infrastructure required by either the District of Columbia or WMATA that is not

included in the Site Work, c) any demolition and removal as and when required under the terms of the Definitive Agreement, d) remediation of all hazardous materials as required by the Definitive Agreement or by applicable laws, courts or governmental authorities, and f) the timely payment and performance of all other DEVELOPER obligations under the Definitive Agreement. The Definitive Agreement will include minimum financial tests to be met by Guarantors, which will exceed the estimated costs of the aggregate payment and performance obligations under the Definitive Agreement by a reasonable margin.

9.9 Transit-Oriented Development/Continuing Transit Orientation: DEVELOPER will design the Leased Premises so as to constitute a Transit-Oriented Development, and the DEVELOPER Improvements will be maintained with a Continuing Transit Orientation, as described in FTA Circular 9300.1.A, Appendix B.

9.10 Transit Operations: Neither the construction nor the operation of DEVELOPER's Improvements will interfere with the safety of operation of WMATA's transit facilities.

9.11 Environmental Matters: In the event that DEVELOPER engages in any excavation on the Leased Premises, DEVELOPER shall dispose of any contaminated excavated materials, at DEVELOPER's expense, as required by all then-applicable federal and/or State of Maryland laws or regulations. DEVELOPER agrees to indemnify and hold WMATA harmless from any environmental liability or damages, including attorney's fees and costs of remediation for which WMATA may become responsible as a result of the DEVELOPER's breach of this covenant.

10. Indemnification

DEVELOPER will indemnify and save harmless WMATA and its respective directors, officers, employees and agents for all damages and expenses that may arise in connection with any and all actions taken by DEVELOPER, its contractors, consultants or agents, or any employee of DEVELOPER, its contractors, consultants or agents, in connection with its activities under the Definitive Agreement, including all surveys, tests, investigations, construction, operations on the Leased Premises and other activities. WMATA will have the right to disapprove activities that in WMATA's sole judgment could result in injury to the Leased Premises or breach of any agreement, or expose WMATA to any liability. No consent by WMATA will be interpreted as a waiver by WMATA or assumption of liability or risk by WMATA. As to all Study Period activities, DEVELOPER and its consultants will be obligated, at their sole cost and expense, to restore the Leased Premises to the similar condition existing immediately prior to those activities.

11. Insurance Requirements

DEVELOPER, and each of its consultants, contractors and subcontractors, will maintain at all times, at their sole cost and expense, insurance coverages and policies to protect each of them and WMATA from claims that may arise out of activities contemplated by the Definitive Agreement. The scope and limits of such coverages and policies required by WMATA will be addressed in the Definitive Agreement.

12. Non-Binding Intent

This Term Sheet will have no binding effect on the parties. Any expenditures undertaken by either party hereto are at its own risk. No contract or agreement of any sort, preliminary, final or otherwise, is intended to be created by this Term Sheet.

Agreed this _____ day of _____, 2008, by

Washington Metropolitan Area Transit Authority

By:

Joel R. Washington
Director, Office of Station Area Planning and Asset Management
Planning and Joint Development

Approved as to Legal Form:

WMATA General Counsel

Banneker Ventures, LLC

By:

Title:

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**Joint Development Proposal
COUN "risk" Review Template**

Florida Avenue/Shaw-Howard Properties

Proposed Development

Residential over Retail with below-grade parking and "arts" space.
60 year lease of WMATA Property.

Schedule and means of WMATA control if milestones are not met

Not yet negotiated, in developer selection.

Environmental Issues

None identified to date.

WMATA Facility Replacement

Not applicable to this project, no existing facilities on site.
Build will occur over the underground tunnel.

Special Liability Issues

Build will occur over the underground tunnel.

Deferred payments and proposed security

Pre-development rent of \$100,000/year increases by 3% if closing date of 3/09 is not met.
Base rent of \$500,000/year begins in Dec. 2010.

Compensation

Price Escalators

Share of Gross Income to be negotiated.
Base rent guaranteed and escalates 3% per year
NPV of deal is \$14M (includes residual)

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Price Escalators

Share of Gross Income to be negotiated.
Base rent guaranteed and escalates 3% per year
NPV of deal is \$14M (includes residual)

FL AVE JD Comments/Corrections

Paragraph 3 – WMATA will transfer any surface easements on the property, however, the lease area will be limited by that area required by WMATA for the protection of its heavy rail tunnel, which passes through a portion of the property.

Throughout the document references to the document being “binding” need to be removed – reference to right to negotiate Definitive Agreement is okay.

6.6 – please extend the return of Security Deposit time frame to 20 business days.

7.5 (and other locations) – “Decrease” is relative to the amount due before the adjustment referenced. For example if January rent is \$300K and an adjustment occurs, February rent would be no less than \$300K, regardless of market conditions.

9.1 – we can provide notice as requested. Please remove the other changes to this section as WMATA’s Office of the Secretary will provide the contacts.

9.2.3 – addition is accepted.

9.3 – Developer will need to make the determinations and submissions as appropriate.

9.9 – The reference needs to be changed due to recent changes in the Federal Regulations. A copy of the new Guidance is attached.

9.11 – Reference should be to DC laws not Maryland.

**WMATA Joint Development Term Sheet
Shaw-Howard/Florida Avenue Sites
March 3, 2008**

This Term Sheet, entitled "Joint Development Term Sheet" ("Term Sheet"), for a joint development project at WMATA's Shaw-Howard/Florida Avenue sites in Washington, DC, dated _____ March __, 2008, is intended to summarize the principal terms of a proposal being considered by the undersigned parties regarding a lease of certain real property on the south side of Florida Avenue, NW between 7th and 9th streets, NW. The undersigned parties wish to negotiate a Definitive Agreement, as defined in Section 2.1 herein.

1. Parties

1.1 Washington Metropolitan Area Transit Authority ("WMATA").

1.2 Banneker Ventures, LLC ("Banneker"), together with District Development Group, LLC ("DDG") and Metropolis Development Company LLC ("Metropolis"), will form a limited liability ~~corporation~~ company for the Project (as defined in Section 4 herein), to be known as The Jazz @ Florida Avenue, LLC or some other name as determined by Banneker, DDG and Metropolis (the "DEVELOPER"). Other parties may not be included in the DEVELOPER, except for any equity partners that the DEVELOPER needs to provide financing for the Project, nor may the DEVELOPER's interest in the Project or DEVELOPER's Improvements (as defined in Section 4.1, herein) be assigned or sold, without the written consent of WMATA, the terms of which consent will be provided in the Definitive Agreement.

2. Definitive Agreement

The Definitive Agreement, to be prepared initially by WMATA and presented by WMATA to the WMATA Board for approval and signature within five months' of Board Term Sheet approval, will be a Master Development Agreement ("MDA") that will include, as an exhibit, a 60-year ground lease agreement ("Lease"), together with all related documentation upon which WMATA and DEVELOPER mutually agree. The Lease term will begin with the earlier of twenty (20) months ~~fourteen months (14)~~ after the WMATA Board approves the Definitive Agreement Term Sheet or the issuance of the start of construction of the Project ~~initial building permit to the DEVELOPER for the DEVELOPER Improvements~~.

3. Property to Be Leased by Developer

WMATA will lease to DEVELOPER approximately 28, 892 sf of land area as well as any and all easements, etc. outlined in red in **Exhibit A** and attached hereto (the "Leased Premises"). The land is in three separate parcels: 1) approximately 3,799 sf in Square 393, lot 44; 2) approximately 8,621 sf in Square 393, lot 45; and 3) approximately 16,452 sf in Square 416, lots 18 and 31. [[COMMENT: WE PRESUME THAT ALL NECESSARY SUBDIVISION HAS/WILL BE COMPLETED BY WMATA.]]

BALTI\4418607.1

See 9.2 1 Leased Area to exclude WMATA Infrastructure easement.

?

?

X

4. Project

DEVELOPER will construct improvements on the Leased Premises (the "Project" or "Project Improvements") in the configuration shown in Exhibit B. The Project will consist of:

Per or Subject to DC Approvals?

4.1 DEVELOPER improvements (the "DEVELOPER Improvements") are a minimum 130,014 FAR gross square feet including not less than 104 dwelling units per District of Columbia ("District") approvals and approximately 11,750 gross square feet of retail/arts use plus associated residential and retail parking, estimated at 47 below-grade spaces, per District approvals. The DEVELOPER Improvements will be built in a single phase on the Leased Premises.

4.2 No improvements will be constructed on the Leased Premises other than the Project Improvements, unless approved in advance in writing by WMATA.

5. Due Diligence

5.1 Leased Premises Condition: In the Definitive Agreement, WMATA will provide knowledge-qualified representations customary for transactions of this type, customarily acceptable to WMATA, including with respect to but will not warrant title to the Leased Premises and, the environmental history or condition of the property, or the fitness of the Leased Premises for any use. Subject to the continued accuracy of such representations, and subject further to DEVELOPER'S Study Period rights as provided herein and satisfaction or waiver by DEVELOPER of all conditions precedent herein provided, DEVELOPER the representations customarily acceptable to WMATA, DEVELOPER will accept its interest in the Leased Premises in an "as is - where is" condition.

No Reason To Charge

~~WMATA~~ *STET*

5.2 Study Period: ~~No later than full execution of the Definitive Agreement, Upon approval and execution of the Term Sheet, WMATA will grant DEVELOPER a Right-of-Entry Permit on the Leased Premises.~~ ~~DEVELOPER shall have sixty (60) days from the effective date of the Definitive Agreement to conduct its due diligence related to the Leased Premises (the "Study Period"). If DEVELOPER, in its sole and exclusive discretion, shall be dissatisfied for any reason with the results of its Study Period investigations, DEVELOPER shall be entitled, upon written notice to WMATA delivered not later than ten (10) days following expiration of the Study Period, to terminate this Term Sheet and the Definitive Agreement, whereupon WMATA shall return to DEVELOPER the entire Security Deposit (as defined below), and both DEVELOPER and WMATA shall be relieved of any further obligations hereunder other than such obligations as shall, pursuant to the terms hereof or of the Definitive Agreement, expressly survive termination of this Term Sheet or the Definitive Agreement.~~

Not Binding obligations under REF

Must exclude Option Fee

6. Security Deposit

BALTI\4418607.1

- 6.1 Within two (2) business days of the execution of the Definitive Agreement, the DEVELOPER will place with WMATA a cash security deposit in the amount of Two Hundred Fifty Thousand and No/100 Dollars (~~\$200,000.00~~ 250,000.00), which may consist, in part, of the Option Fee which shall previously have been paid by DEVELOPER pursuant to Section 7.1 below (collectively the "Security Deposit") to secure DEVELOPER's performance. The Security Deposit will replace the \$100,000 Proposal Security. NO
- 6.2 The Security Deposit will not be applied to any rental payments due to WMATA under the Definitive Agreement.
- 6.3 The entire Security Deposit shall be forfeited and may be retained by WMATA if DEVELOPER shall be in default under the Definitive Agreement beyond applicable notice, cure and grace periods therein provided. In such event, the Security Deposit may be applied by WMATA in whole or in part to cure such default. No such application of the Security Deposit shall constitute a waiver of any such default by DEVELOPER or an election of remedies. If the Security Deposit is applied in whole or in part as described herein, DEVELOPER shall, within ten (10) days, increase the Security Deposit by an amount equal to the amount applied, is not consummated for any reason other than WMATA's default, non-satisfaction of an express condition precedent to DEVELOPER's obligations, or DEVELOPER exercising its rights under the Study Period. NO
- ~~6.4 The Security Deposit may be applied by WMATA in whole or in part to cure or remedy any breach or default by DEVELOPER. No such application of the Security Deposit shall constitute a waiver of any breach or default by DEVELOPER or an election of remedies. If the Security Deposit is applied in whole or in part as described herein, DEVELOPER shall, within ten (10) days, increase the Security Deposit by an amount equal to the amount applied.~~
- 6.45 The Security Deposit, less any amounts previously applied in connection with any breach or default by DEVELOPER and not replenished by DEVELOPER, shall be refunded to DEVELOPER upon the acceptance (not to be unreasonable withheld, delayed or conditioned) by WMATA of those sureties and guarantees identified in Sections 9.6 and 9.8 of this agreement.
- ~~6.5 In the event of a "default" by WMATA (such term to be defined in the Definitive Agreement) WMATA shall pay DEVELOPER's actual and reasonable expenses incurred in connection with pursuing the Project and negotiating the Term Sheet and Definitive Agreement.~~ NO
- ~~6.6 WMATA shall return the Security Deposit to DEVELOPER within ten (10) days of its receipt of a copy of the Certificate of Occupancy for the Project.~~ 20 BDs

7. Consideration

7.1 Option Fee: DEVELOPER will pay WMATA- \$100,000 (the "Option Fee"), within ten (10) days of WMATA Board approval of the Term Sheet and written notification to the DEVELOPER by WMATA of such approval. The Option Fee shall not be applicable to Pre-stabilization Rent, Initial Base Rent, Base Rent, or Capital Event Participation- (as defined in this Section 7) and shall be fully refunded to DEVELOPER should the parties fail to obtain all necessary final signatures to the Definitive Agreement by all parties (including the WMATA Board) within five (5) months after the date of WMATA Board's approval of this Term Sheet ~~non-refundable~~. Upon timely final execution and approval of the Definitive Agreement, the Option Fee shall be merged with the Security Deposit and shall be applied towards DEVELOPER's Security Deposit obligation provided in Section 6.1 hereof, such that DEVELOPER shall be required to fund only an additional One Hundred Thousand and No/100 Dollars (\$100,000.00) towards the Security Deposit. Upon application of the Option Fee as such, the Option Fee shall be considered and treated, for all purposes, as part of the Security Deposit.

*Option
w/ RFP
Non-refundable
2.4.11*

7.2 Pre-stabilization Rent: ~~Non-refundable~~ Pre-stabilization Rent payments will begin upon execution of the Definitive Agreement and continue until the earlier of the date of Project Stabilization, to be defined in the Definitive Agreement, or forty-five (45) twenty-eight (28) months after WMATA Board approval and execution of the Definitive Agreement (the "Pre-stabilization Period"). Pre-stabilization Rent will be \$100,000 per year payable in advance in quarterly instalments of \$25,000. ~~Should DEVELOPER not be able to secure approvals from District agencies, quasi-agencies or other reviewing organizations, WMATA shall refund DEVELOPER's Pre-stabilization Rent in full.~~ Should the Project not be stabilized by the end of the Pre-stabilization Period, the Pre-Stabilization Rent shall be increased by 10% per year each year until the Project is stabilized.

*See
Baltimore
Schedule*

7.3 Base Rent: The first base rent payment shall be paid by DEVELOPER to WMATA within fourteen (14) calendar days of the end of the Pre-stabilization Period ("Initial Base Rent"). Any delay in first payment of Initial Base Rent will require a ~~[[penalty payment]]~~ ~~[[QUESTION: HOW MUCH WILL THIS "PENALTY PAYMENT" BE?]]~~. Initial Base Rent will be for the first calendar year after the end of the Pre-stabilization Period and will be pro-rated accordingly, payable in advance in quarterly instalments of one-quarter of the Initial Base Rent. ~~[[In no event shall the Initial Base Rent (for a full year) be less than Five Hundred and Eighty Thousand and No/100 Dollars (\$500,000.00)~~ ~~580,000.00).]]~~ ~~[COMMENT: TO DISCUSS WITH WMATA REGARDING HOW THIS NUMBER WAS DERIVED.]~~ After the Initial Base Rent payment, Base Rent will be due annually, in quarterly instalments, beginning on the first business day of the calendar year for the remaining term of the Lease- ("Base Rent"), and will be pro-rated accordingly. Base Rent payments will be determined as follows:

*10%
of IBR*

*\$580
Appraisal
Value*

Same as current NPV

DLA PIPER 3/11 COMMENTS

7.3.1 For the first Base Rent payment due after the Initial Base Rent payment, DEVELOPER will pay WMATA an amount equal to the product of the Initial Base Rent [[QUESTION: ANNUALIZED AMOUNT? OR PRO-RATED AMOUNT PER 7.3?]] multiplied by 1.2* for that year (the "Initial Escalation Factor").
[*TBD—this is an escalator that would be less than 3% and would be designed to bring Base Rent to the pro forma amount (\$500,000 escalated by 3% per year) through year 10 of the lease]

7.3.2 For the second through tenth years of the Lease, subsequent Base Rent payments due after the Initial Base Rent payment, except for the first Base Rent payment to be determined pursuant to 7.3.4 below, each Base Rent payment will be the product of the immediately preceding Base Rent payment and the Initial Escalation Factor. In no event will any Base Rent payment be less than the Base Rent payment for the preceding calendar year.

7.3.3 For the eleventh year of the Lease and thereafter, except for Base Rent to be determined pursuant to 7.3.4 and 7.5 below, each Base Rent payment will be the product of the immediately preceding Base Rent payment multiplied by 1.03 (the Escalation Factor). In no event will any Base Rent payment be less than the Base Rent payment for the preceding calendar year.

No Change

7.3.4 At the time of any Capital Event as defined in Section 7.4, Base Rent will be reset at 75% of the Project land value derived through a three-appraiser process that establishes unit values for each type of Project land use multiplied by the total gross Project FAR square footage of each land use. In no event will any Base Rent payment be less than the Base Rent payment for the preceding calendar year.

Our Appraiser (Outside FTA)

Extend

7.3.5 DEVELOPER shall lease the Leased Premises for a period of sixty (60) years (the "Lease Period") with an option to purchase the Leased Premises beginning from no later than ten years from the end of the Pre-Stabilization Period. This Option shall extend for the remaining term of the Lease Period and a right to exercise such option every five years. The price that DEVELOPER shall pay WMATA to purchase the Leased Premises shall be calculated based upon [TO BE DISCUSSED WITH WMATA DURING THURSDAY'S CALL].

7.4 Capital Event Participation: Capital Events (defined hereinbelow) shall be permitted in accordance with this Section 7.4. Whenever a Capital Event occurs, the DEVELOPER will make a payment to WMATA ("Capital Event Participation"). Capital

Event" shall mean ~~events include any of the following by DEVELOPER: (i) assignments of the Definitive Agreement or the Lease, (ii) sales or re-financings of DEVELOPER's Improvements, and (iii) other dispositions, transfers, and conversions of direct interests in DEVELOPER to new members not originally included as direct members of DEVELOPER as of the date of execution of the Definitive Agreement, and ("Capital Event"). Any (iv) any transaction, at any level of organization, by which a change of control (meaning a transfer of at least 50.1% of the ownership interests and a transfer of the majority voting and management rights) occurs within a constituent member of DEVELOPER that changes the membership of the DEVELOPER to include new members not originally included as of the execution date of the Definitive Agreement shall be a Capital Event. A one-time payment per Capital Event will be paid to WMATA in an amount equal to ten percent (10%) of any Adjusted Gross Capital Event Proceeds. Adjusted Gross Capital Event Proceeds are the gross transaction revenues to DEVELOPER from a Capital Event, and any affiliated entities receiving income from such a Capital Event, less the payoff of remaining original Project debt secured by DEVELOPER Improvements and repayment of the original equity and Preferred Return (to be defined in the Definitive Agreement) to DEVELOPER not yet repaid. To confirm DEVELOPER's original project debt and equity, within thirty days of the start of Project construction, DEVELOPER will provide WMATA with documentation confirming such amounts from DEVELOPER's Project lender. Total debt and equity to finance the Project (amounts paid prior to the subject Capital Event) will total no more than one hundred percent (100%) of the original total Project cost, including both hard and soft costs. WMATA Base Rent will never decrease [[COMMENT: "DECREASE" RELATIVE TO WHAT?]] as a result of any Capital Event.~~

Percent to old amount

to WMATA

from amount paid in the quarter B4 the Capital Event.

Appraiser

7.5 Periodic Rent Revaluation: Upon a Capital Event or no less frequently than every ten years, whichever is— earlier, the Base Rent will be adjusted to 7.5% of Project land value established through a three-appraiser process as described in Section 7.3.4 above. WMATA Base Rent will never decrease [[COMMENT: AGAIN, "DECREASE" RELATIVE TO WHAT?]] as a result of any Periodic Rent Revaluation.

7.6 WMATA Improvements: intentionally omitted

7.7 Proposal Security: If WMATA and DEVELOPER do not execute a Definitive Agreement within five months following Board Term Sheet Approval (as provided in Section 2 above), WMATA will refund DEVELOPER's full Option Fee Proposal Security of One Hundred Thousand and No/100 Dollars (\$100,000.00) to DEVELOPER within ten (10) days.

NO

From Proposal

7.8 WMATA Delays: The maximum length of 3828 months for the Pre-stabilization Period will be extended, on a day-for-day basis, for delays beyond the control of DEVELOPER, including delays in WMATA obtaining FTA Approval in accordance with Section 8.5 below and any delays caused by acts of God, terrorism, casualty,

or other events of "force majeure" beyond DEVELOPER's ability to control caused by WMATA. In no other event will payment of Pre-stabilization Rent, Initial Base Rent, or Base Rent be delayed, [[even though DEVELOPER's schedule may take longer than anticipated.]] [[COMMENT: NEED TO DISCUSS WHAT HAPPENS IF DELAYS OR AGREED-UPON CHANGES OCCUR TO THE PROJECT SCOPE OR DESIGN THAT REQUIRE MODIFICATION TO ENTITLEMENT APPLICATIONS, PERMITS, ETC. - i.e., PUD, TDR's, ETC.??]]

See 9.2

7.9 Additional Density:

escalate 306 / yr from DA Date

7.9.1 If prior to Lease execution, DEVELOPER receives approval for additional density over that in Section 4.1, DEVELOPER will pay additional Base Rent to be determined by multiplying such density at \$60/FAR sf of additional density and multiplying the product derived (Project land value) by 75%.

Circle

7.9.2 During the term of the Lease, any densities or unit totals actually constructed on the approved for DEVELOPER Improvements that are more than those originally shown in the Approved Site Plan will require DEVELOPER to pay additional Base Rent. The revised Base Rent payments will be determined through the three-appraiser as described in Section 7.3.4 above, with such additional Base Rent only including the incremental increase associated with any actually constructed DEVELOPER Improvements.

8. **Conditions to Definitive Agreement Consummation**

8.1 Design Approvals: Within sixty (60) days after the execution of the Definitive Agreement and prior to any submission to the District, DEVELOPER must obtain WMATA's approval of a conceptual Project site plan in substantial conformance with **Exhibit B**, including building elevations and floor plans and related improvements to the Leased Premises such as streetscape, plazas, and sidewalks and landscaping (the "WMATA-Approved Site Plan"). The design of the Project shall be oriented in such a manner as to encourage use of WMATA transit facilities by tenants, residents, customers, and employees (as applicable) travelling to and from the Leased Premises. DEVELOPER must make its initial submission to WMATA no more than ten (10) days [[COMMENT: IS THIS ENOUGH TIME??]] after execution of the Definitive Agreement.

8.2 Study Period: DEVELOPER shall be satisfied, in its sole and exclusive judgment, with its Study Period inspections in accordance with Section 5.2 above.

?

8.3 Public Hearing: DEVELOPER acknowledges that WMATA has concluded that a WMATA Compact Public Hearing is not required for this Project.

8.4 Subsequent Approval: DEVELOPER acknowledges that WMATA will not be bound

by the Definitive Agreement unless and until such Definitive Agreement is approved by WMATA's Board of Directors and executed by WMATA.

- 8.5 FTA Approval: The transaction described herein is subject to Federal Transit Administration approval (the "FTA Approval"). WMATA will apply for said FTA Approval within thirty (30) days after full execution of the Definitive Agreement. The Definitive Agreement will contain appropriate termination provisions to address the possibility that the FTA may not approve the Definitive Agreement.

~~If each of the foregoing conditions is not satisfied within the timeframes provided above therefor, then in such instance, DEVELOPER may terminate this Term Sheet and the Definitive Agreement upon ten (10) days written notice to WMATA, in which event WMATA shall return the entire Security Deposit to DEVELOPER and both DEVELOPER and WMATA shall be relieved of any further obligations hereunder other than such obligations as shall, pursuant to the terms hereof or the Definitive Agreement, expressly survive termination of this Term Sheet or the Definitive Agreement. [[COMMENT: ALSO CONSIDER GETTING BACK PRE-STABILIZATION RENT PER COMMENT AT 7.2 ABOVE.]]~~ *OKAY if re-defined*

9. Special Considerations [[COMMENT: SHOULDN'T OBTAINING ALL OF THE FOLLOWING, AS WELL AS ALL OTHER NECESSARY ENTITLEMENTS/APPROVALS, BE EXPRESS CONDITIONS PRECEDENT TO DEVELOPER'S OBLIGATION TO GO FORWARD? IN OTHER WORDS, WHAT IF, DESPITE REASONABLE EFFORTS, WE CAN'T GET THEM?]]

- 9.1 Community Contact: Within sixty (60) days of the WMATA Board's approval of the negotiated Definitive Agreement and WMATA's written notification to DEVELOPER of such approval, DEVELOPER shall contact the appropriate community groups in the area (Advisory Neighborhood Commission 1B, The LeDroit Park Civic Association and Columbia Heights Community Development Corporation), as specified by WMATA, to apprise such groups of the Project and provide WMATA with a written report naming each group contacted, its contact person and phone number, and a brief list of issues expressed by each group. DEVELOPER's failure to perform under this provision will constitute an event of default under the Definitive Agreement.

- 9.2 Rezoning Approvals: DEVELOPER will be responsible for obtaining all entitlements, including, but not limited to, re-zonings, variances, special exceptions, historic district approvals, zoning modifications, TDR's or similar actions relating to the Leased Premises (collectively, "Zoning") required to allow construction of the Project on the Leased Premises. DEVELOPER will use commercially reasonable best-efforts to obtain such entitlements.

- 9.2.1 DEVELOPER will fund any and all costs of the Zoning. WMATA will not incur

any costs in connection with the Zoning either in the actual Zoning process or for required on-site or off-site improvements or other work. DEVELOPER shall indemnify WMATA against any such costs.

9.2.2 At no expense to WMATA, DEVELOPER also shall be responsible for, and shall diligently and expeditiously pursue, all necessary permits and approvals, including, without limitation, land disturbance permits, building permits, and soil and erosion control measures as required by the District or any other local, state, or federal agency having jurisdiction.

9.2.3 WMATA shall cooperate with DEVELOPER in all zoning and other related land use matters.

9.3 Site Plan Approval by the District: DEVELOPER will submit to the [name of specific District agency] District a Zoning request and an application for District approval of the WMATA-approved Site Plan, for development of the Leased Premises.

9.4 WMATA Review and Approval of Site Plan: In the event that DEVELOPER makes any modifications to the Site Plan approved by the District and subsequently by WMATA (the "Approved Site Plan"), such modifications will be subject to WMATA's approval.

9.5 WMATA Review and Approval of Construction Drawings: WMATA will have the right to approve or disapprove, and require changes to any of the DEVELOPER Improvements that materially or adversely affect WMATA's operations. The design and construction plans for the Project Improvements will incorporate the most recent revisions of WMATA's design and construction standards and criteria, including, without limitation "STANDARDS— March 2006 Drawings/ Specifications/ Design Criteria," and WMATA's *Adjacent Construction Design Manual, Revision 2* (collectively, "WMATA Design and Construction Standards").

9.6 Construction Requirements: DEVELOPER shall cause all of the components of the Project Improvements to be constructed by one or more reputable contractors having a record of successfully constructing similar projects. Construction of DEVELOPER Improvements shall be insured by one hundred percent (100%) performance and payment surety bonds with a nationally recognized corporate surety acceptable to WMATA. Such surety bonds shall name WMATA as a co-obligee, and evidence of such bonds shall be furnished by DEVELOPER to WMATA at least ~~tenthirty~~ (310) calendar days prior to commencement of construction of the DEVELOPER Improvements.

9.7 Interim Improvements: intentionally omitted

9.8 DELETED Guaranty: ~~DEVELOPER will obtain from one or more third party~~

From folder or 3rd party?

Too much?

~~Guarantors, guarantees for the completion of a) construction of the Project Improvements, b) infrastructure required by either the District of Columbia or WMATA that is not included in the Site Work, c) any demolition and removal as and when required under the terms of the Definitive Agreement, d) remediation of all hazardous materials as required by the Definitive Agreement or by applicable laws, courts or governmental authorities, and e) the timely payment and performance of all other DEVELOPER obligations under the Definitive Agreement. The Definitive Agreement will include minimum financial tests to be met by Guarantors, which will exceed the estimated costs of the aggregate payment and performance obligations under the Definitive Agreement by a reasonable margin.~~

Send missing pages to ROZ

9.9 Transit-Oriented Development/Continuing Transit Orientation: DEVELOPER will design the Leased Premises so as to constitute a Transit-Oriented Development, and the DEVELOPER Improvements will be maintained with a Continuing Transit Orientation, as described in FTA Circular 9300.1.A, Appendix B. [TRANSIT-ORIENTED DEVELOPMENT SHOULD BE DEFINED; ALSO, PLEASE PROVIDE A COPY OF THIS CIRCULAR TO DEVELOPER]

Confirm New Reg replace this

9.10 Transit Operations: DEVELOPER and WMATA will cooperatively develop a construction and operational protocol to ensure, to the extent commercially reasonable, that neither Neither the construction nor the operation of DEVELOPER's Improvements will interfere with the safety of operation of WMATA's transit facilities.

NO

9.11 Environmental Matters: In the event that DEVELOPER engages in any excavation on the Leased Premises, DEVELOPER shall dispose of any contaminated excavated materials that DEVELOPER has knowledge of, at DEVELOPER's expense, as required by all then-applicable federal and/or State of Maryland laws or regulations. DEVELOPER agrees to indemnify and hold WMATA harmless from any environmental liability or damages, including attorney's fees and costs of remediation for which WMATA may become responsible as a result of the DEVELOPER's breach of this covenant.

DC

10. Indemnification

DEVELOPER will indemnify and save harmless WMATA and its respective directors, officers, employees and agents for all damages and expenses that may arise in connection with any and all actions taken by DEVELOPER, its contractors, consultants or agents, or any employee of DEVELOPER, its contractors, consultants or agents, in connection with its activities under the Definitive Agreement, including all surveys, tests, investigations, construction, operations on the Leased Premises and other activities. [[WMATA will have the right to disapprove activities that in WMATA's sole judgment could result in injury to the Leased Premises or breach of any agreement, or expose WMATA to any liability.]] [[COMMENT: NEED TO MAKE SURE THAT THIS WMATA RIGHT DOES NOT INTERFERE WITH DEVELOPMENT ACTIVITIES OR TIMETABLE.]] No consent by WMATA will be interpreted as a waiver by WMATA or assumption of liability or risk by

WMATA. As to all Study Period activities, DEVELOPER and its consultants will be obligated, at their sole cost and expense, to restore the Leased Premises to the similar condition existing immediately prior to those activities.

11. Insurance Requirements

DEVELOPER, and each of its consultants, contractors and subcontractors, will maintain at all times, at their sole cost and expense, insurance coverages and policies to protect each of them and WMATA from claims that may arise out of activities contemplated by the Definitive Agreement. The scope and limits of such coverages and policies required by WMATA will be addressed in the Definitive Agreement ~~and shall be acceptable to DEVELOPER.~~

12. Non-Binding Intent

To be presented to the Bd upon
This Term Sheet will have no binding effect on the parties except that DEVELOPER shall have the exclusive right to negotiate a Term Sheet and Definitive Agreement with WMATA for a period of five (5) months from the date of this Term Sheet. Any expenditures undertaken by either party hereto are at its own risk. No contract or agreement of any sort, preliminary, final or otherwise, is intended to be created by this Term Sheet, ~~except as described above.~~

Agreed this _____ day of _____, 2008, by

Washington Metropolitan Area Transit Authority

By:

Joel R. Washington
Director, Office of Station Area Planning and Asset Management
Planning and Joint Development

Banneker Ventures, LLC

By:

Title:

Jack Regna - pre-brief
5/28/09

Arial 10 point
print from BACS
in MEAD

* I Street and *

Show June 1 weekend

Executive Session ^{through Committee in} ~~June~~ June
Public Session ~~June 2~~ July
Board could vote in

1.
Re: (A) Give out proposals
(B) Give out Decision Memo
(C) Summarize financial proposals - hand out, take back

2. Wed = ~~Board meeting~~ Pre-brief with Mr. Caboe
set of action options
June/July

3. Can do clean funds options
Self certification by developer
Don't owe taxes, have outstanding legal issues, etc.

4. Confidential Statement

WMATA Board

Exec Session re FL Ave

4/24/08

1. Pursue procurement guidelines language re business ethics or Δ
2. ^{What prior} Background checks on teams (eg money owed)
3. Financials of project as well as financials on project of proposers

4. Disclosure statement
outstanding tax liens
outstanding

4. Why way above appraisal?

5. How & when we approved substitution of Metroplus

6.

Team asked to see proposals

Card 4/18/08

Card

1. Better approach is to have
 2. Direct his attention to
Might
-

Eric Smart on DumbLoney? per James

Omar #1, 7/08

1. His counsel, inclusive of DLA Piper, want us to request

a) Drop Mr. Williams OR

b) It appears that there is a problem to clarify

"City is financing affordable project" at 804 Taylor

2. "To best of my knowledge" WMATA

Conversation with Omar Karim

4/7/08

Warren Williams = 804 Taylor

^{Williams}
a family property going back many years
"is now being turned into affordable rental housing"
to his knowledge through DTCD

~~Warren Williams~~

Barrister founded 4 years ago. Omar is 100% owner
and managing member
Collins } partners on several deals
Williams } with Omar

4/15/08

Suggested to Omar that he might want to drop
Mr. Williams. Think about it, + call me back

Kay, Joel, Nat

5/6/08

FLORIDA AVENUE

send Carol & Nat an email
cc Marc, Joel

①

②

③

④

⑤

Card - can we give all proposals ~~at this time~~ to the Board

Financial info

||||

MN AVE

①

Release entire site

② Appraise Value of Site

Inflate \$700K x 5.5%

A

M E M O R A N D U M



SUBJECT: Shaw-Howard/Florida Avenue
Joint Development Record Review

DATE: June 11, 2008

FROM: COUN - Marc Biondi *DRAFT* **IN REPLY**

TO: COUN - Carol B. O'Keeffe

REFER TO: 07-171

A review of the Shaw-Howard/Florida Avenue Joint Development Developer selection process and record is provided in this memorandum. The following supporting documents are attached:

- Expression of Interest Response evaluation sheet
- Letter to Banneker Ventures dated December 4, 2007
- Letter from Banneker Ventures dated December 14, 2007
- Letter from Metropolis Development Company dated January 28, 2008
- Memorandum from N. Bottigheimer to J. Catoe recommending Banneker Ventures, and attached thereto a Memorandum from R. Doggett through J. Washington to N. Bottigheimer recommending Banneker Ventures. (Also includes Proposal evaluation score sheet)
- Outline of Operating Agreement Between Banneker Ventures, LLC., District Development Group, Inc. And Metropolis Development Company, LLC. dated March 11, 2008

Background

In Spring 2007, Metro issued a Request for Expressions of Interest ("REI") for its Shaw-Howard/Florida Avenue joint development sites (hereinafter the "Property" or the "JD Site"). Staff review of the Request for Expressions of Interest evaluated the proposals based on conformity with the Duke Plan; WMATA Return; Schedule (time to completion); Developer's Ability to Perform; and Developer's Track Record. Staff in WMATA's Office of Station Area Planning and Asset Management of the Department of Planning and Joint Development ("SAAM"), evaluated and ranked these proposals and requested detailed proposals from those six developers who met the minimum requirements.

On October 5, 2007, in response to WMATA's request, detailed proposals were received from teams led by: Banneker Ventures; Lakritz Adler; and Moddie Turay Company. In each case the lead developer included other partners to strengthen their proposal and provide needed technical and economic support. Proposals were reviewed by Staff and Staff met with each team for an interview to discuss both the financial and technical aspects of the proposals. The evaluation criteria used by

Attorney Work Product - Privileged Document

*Deficiency
letters &
responses*

Washington
Metropolitan Area
Transit Authority

DRAFT

Staff were those stated in the request for detailed proposals:

Technical Criteria

- Does the development reflect transit oriented development principles?
- Is the project viable/marketable?
- What is the Development Teams experience?
- Is the development innovative/creative?
- Is the development proposal compatible with the local land use plan?
- What benefits are provided to the local jurisdiction?

Economic Criteria

- What is the financial benefit to WMATA?
- What is the financial viability of the Proposal?
- Will the development enhance ridership?

Each development team was given the opportunity to both 1) supplement their submissions where those submissions were found to be lacking and 2) to increase compensation to WMATA. The proposals received a numeric ranking on a scale of one to 100. Staff recommendation to management was the highest ranked developer, Banneker Ventures. Staff was aware, at the time of its recommendation, that Metropolis Development had replaced Donatelli Development as a partner on the Banneker team. Management agreed with Staff recommendation and made its recommendation to the General Manager on February 26, 2008.

Banneker Ventures Financial Submissions

Banneker Ventures made a timely submission in response to WMATA's request for a detailed proposal. As part of Staff's review, several deficiencies were identified and Staff sent a letter to Banneker dated December 4, 2007 requesting, among other things:

- Evidence of the interest of MacFarlane Partners in providing equity for this project
- Documentation of the creditworthiness of the entire team, and
- Balance sheets [of Banneker Ventures, LLC].

Banneker Ventures provided written responses, with supporting documentation on December 14, 2007. The response included financial documentation from MacFarlane Partners; letters of interest from three additional investment entities; and the Balance Sheet, Income Statement and Statement of Cash Flow from Banneker Ventures, LLC. As shown by the hand-written notes on the Letters of Interest, Staff communicated with the potential financial backers of the Banneker development and received positive feedback. Staff communication with these investment interests are not clearly dated, but appear to have occurred on or before January 8, 2008.

Substitution of Metropolis Development Company

By letter dated January 28, 2008, Metropolis Development Company ("Metropolis") joined Banneker Ventures and District Development Group as part of the Banneker Team. This partnership was later memorialized in that Outline of Operating Agreement Between Banneker Ventures, LLC., District Development Group, Inc. And Metropolis Development Company, LLC. dated March 11, 2008.

Attorney Work Product - Privileged Document

DRAFT

No additional documentation regarding this substitution is found in the file, however, as the January 28th letter indicates, Metropolis is a known entity having participated in the development of the Langston Lofts project with Metro at 14th and V Streets. It is the understanding of this author that the substitution of Metropolis was of no impact on the financial strength of the Banneker team. This is so because of the high marketability of the proposed project at the JD Site and because of the strength of another equity partner of the team: MacFarlane Partners D.C. Rather, the impact of the removal of Donatelli Development was to call into question the team's ability to manage the construction of the project. The construction management experience, shown in the January 28, 2008 letter, allowed Staff to accept the change in membership and advance Banneker Ventures as the proposed developer.

Attorney Work Product - Privileged Document

8/2/07

DESIGN
JOHNSTON
HILL

FLAME PROPERTIES EVALUATION OF EOI RESPONSES.

Team	Plan	WMATA Return	Schedule	Ability to Perform	Track Record	Total
Banneker	20	25	5	may need this is based on what is given 5	10	65
Donatelli	20	10	not given	10	20	60
Lakritz Adler	20	needs impr.	5	may need city practices 5	10	50
Metropolis	20	25	10	10	20	85
Moddie Turay	20	needs impr.	5	needs pointing department 5	never handed up needs center-10	50
P N Hoffman	too low	0	15	10	20	35
SED Center	too low wanted more	0	10	needs practices	5	30
Symmetry	20	25	5	did all things mentioned res 5	10	65
Trammell Crow Co.	wrong rate	0	10	10	20	60*

Rating system:
 Plan
 WMATA return
 Schedule
 Ability to Perform
 Track Record

Internal rating system:
 Outstanding
 Good
 Adequate
 Inadequate

30 points
 30 points
 10 points
 10 points
 20 points

total points
 2/3 points
 1/3 points
 0 points

(Partly subsumed under WMATA return)

* wrong rate =
 three hold issues
 * * could get points based on ability to perform, but not given



December 4, 2007

Omar A. Karim, Principal
Banneker Ventures, LLC.
700 12th Street, NW Suite 700
Washington, DC 20005

Re: Shaw-Howard Florida Avenue Joint Development Site

Dear Mr. Karim:

Thank you for the submission of your proposal for the above-referenced 2007 Joint Development Solicitation (JDS) site.

The purpose of this letter is to bring to your attention missing or incomplete items or items that require further discussion and clarification. We would like to schedule an oral presentation by your team on December 17, 2007 at 10:30 a.m. at WMATA headquarters and have attached instructions for the presentation. We ask that you provide 10 copies of the supplementary information requested in this letter not later than the presentation and preferably before so that we may first review it.

The following items need clarification, correction or completion:

Technical Information

Within the schedule you presented, please indicate the outside, firm date by which a lease would be executed.

What, if any, zoning approvals or variances will you be seeking for Parcels 1 or 3?

Please explain your schedule more fully. It appears to build in very long time periods for negotiating a WMATA agreement and not enough time for local historic preservation, zoning, and building permit approvals.

Also, please provide an outside date for stabilization.

How will you finance affordable housing piece?

Washington
Metropolitan Area
Transit Authority

600 Fifth Street, NW
Washington, DC 20001
202/962-1234

By Metrorail:
Judiciary Square—Red Line
Gallery Place-Chinatown—
Red, Green and
Yellow Lines
By Metrobus:
Routes D1, D3, D6, P6,
70, 71, 80, X2

A District of Columbia,
Maryland and Virginia

Assess the market for rental apartments in the area now that conversions of condominium projects to rental product are occurring. Is the market becoming oversaturated with rentals and would you expect to experience difficulty in obtaining financing for your project.?

Do you have prospective tenants for the Robeson museum or themed restaurant?

Have you discussed with DDOT the proximity of the Parcel 2 garage entrance to Florida Avenue?

Economic Information

WMATA expects escalation in the sale or rent amount from today's values if closing is delayed beyond a year. Please indicate how you would satisfy this requirement.

The pro forma rents do not seem to square with the schedule. For example, stabilization seems to take 7 months in the schedule but the pro forma appears to show a longer time. Please reconcile.

WMATA also expects and receives participations in capital events and in cash flow (or, alternatively to cash flow, revaluation of the project in which rent values do not fall below the previous year). Please provide your proposal.

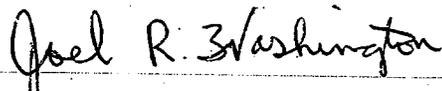
Provide evidence of the interest of MacFarlane Partners in providing equity for this project. Do you have alternative equity sources?

Document the creditworthiness of the entire team. Banking references are provided only for the Donatelli part of the partnership, which is 30% of the team.

Please submit the balance sheets that the proposal indicates will be provided under separate cover.

We look forward to your presentation and to further discussion on this project.

Sincerely,



Joel R. Washington, Director
Station Area Planning and Asset Management

Attachment



BANNER VENTURES, LLC

Working Copy

December 14, 2007

BY HAND

Joel R. Washington, Director
Station Area Planning and Asset Management
Washington Metropolitan Transit Authority
600 Fifth Street, NW
Washington, DC 20001

T

RE: Clarification from Response to Shaw – Howard Florida Avenue
Joint Development Solicitation

Dear Mr. Washington:

Thank you for your letter dated December 4, 2007 regarding items in our team's response to the Joint Development Solicitation for the above-referenced site. We are extremely excited about the possibility of partnering with the Washington Metropolitan Area Transit Authority ("WMATA") to develop this key site along the Florida Avenue/U Street corridor.

Below, please find our responses to the issues that you raised in your letter. We hope that these answers, along with our presentation on December 17th will demonstrate our capability and commitment to developing these key parcels.

Technical Information

Within the schedule you presented, please indicate the outside, firm date, by which a lease would be executed? March 6, 2009 *how long*

What, if any, zoning approvals or variances will you be seeking for Parcels 1 or 3? A zoning variance (for parking and loading) would be sought for Parcel 1. A zoning variance (for parking) would be sought for Parcel 2. No variance will be sought for Parcel 3.

700 12th Street, NW • Suite 700 • Washington, D.C. 20005 • (202) 667-4110
814 Thayer Avenue • Suite 300 • Silver Spring, Maryland 20910 • (301) 565-4980
www.bannekerventures.com

Please explain your schedule more fully. A detailed schedule is attached which includes time for historic preservation review, zoning review, and building permit approvals.

Please provide an outside date for stabilization. October 29, 2010

Assess the market for rental apartments in the area. According to the most recent (Third Quarter 2007) Delta Associates Mid-Atlantic Market Report, the "Washington metro area remains healthy despite softening conditions. Unemployment remains one of the lowest in the nation [3.3% as of July 2007] and jobs continue to expand at an above-average pace." According to the Report, the effective rent per square foot (as of September 2007) for Class A rental high-rise apartments is \$2.86 with the average effective rent at \$2,447 per unit, with a 1.2% concession. Stabilized vacancies remain at 1.3% and overall vacancies are at 4.1%. The monthly absorption pace per project for the most recently delivered market-rate projects are at 5 months; our project has 7 months in the schedule which provides some cushion to the market.

Delta reports that "[a]lthough the [apartment] pipeline has grown significantly in response to the recent robust performance of the apartment market and as a result of developers reprogramming condo projects in light of the slowing condominium market." The "District's 36-month pipeline of projects has grown to 6,353 units as of September 2007, a large jump from the previous quarter. Despite this uptick in the pipeline, the District currently retains the healthiest supply-demand balance in the region. The report further states that "[v]acancies are extremely low – up to 1.3% from a paltry 0.8% one year ago – and rent growth is the strongest in the region at 6.5% per annum. Additional development of exceptionally designed and well located projects would appear warranted. Since The Jazz @ Florida Avenue is exceptionally designed (according to the Office of Planning) and is well located (2 blocks from 2 Metro stations), we believe that a proposed rental project at this located is warranted.

Do you have prospective tenants for the Paul Robeson Theatrical Museum or themed restaurant? Yes. We have prospective tenants for the museum as evidenced by the letter of interest on the following pages. Moreover, the Utopia Jazz Restaurant, a national restaurant based in Charlotte, NC and partially owned by NBA and former co-owner of the Washington Wizards-Michael Jordan, a letter of interest of which is also attached.

Have you discussed with DDOT the proximity of the Parcel 2 garage entrance to Florida Avenue? We have met with DDOT and OP about the proximity of the garage entrance to Parcel 2 and they prefer that the alley between Parcels 1 and 2 be widened

to allow for the garage entrance to come off the alley. Our proposed design can certainly accommodate their preference.

Economic Information

WMATA expects escalation in the sale or rent amount from today's values if closing is delayed beyond a year. If closing is delayed beyond a year, we will be prepared to pay WMATA a 3% increase in the pre-development rent.

The pro forma rents do not seem to square with the schedule. Attached is a revised schedule that reconciles with the stabilization date of the pro-forma.

WMATA expects and receives participations in capital events and in cash flow. Please provide your proposal. We will be prepared to pay WMATA 10% of the net proceeds upon the sale or revaluation of the project.

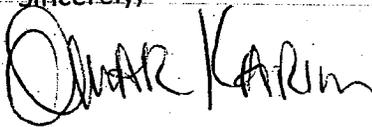
Provide evidence of the interest of MacFarlane Partners in providing equity for this project. Attached please find letters of interests from MacFarlane Partners, D.C. Housing Finance Agency, The Bank of Georgetown, PNC Bank, BB&T Bank and Fidelity & Trust Bank.

Document the creditworthiness of the entire team. Banking references are enclosed as part of the letters of interests.

Please submit balance sheets. Financial statements for each of the developer's will be delivered to the WMATA staff at the presentation on Monday.

Thank you for the opportunity to be considered for your development partner. We look forward to further expounding upon our capabilities during the oral presentation on Monday, December 17th at 10:30 am at your headquarters.

Sincerely,



Omar A. Karim

Letter of Interests from Prospective Retail Tenants

HIDDEN
BEACH
RECORDINGS

July 15, 2007

Mr. Omar Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, D.C. 20005

Re: The Jazz@ Florida Avenue Project/ The Utopia Jazz Restaurant & Lounge

Omar:

I am writing this letter to express my interest in trying to open a live jazz restaurant as apart of the Jazz@ Florida Avenue Project. Being a co-founder of the music label Hidden Beach Recordings which is home of artists like Jill Scott, Mike Phillips, and Kindred the Family Soul, I could not think of a way better way to come back and thank the Washington, D.C. community for their support for our label and our artists than to put this live music venue in the nation's capitol.

I am currently in the process of opening a similar restaurant in Charlotte, N.C. called Utopia, which is due to open in September 2007 with two partners named Kennedy Howard and Juvenile Ogbunike. Kennedy and Juvenile are currently owners of a restaurant in Charlotte, N.C. called The Jazz Café, which opened May 29, 2005. The Jazz Café has had shows with national recording artists such as Mike Phillips, D.C. native Marcus Johnson, Marion Meadows, Pieces of a Dream, Ronnie Laws, Walter Beasley, D.C. natives Spur of the Moment, and Hidden Beach Recording artist Jeff Bradshaw just to name a few.

Our interest in being apart of this exciting new venture is great and I would definitely like to continue dialog with you to see if we can make this a reality. Please let me know if you have any questions and I can be reached at 310-489-3122.

Best Regards,



Charles Whitfield
Hidden Beach Recordings
Santa Monica, Ca.

HANDSHAKE PRODUCTIONS

To: Omar Karim, Banneker Ventures, LLC
From: Bryant "Preacher" Moss, Handshake Productions
Re: Letter of Interest for Café Space in The "Jazz@ Florida Avenue"

Mr. Omar Karim,

This letter is to inform you of Handshake Production LLC interest in becoming a tenant for the proposed café at The "Jazz& Florida Avenue."

My organizational team has a combined forty years of entertainment, and event management experience. We have experience in cultural programming, diversity programming, and event marketing. Furthermore, our organization has extensive experience in developing branded content, and marketing.

Our goals for the space above mentioned is to develop it as a multi-night establishment with a result defined as being a "community project." We intend on using an integrated model of 1) community artistic need, 2) balanced project management, 3) technology, and 4) a strong marketing plan. We wish to offer several options such as cross-cultural, and cross-community events. As well it is our hope to have comedy, as the anchor program in it's initial start up stages. We believe that we can leverage our entertainment networks to deliver high quality, affordable, "community relevant" programming to the Washington Metropolitan Area.

Our organizational and concept development team are:

Bryant "Preacher" Mr. Moss- Moss is the current CEO of the internationally acclaimed, "Allah Made Me Funny" Comedy Tour. He has produced numerous multi-media projects, and also produced the upcoming feature film, "Allah Made Me Funny-Live in Concert." He has over twenty-three years in various aspects of entertainment, brand development, and project management.

Azhar Usman- Mr. Usman is an equity partner in "Allah Made Me Funny" The Official Muslim Comedy Tour, and a practicing lawyer. He serves as the contract and negotiations lead for new product, and project development. As well, he is the Creative Director for Handshake Productions.

John Xeras- Mr. Xeras has over twenty years in the restaurant and entertainment

business. He has owned and managed two Washington area nightclubs. He is still a managing partner in the IMPROV comedy club, and the Riot Act Comedy club. He also has over twenty years of brand content development, and event management. He is also the CEO of Riot Act Entertainment.

In closing we look forward to hear from regarding this opportunity.

B. "Preacher" Moss, Handshake Productions
240.432.7133

Letter of Interests from Financing Partners

MACFARLANE PARTNERS

December 13, 2007

Mr. Omar Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005

Re: The Jazz @ Florida Avenue RFP

Dear Omar:

MacFarlane Partners is pleased to continue working with you and to join, as your investor/equity partner, the team led by your firm ("Banneker") in submitting a final plan to WMATA to develop The Jazz @ Florida Avenue in response to the WMATA Request for Proposal that was submitted on May 31, 2007. Having looked at other projects with you, we recognize Banneker as a leading minority-owned developer in the Washington, D.C., region, and believe that our financial strength can enhance your team's development capability. We also recognize the strong participation of another leading Washington, D.C., minority-owned developer – District Development Group.

We have reviewed your most recent proposal for the development of The Jazz @ Florida Avenue mixed-use project and believe your development plan to be qualitatively sound and attractive. Based on our discussions and negotiations, MacFarlane Partners will provide Banneker with the required equity for pre-development and development activities, including land acquisition. Based on the current development plan, the team expects the total development costs to be approximately \$35 million, which will require approximately \$8 million of equity. Our investment will be made on the terms upon which the team has previously agreed. These terms are consistent with structures we have utilized with other local developers in our most recent ventures.

MacFarlane Partners is a minority-owned real estate investment management firm that invests primarily in development and redevelopment projects, such as The Jazz @ Florida Avenue, in urban areas nationwide. The firm's investments to date are helping to develop, redevelop or reposition \$19 billion in urban properties, encompassing 20 million square feet of commercial space and 26,000 multifamily housing units in Washington, D.C.; New York City; Los Angeles; Orange County; and the San Francisco Bay Area. We maintain several offices around the country, including one in Washington, D.C.

Having invested in urban, mixed-use development projects – sometimes serving as developers ourselves – we believe we have the requisite experience and skill to assist you and the rest of the team in developing The Jazz @ Florida Avenue that is successful for both WMATA and District residents. We specialize in complex projects that require creative financing and innovative structuring. We also are accustomed to working with our development partners and local government agencies to form public/private partnerships, as well as resolve the regulatory and environmental issues that urban-infill projects typically encounter.

Washington, DC 20036 Phone 202.572.0700 Fax 202.572.0699

Highlighted below are a few of the projects in which we have invested.

- **JBG Urban**, a joint venture with The JBG Companies and Morgan Stanley Real Estate that will develop and redevelop 93 assets on 42 sites located throughout the Washington, D.C., metropolitan area. The assets – which are in various stages of entitlement, planning, development or renovation – range from completed properties slated for renovation or demolition to undeveloped urban-infill sites. A majority of the sites are adjacent to or near existing and proposed transit stations along the area's Metro light-rail system; 25 sites are located in northern Virginia, 13 are in suburban Maryland, and four are within the District of Columbia. When fully developed, the portfolio will total eight million square feet of office space, 1.9 million square feet of retail space; 13,400 multifamily housing units; and 2,500 hotel rooms.
- **The Yards**, a mixed-use redevelopment project planned by Forest City Washington for the 44-acre Southeast Federal Center, which once was an annex to the Washington Navy Yard on the Anacostia River in Washington, D.C. The proposed uses envisioned for the project include 1.8 million square feet of office space, 2,700 residential units, destination and neighborhood serving retail space and a large riverside park. Development began in late 2007.
- **Half Street**, a mixed-use project that is being developed in multiple phases in Southeast Washington, D.C., immediately north of the new ballpark for the Washington Nationals Major League Baseball team. The first phase of the project, which began construction in January 2007, will consist of 260,000 square feet of office space, 328 for-sale condominiums, 50,000 square feet of retail space, and a 200-room boutique hotel in four adjacent buildings occupying the entire city block on the eastern side of Half Street SE, between M Street SE and N Street SE. Future phases will be built on adjacent blocks to the west and north of the first phase and are likely to include a mix of office, retail and multifamily residential space.
- **Solea**, a six-story residential mid-rise building located in the District's Columbia Heights neighborhood that is being developed in partnership with JLC and NCRC. With construction underway, Solea will include 55 for-sale condominiums, seven live/work units and 4,700 square feet of retail space when completed.
- **Bay Street Emeryville**, a mixed-use "urban village" developed on a former industrial site near the eastern approach to the San Francisco-Oakland Bay Bridge in Emeryville, Calif., that included a 365,000-square-foot lifestyle retail center, with 284 rental apartments (20% of which are designated for low-income residents) and 95 town homes on three to six floors above the retail stores. The retail component was completed in 2002 and was named "Best New Retail Development of the Year" in April 2003 by the *San Francisco Business Times*. The residential units were completed in 2006 and garnered a Market-Rate Residential Real Estate Deal of the Year award in March 2007 from the *San Francisco Business Times*.

- Wilshire Vermont Station, a mixed-use "transit village" that was developed atop an existing underground-rail-transit station, approximately three miles west of downtown Los Angeles. Completed this past August, the property consists of two connected seven-story buildings with 449 apartment units (20% of which will be designated for low-income residents) and 36,000 square feet of street-level retail space that are configured around a public plaza and entrance to the Wilshire/Vermont Metro Red Line subway station.
- NoMa West, three mid-rise residential buildings (five to six stories in height) with approximately 500 rental apartments that will be developed on a four-acre, infill site in the emerging North of Massachusetts Avenue ("NoMa") neighborhood of Washington, D.C. Construction is expected to begin in the fall of 2008. *work museum*
- Metropolitan Lofts, an eight-story apartment community that was completed in the summer of 2006 on a former commercial/industrial site near the Staples Center in downtown Los Angeles. It consists of 264 apartment units (20% of which are designated for low-income residents), 11,000 square feet of ground-floor retail space and an attached parking structure. The property, which is currently 97% leased and 96% occupied, is operated on a long-term ground lease from the City of Los Angeles Redevelopment Agency.

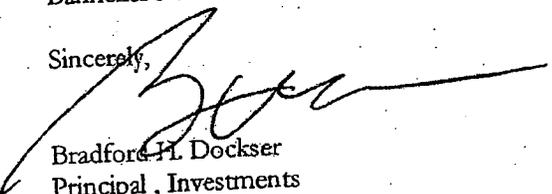
Founded in 1987, MacFarlane Partners has provided investment management services across a broad range of real estate strategies for institutional investors over the past 20 years, including the California Public Employees' Retirement System ("CalPERS"), the Teacher Retirement System of Texas, and the defined-benefit pension plans of AT&T and General Motors Corporation.

As managing member of an urban real estate joint venture with the CalPERS, the nation's largest public pension plan with \$255 billion in assets, we have investment discretion over \$1.45 billion in equity capital for investment in urban development and redevelopment projects in major cities throughout the U.S. We also manage a private institutional fund targeting urban property markets that was formed in 2006 and has an equity capitalization of \$1.01 billion.

Both the CalPERS' venture and the urban investment fund have revolving credit facilities; the CalPERS' venture has a debt facility with Sumitomo Bank that currently totals \$600 million, while the private fund has a debt facility with Bank of America that can be as large as 90% of the fund's eligible equity.

MacFarlane Partners strongly supports your proposal and is pleased to continue to be a part of Banneker's team for this innovative and worthwhile project for the citizens of Washington, D.C.

Sincerely,


Bradford H. Dockser
Principal, Investments



David H. Rosenthal
Interim Chief Executive Officer

Ball Street Ventures, LLC
1000 Wisconsin Avenue, NW
Suite G-100
Washington, D.C. 20007

202.625-2440 direct dial
202.625-2360 facsimile
DRosenthal@ballstreetfund.com

December 14, 2007

Joel R. Washington
Director
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 5th Street, NW
Washington, DC 20001

RE: Letter of Interest – The Jazz @ Florida Avenue

Dear Mr. Washington:

We are pleased to provide this Letter of Interest to the Banneker Ventures, LLC, District Development Group, and Donatelli Development team in response to a Washington Metropolitan Area Transit Authority Request for Proposal to develop three parcels on the 700 and 800 blocks of Florida Avenue, NW, Washington, D.C. We recognize this team as a leading developer in the region and are excited to partner with you to build an exceptionally-designed, transit-oriented, mixed-use housing, and retail community located on these key Florida Avenue/U Street corridor sites.

As you may be aware, Ball Street Fund (Ball Street) was founded by Brian Davis and Christian Laettner and is headquartered in Washington, D.C. Ball Street is a vertically-integrated development and investment company focused on mixed-use developments located in strategically-targeted, urban communities throughout the United States. The success of Ball Street's flagship development in Durham, North Carolina, West Village (<http://www.westvillageapts.com/>), demonstrates the strength and success of our vision. Our vision is based primarily on creating population and service density within an underserved, urban locale; ensuring the creation of an energetic, vibrant, integrated community benefitting many constituents, and; building a sustainable, flexible development with an eye toward future generation's needs, the development's economic viability, sensitivity to the natural environment, and preservation/conservation of natural resources.

We have reviewed the proposed plans for The Jazz @ Florida Avenue, and believe it to be both financially feasible and the best use for this location. As such, we are energized about the possibility of working with the Banneker/District Development/Donatelli Development team should this group be selected as WMATA's development partner on this site.

Although we have not finalized a term sheet, based on our preliminary review and discussions, Ball Street would provide Banneker, District Development and Donatelli Development with 100% of the equity requirements necessary to complete the development, or approximately \$8.0MM, based on the current budget and financial projections.

Ball Street is extremely energized about this letter of interest and is pleased to be part of this very capable team. We look forward to building a healthy, prosperous and multi-faceted relationship by partnering on this particular opportunity.

Very truly yours,



David H. Rosenthal



December 13, 2007

CORPORATE OFFICES

1054 31st Street, NW
Suite 18
Washington, DC 20007
Phone 202.355.1200
Fax 202.355.1201
bankofgeorgetown.com

Mr. Joel R. Washington
Director Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 5th Street, NW
Washington, DC 20001

Subject: Letter of Interest - The Jazz @ Florida Avenue

*has financed
Donatelli
Line of Credit \$3M
In construction*

participating lender

GEORGETOWN

1001 Wisconsin Ave., NW
Washington, DC 20007

Dear Mr. Washington:

FRIENDSHIP HEIGHTS

5236 44th Street, NW
Washington, DC 20015

We are pleased to provide this letter of interest to the Banneker Ventures, District Development Group and Donatelli Development-led team in response to a Washington Metropolitan Area Transit Authority Joint Development Solicitation to develop three parcels on the 700 and 800 blocks of Florida Avenue, NW, Washington, DC. We recognize this team as a leading developer in the region and are excited about the possibility of partnering with you to build an incredibly designed, transit oriented mixed-use housing and retail project on these key Florida Avenue/U Street corridor sites.

*good deposit
relationship
followed him
from
Industrial
Bank*

ARLINGTON/COURTHOUSE

2300 Wilson Blvd.
Arlington, VA 22201

We have worked with both Omar A. Karim and Chris Donatelli and the two firms of which they are the principals of and we are pleased to have the opportunity to work with them on The Jazz.

*low 6 figure
average*

CONNECTICUT AVENUE

1101 Connecticut Ave., NW
Washington, DC 20036

We have reviewed the proposed plans for the project and look forward to working with this team., should it be selected, to develop this key parcel along the Florida Avenue/U Street corridor.

*Jeff wants to
finance*

As you may know, The Bank of Georgetown is a District of Columbia Chartered Bank with four branch locations.

The Bank of Georgetown is very pleased to provide this letter of reference and interest for the Banneker, District Development, and Donatelli led project.

Sincerely,

Jeffrey A. Banks

Jeffrey A. Banks
Managing Director, Business Development
The Bank of Georgetown

*in-house lending
limit = \$4.2
Sweet spot = \$3M*

*Has Partner with
Washington
Engle*

*They are part of a
Collective Banking group
- BOA is a lender/partner
700 churches*



835 4460
202 ~~424 4536~~

- a) ~~no business~~ with any of the group in recent past
- b) prelim. meeting - familiar with apts + area
- c) whoever wins - rental apts = home run in this neighborhood
- d) need to assess ability + financial strength once the decision is made

December 13, 2007

Mr. Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 7001
Washington, DC 20005

Re: The Jazz @ Florida Avenue

Dear Omar,

We understand that your development team, including Banneker Ventures, District Development Group and Donatelli Development Inc. are responding to a Request for Proposals for the development of three parcels of land located on Florida Avenue, between 7th and 9th Streets, NW. I have reviewed the preliminary information provided on the proposed development, The Jazz @ Florida Avenue, which will be developed to include 103 rental apartments and 13,000 SF of retail space.

PNC Bank believes that the development of this project will be a boost to the redevelopment of the U Street Corridor and we look forward to working with you to try to provide construction financing on this exciting project.

PNC Bank typically provides construction loans up to 80% loan to cost, subject to a maximum 75% LTV based on the appraised value and a minimum 1.30X DSC based on the projected stabilized operations. Construction loan rates will typically be in the range of 1.75% - 2.75% above LIBOR.

This letter is not a commitment or an offer to lend and does not create any obligation on the part of PNC. PNC will not be deemed to extend any commitment unless and until the transaction is approved by PNC and a formal Commitment Letter is issued.

Should your team be the successful bidder, PNC looks forward to further discussing the financing of this project.

Sincerely,

Casey Brill
Vice President
Member of The PNC Financial Services Group

1401 K Street NW Washington DC 20006



December 12, 2007

Omar Karim
Danneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005

*Called back
Several weeks later
3rd week of Jan
wants to be
involved
Knows both
teams*

RE: Financing Interest Letter in connection with The Jazz @ Florida Avenue

To Whom It May Concern in the Washington DC District Government:

HSBC Real Estate Finance has followed with great interest the proposals surrounding the sites located on Florida Avenue on 7th and 8th streets. HSBC has both the ability to deliver the required financing and a strong interest in providing the financing required to bring this highly visible project to fruition. We have a high regard for the development team that has been put in place to execute on The Jazz @ Florida Avenue and would go so far as to indicate to you that under the proper circumstances it is a project that we would consider financing without financial recourse, with the understanding that the completion guaranty and other factors would have to be in place for our bank to proceed on that basis.

Although this is not a commitment to lend on the proposed project, which commitment would require the necessary internal approvals at HSBC, we look forward to continuing to work on the financing mandate.

Should any of you have questions relative to either HSBC or its interest in financing this project, please do not hesitate to call me at 202 496-8752.

Sincerely:

Antonio F. Marquez
Senior Vice President
DC Real Estate Finance

Updated Project Schedule

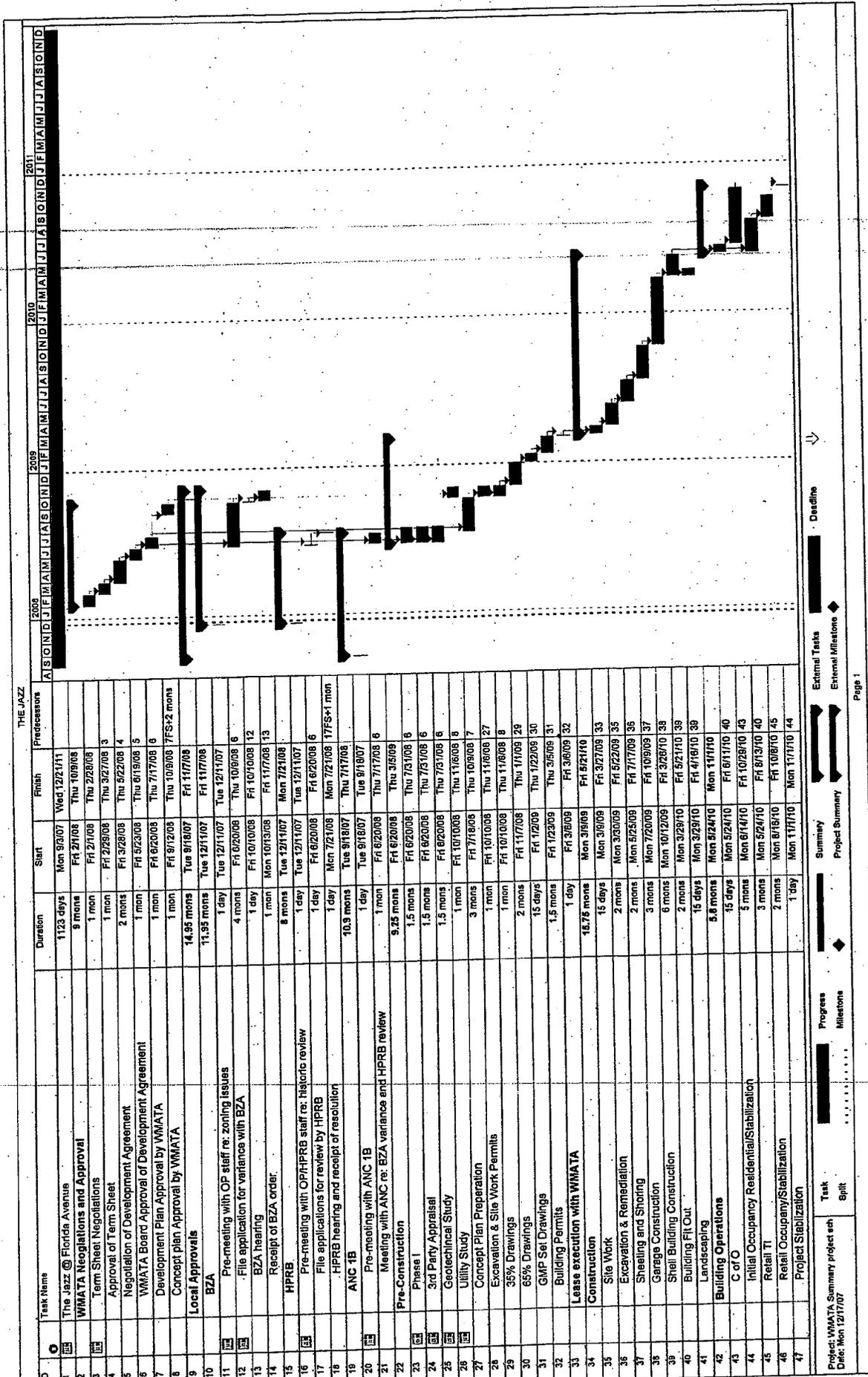
Task Name	Duration	Start	Finish	Predecessors
0 The Jazz @ Florida Avenue	123 days	Mon 9/3/07	Wed 12/21/11	
1 WMATA Negotiations and Approval	9 mons	Mon 9/3/07	Thu 10/9/08	
2 Term Sheet Negotiations	1 mon	Mon 9/3/07	Mon 9/3/07	
3 Approval of Term Sheet	1 mon	Mon 9/3/07	Mon 9/3/07	
4 Negotiation of Development Agreement	2 mons	Mon 9/3/07	Thu 3/27/08	
5 WMATA Board Approval of Development Agreement	1 mon	Mon 9/3/07	Mon 9/3/07	
6 Development Plan Approval by WMATA	1 mon	Mon 9/3/07	Mon 9/3/07	
7 Concept Plan Approval by WMATA	1 mon	Mon 9/3/07	Mon 9/3/07	
8 Local Approvals	14.35 mons	Mon 9/3/07	Thu 11/7/08	
9 BZA	1 day	Tue 12/1/07	Tue 12/1/07	
10 Pre-meeting with OP staff re: zoning issues	4 mons	Mon 9/3/07	Thu 10/9/08	
11 File application for variance with BZA	1 day	Mon 9/3/07	Mon 9/3/07	
12 BZA hearing	1 day	Mon 9/3/07	Mon 9/3/07	
13 Receipt of BZA order	8 mons	Mon 9/3/07	Mon 7/1/08	
14 HPRB	1 day	Tue 12/1/07	Tue 12/1/07	
15 Pre-meeting with OP/HPRB staff re: historic review	1 day	Tue 12/1/07	Tue 12/1/07	
16 File applications for review by HPRB	1 day	Tue 12/1/07	Tue 12/1/07	
17 HPRB hearing and receipt of resolution	10.9 mons	Mon 7/21/08	Mon 7/21/08	
18 ANC 1B	1 day	Tue 9/1/07	Tue 9/1/07	
19 Pre-meeting with ANC 1B	1 mon	Mon 7/21/08	Mon 7/21/08	
20 Meeting with ANC re: BZA variance and HPRB review	9.25 mons	Mon 7/21/08	Thu 3/5/09	
21 Pre-Construction	1.5 mons	Mon 7/21/08	Thu 7/31/08	
22 Phase 1	1.5 mons	Mon 7/21/08	Thu 7/31/08	
23 3rd Party Appraisal	1.5 mons	Mon 7/21/08	Thu 7/31/08	
24 Geotechnical Study	1.5 mons	Mon 7/21/08	Thu 7/31/08	
25 Utility Study	1 mon	Mon 7/21/08	Mon 7/21/08	
26 Concept Plan Preparation	3 mons	Mon 7/21/08	Thu 10/9/08	
27 Excavation & Site Work Permits	1 mon	Mon 7/21/08	Mon 7/21/08	
28 35% Drawings	2 mons	Mon 7/21/08	Thu 11/6/08	
29 65% Drawings	15 days	Mon 7/21/08	Mon 7/21/08	
30 Building Permits	1.5 mons	Mon 7/21/08	Thu 11/6/08	
31 Construction	18 days	Mon 7/21/08	Mon 7/21/08	
32 Site Work	18 days	Mon 7/21/08	Mon 7/21/08	
33 Excavation & Remediation	4 mons	Mon 7/21/08	Thu 11/6/08	
34 Sheeting and Shoring	3 mons	Mon 7/21/08	Thu 10/9/08	
35 Garage Construction	6 mons	Mon 7/21/08	Thu 3/25/09	
36 Shell Building Construction	2 mons	Mon 7/21/08	Mon 7/21/08	
37 Building Fit Out	13 days	Mon 7/21/08	Mon 7/21/08	
38 Landscaping	5.5 mons	Mon 7/21/08	Thu 6/11/09	
39 Building Operations	13 days	Mon 7/21/08	Mon 7/21/08	
40 C of O	5 mons	Mon 7/21/08	Thu 10/28/08	
41 Initial Occupancy Residential	2 mons	Mon 7/21/08	Mon 7/21/08	
42 Retail TI	2 mons	Mon 7/21/08	Mon 7/21/08	
43 Retail Occupancy	1 day	Mon 7/21/08	Mon 7/21/08	
44 Project Stabilization	1 day	Mon 7/21/08	Mon 7/21/08	

3/08
 4/08 Turn Sheet
 6/08 Agreement
 3/09 Bldg Permits
 6/10 Initial Occ.
 10/29/10 Subcontract

External Tasks
 External Milestones
 Summary
 Project Summary
 Deadline

Task Split
 Progress Milestones
 Milestones
 Task Split
 Progress Milestones
 Milestones

Updated Project Pro Forma



Project: WMATA Summary project wch
 Date: Mon 12/17/07

Progress Milestones
 Summary
 External Milestones
 External Tests
 Deadline

Financial Statements

BANNEKER VENTURES, LLC

FINANCIAL STATEMENTS

AS OF NOVEMBER 30, 2007

**BANNEKER VENTURES, LLC
FINANCIAL STATEMENTS
AS OF NOVEMBER 30, 2007**

TABLE OF CONTENTS

FINANCIAL STATEMENTS:	<u>Page</u>
BALANCE SHEET	1
INCOME STATEMENT	2
STATEMENT OF CASHFLOWS	3

**BANNEKER VENTURES, LLC
BALANCE SHEET
AS OF NOVEMBER 30, 2007**

ASSETS

CURRENT ASSETS

Cash	\$ 24,437
Due from Affiliates	17,001
Loan to Other	<u>2,000</u>
Total Current Assets	<u>43,438</u>

PROPERTY AND EQUIPMENT

Total Property and Equipment	37,646
Accumulated Depreciation	<u>(2,000)</u>
Property and Equipment, net	<u>35,646</u>

OTHER ASSETS

Investments in 814 Thayer, LLC	<u>351,000</u>
Total Other Assets	<u>351,000</u>

TOTAL ASSETS

430,084

LIABILITIES AND MEMBERS' EQUITY

MEMBERS' EQUITY

Members' Equity	<u>430,084</u>
Total Members' Equity	<u>430,084</u>

TOTAL LIABILITIES AND MEMBERS' EQUITY

\$ 430,084

BANNEKER VENTURES, LLC
STATEMENT OF INCOME
AS OF NOVEMBER 30, 2007

REVENUE

Fees - 814 Thayer	\$ 173,440
Fees - Park Morton	252,386
Fees - Walker Jones	30,322
Other Revenue	8,019
Interest	<u>37</u>
Total Revenue	<u>464,204</u>

EXPENSES

Salaries, wages & related taxes	\$ 188,855
Automobile	3,279
Bank Service	1,029
Contributions	7,925
Dues and Subscriptions	1,997
Licenses and Permits	260
Miscellaneous	6,648
Postage and Delivery	416
Printing and Reproduction	347
Legal Fees	1,807
Consulting	147,311
Architect Fees	86,303
Meals and Entertainment	2,187
Office, General and Administrative	8,250
Repairs	5,394
Telephone	3,776
Travel	7,856
Utilities	<u>2,621</u>
Total Expenses	<u>476,261</u>

NET INCOME (LOSS)

	<u>(12,057)</u>
Accumulated deficit, at January 1	<u>(15,147)</u>
Accumulated deficit, at November 30	<u>\$ (27,204)</u>

**BANNEKER VENTURES, LLC
STATEMENT OF CASH FLOWS
AS OF NOVEMBER 30, 2007**

CASHFLOWS FROM OPERATING ACTIVITIES:

NET INCOME/(LOSS) \$ (12,057)

Adjustments To Reconcile Net Income/(Loss)
To Net Cash From Operations:

 Loan to Other

(2,000)

NET CASH FROM OPERATING ACTIVITIES

(14,057)

CASHFLOWS FROM INVESTING ACTIVITIES:

 Purchase of Property, Plant, & Equipment

(5,276)

CASHFLOWS FROM FINANCING ACTIVITIES:

 Distributions to members'
 Contributions by members'

(63,750)

96,000

NET CASH FROM FINANCING ACTIVITIES

32,250

Net (Decrease) Increase in Cash

12,917

Cash Balance at January 1, 2007

11,520

Cash Balance at November 30, 2007

\$ 24,437

BANNEKER VENTURES, LLC
STATEMENT OF MEMBERS' EQUITY
AS OF NOVEMBER 30, 2007

BEGINNING MEMBERS EQUITY

Share of Net Income
 Contribution
 Withdrawals

	<u>\$ 174,488</u>	<u>\$ 235,403</u>	<u>\$ 409,891</u>
	<u>Omar A. Karim</u>	<u>Warren C. Williams</u>	<u>Total</u>
	(6,029)	(6,028)	(12,057)
	96,000	-	96,000
	-	(63,750)	(63,750)
	<u>\$ 264,460</u>	<u>\$ 165,625</u>	<u>\$ 430,084</u>

ENDING MEMBERS' EQUITY (DEFICIT)

Updated Project Pro Forma



January 28, 2008

Mr. Omar A. Karim
Banneker Ventures, LLC
700 12th Street NW Ste. 700
Washington, DC. 20005

Dear Mr. Karim:

Metropolis Development Company ("Metropolis") welcomes the opportunity to serve as a Co-Developer with Howard University, Banneker Ventures and District Development Group to develop a mixed-use hotel, residential and retail project known as the Howard University Gateway Project on three WMATA parcels located in the Shaw/U Street District specifically on the South Side of Florida Avenue NW between 7th and 9th Streets NW. Metropolis has successfully developed WMATA parcels (LANGSTON LOFTS) at 14th and V Street and look forward to working with WMATA on this transaction.

The proposed Howard University Gateway Project provides an exciting development opportunity for our firm. Metropolis is the one of the most active residential and retail developers in the Uptown Arts Overlay with over 600,000 square feet valued at approximately \$157 million delivered or under construction in the past 5 years.

Metropolis' core strengths are its ability to successfully execute complex real estate transactions in combination with unique design. The nature of constructing over Metro is familiar to Metropolis as we built successfully over Metro tunnels in our neighborhood-anchoring Langston Lofts project at 14th and V Streets; NW. Langston Lofts is an awarding winning mixed use residential/retail building that was built on top of the Metro Tunnel which included two air shafts. Throughout the Langston Project, Metropolis successfully closed an alley, removed oil contaminants and removed the cut and cover debris from the site. More importantly, Metropolis working closely with WMATA's an engineer successfully navigated its construction around the Metro Tunnels and is therefore extremely experienced with WMATA's requirements to protect its underground tunnel and its "zones of influence".

Metropolis Development Company is a full service mixed use real estate development company focused on residential and retail projects in the Uptown Arts Overly market area.

Metropolis is a District Certified LSDBE and therefore fully committed to involving LSDBE participants and the community as major components of our project.

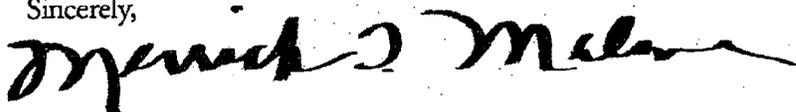
One of our objectives is to ensure, where possible, that District residents and District based LSDBEs and employees have an opportunity to benefit from our projects. Metropolis will continue to work closely and cooperatively with the District of Columbia Department of Employment Services and the Office of Local Business Development to maximize the participation, employment and contracting opportunities for District residents and businesses which surround its development.

In all of its mixed use development projects, Metropolis has demonstrated that it is imperative that the surrounding community of residents, churches, business and civic associations be considered as "partners" in the development process and must be integrated into all aspects of the process from planning/design to completion.

As a result of its previous mix-use developments in the area Metropolis has formed excellent relations with the members of the ANC in which the WMATA parcels are located. ANC's 1 and 2A as well as the Cardozo Shaw Neighborhood Association were all instrumental in the success of our development of Langston Lofts and our development of the new Duron site at 14th and Clifton. We sought and received their support for these developments which also required Historical Preservation Review Board and Board of Zoning Adjustments Approvals.

Metropolis has a demonstrated history of successful development and looks forward to working with your team on the Howard Gateway Project.

Sincerely,



Merrick T. Malone, Principal and Executive Vice President
Metropolis Development Company LLC
1327 14th Street NW, Ste. 200
Washington, DC. 20005
(202) 588-1438

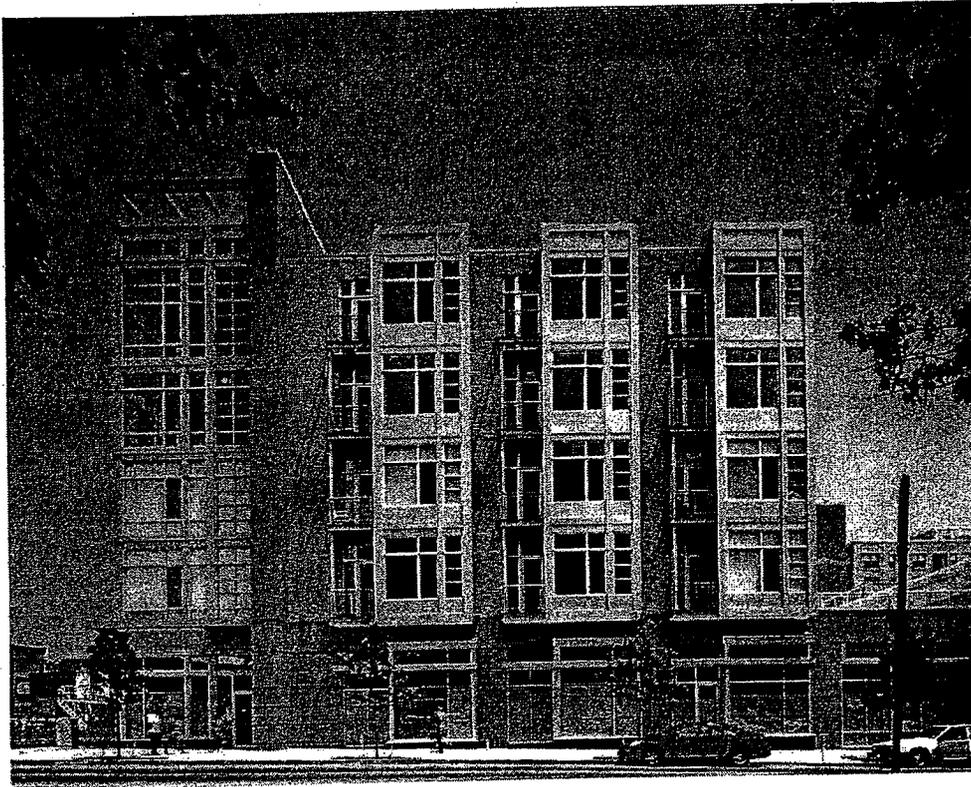
Metropolis Development Projects:

- Langston Lofts, a 101,647-square foot, 80-unit condominium at the southeast corner of 14th and V Streets, NW, with *Busboys and Poets*, a restaurant and bar/coffee house/bookstore/live performance venue on the ground floor.

Winner of a 2006 Merit Award from Residential Architect magazine.

Winner of a 2005 District of Columbia American Institute of Architects Award For Excellence.

Finalist along with Busboys and Poets in the Best Community Impact category of the Washington Business Journal's Best Real Estate Deals contest for 2005.



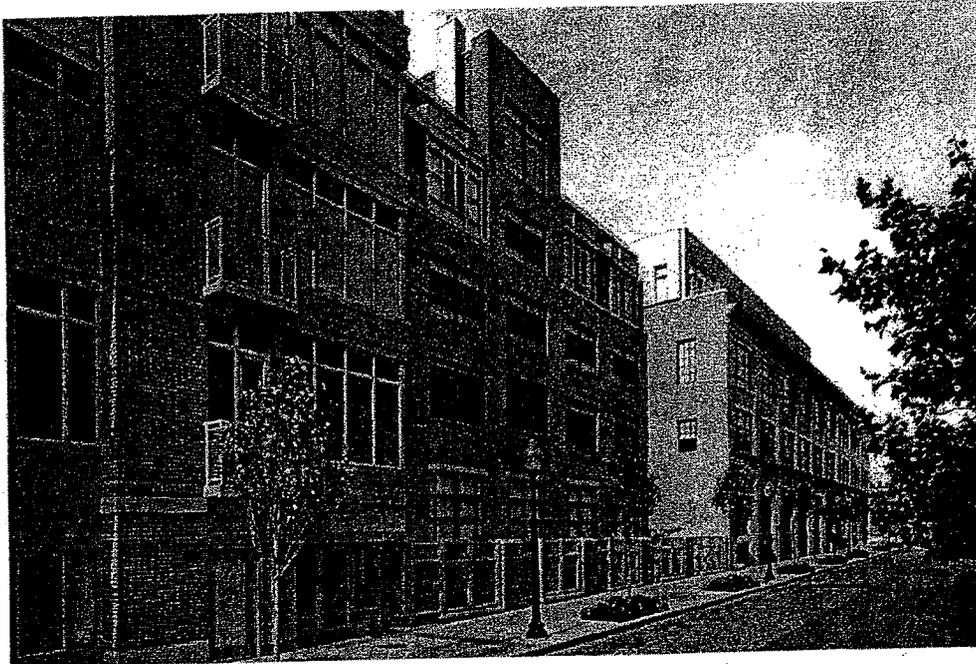
*Langston Lofts
1390 V Street NW
Washington, DC*

*Metropolis Development Company,
Developer*

- **Lofts 14**, a 144,614 square foot, 83-unit condominium development at 14th and Church Streets, NW, with international retailer *Mitchell Gold* on the ground floor.

Winner of the Delta Associates 2005 Mid-Atlantic Condominium of the Year.

Winner of the Delta Associates 2003 Best Adaptive Reuse Condominium Project in the Washington Area.

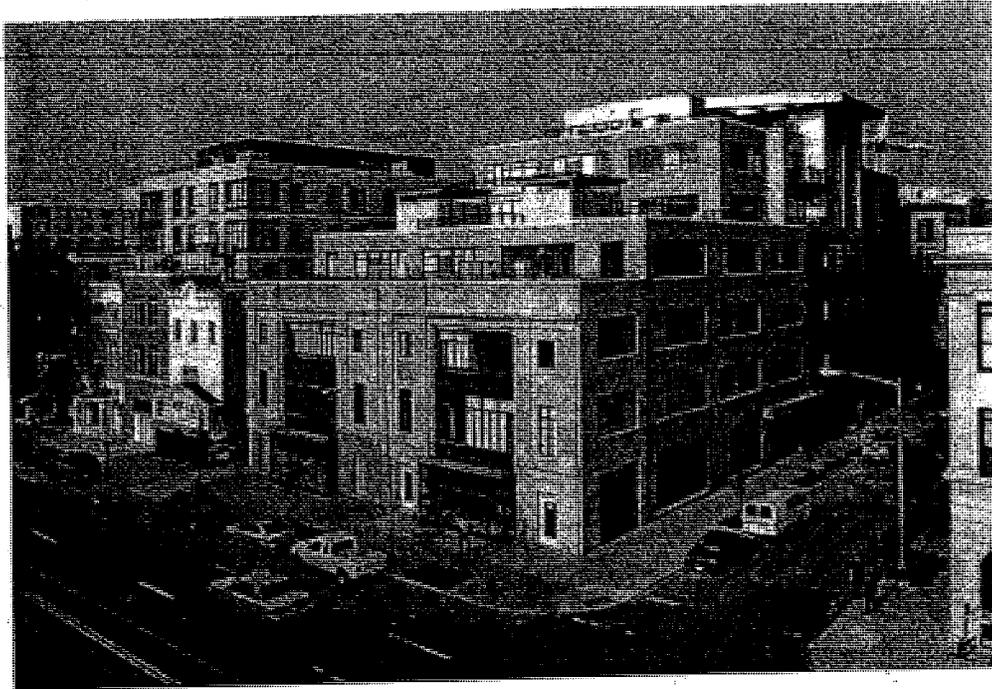


*Lofts 14
1401 Church Street NW
Washington, DC*

*Metropolis Development Company,
Developer*

- Lofts 14 Two, a 71,310 square foot, 37-unit condominium development at 14th and Church Streets, NW. MDC is currently choosing retail tenants.

Along with Lofts 14, Winner of the 2006 District of Columbia's Mayor's Award for Excellence in Historic Preservation for Excellence in New Construction.



Lofts 14 Two

*Metropolis Development Company,
Developer*

*1400 Church Street, NW
Washington, DC 20005*

- **Cooper Lewis Condominium**, a 58,530 square foot, 20-unit condominium development at 14th and P Streets, NW. The retail occupants will be PNC Bank and real estate broker The Hounshell Group.

Winner of the Delta Associates 2004 Best Adaptive Reuse Condominium Project in the Washington Area.



*Cooper Lewis Condominium
1403 P Street, NW
Washington, DC 20005*

Metropolis Development Company, Developer

- The Metropole, a 227,237 SF, 90-unit mixed-use condominium development at 15th and P Streets, NW, with 33,500 SF of retail and 71 public parking spaces. Currently under construction.



*The Metropole
Company, Developer
1515 15th Street, NW
Washington, DC 20005*

Metropolis Development



Key Principals

Scott Pannick, Principal and President, formed Metropolis in 1998 with the goal of revitalizing the new housing market in the District of Columbia. As of today Metropolis has 310 condominiums under development with more than 62,000 square feet of retail space. Before Metropolis, Scott was Executive Vice President, Director and Branch Manager of Julien J. Studley, Inc. in Washington, D.C. At Studley, Scott performed consulting, advisory work and fee development for institutional and corporate headquarters buildings in the District for 25 years. Scott's projects, which total seven million square feet, include Postal Square (1.2 million square feet), the Department of Transportation headquarters (1.35 million square feet), the American Red Cross headquarters (475,000 square feet) and the American College of Obstetricians and Gynecologists headquarters (50,000 square feet). Scott has an M.B.A. from Harvard Business School.

Merrick Malone, Principal and Executive Vice President, joined Metropolis in 1999 and brought with him a wealth of experience having worked both in public and private economic development as developer, consultant and high level public official in Washington and Detroit. Prior to joining Metropolis, Merrick was President of URBANCITYFOODS, a minority-owned restaurant development company which acquired and developed multiple restaurants in Baltimore, Washington, Detroit and Chicago. Prior to URBANCITYFOODS, Merrick was the Deputy Mayor of Economic Development and the Director of Housing and Community Development for the District of Columbia. In that position, Merrick led the District of Columbia to the successful completion of the MCI Sports Arena and assisted with the development of the \$30 Million Black Entertainment Television (BET) Corporate Offices and Studio. During his tenure as Washington's Chief Economic Official, Merrick initiated and fostered public/private partnerships that financed the construction and renovation of over 4,500 residential units, four new childcare centers including the Mazique Parent Child Center, two major neighborhood retail centers, the Nehemiah neighborhood retail center and the Good Hope Marketplace and the restoration of the historic Lincoln Theatre at U Street. Merrick has a law degree from Georgetown University and is a real estate and transactional attorney.

Alex Shewchuk, Chief Financial Officer, has worked on four Metropolis projects, covering tax and financial reporting, budgeting, insurance, condominium document preparation, settlements, bookkeeping and transactions oversight. Alex attended The Wharton School, where he earned an M.B.A. and a Master's in International Relations. He has lived in Brazil, Japan, England, Spain, and Taiwan. He holds a B.A. in Economics from Yale University. He has also worked in management consulting with A.T. Kearney, and in systems programming with Morgan Stanley.



Contact Information

- Scott Pannick, Principal and President
Tel (202) 588-1436
Cell (202) 460-4150
Fax (202) 588-1344
pannick@metropolis-dc.com
 - Merrick Malone, Principal and Executive Vice President
Tel (202) 588-1438
Cell (202) 437-6704
Fax (202) 588-1977
malone@metropolis-dc.com
 - Alex Shewchuk, Chief Financial Officer
Tel (202) 588-1870
Cell (240) 353-7488
Fax (202) 588-1977
shewchuk@metropolis-dc.com
-

M E M O R A N D U M



SUBJECT: Shaw-Howard/Florida Avenue
Joint Development Sites
Tentative Developer Selection

DATE: February 26, 2008

FROM: Nat Bottigheimer 

TO: John B. Catoe, Jr.

The Department of Planning and Joint Development (PLJD) recommends tentative selection of Banneker Ventures as developer of Metro's three Shaw-Howard/Florida Avenue parcels and preparation and negotiation of a term sheet with that team. If negotiations are unsuccessful, we recommend turning to the Moddie Turay Company for negotiation of a term sheet.

In early 2007, Metro issued Requests for Expressions of Interest for its Shaw-Howard/Florida Avenue joint development sites: Parcel 1, 3,800 sf on Florida Avenue at 9th St, NW; Parcel 2, 8,600 sf on Florida Avenue between 8th and 9th streets, NW, and Parcel 3, 16,500 sf on Florida Avenue between 7th and 8th streets.

After evaluation of responses, Metro requested six developers to submit more detailed proposals, and four did so with two combining as one team.

On October 5, 2007, Metro received three proposals from teams led by:

1. Banneker Ventures
2. Lakritz Adler
3. Moddie Turay Company

The recommendation to tentatively select Banneker Ventures is based on the Metro Evaluation Team's ranking of the proposals (memo attached) in accordance with the evaluation criteria in the Joint Development Solicitation and Source Selection Plan.

Metro team members comprising the Evaluation Team were from the Office of Station Area Planning and Asset Management (SAAM) and the Office of the General Counsel (COUN) with participation by the Office of Joint Development and Adjacent Construction (JDAC) since the sites are partly over Metrorail tunnels. In addition to Metro staff review and due diligence, outside real estate consultant Bolan Smart provided financial and market analysis, and representatives from the District of Columbia's Office of the Deputy Mayor for Economic Development and Office of Planning evaluated the proposals for conformance with city plans and policies.

Washington
Metropolitan Area
Transit Authority

The Banneker and Moddie Turay proposals both encompass residential development over ground floor retail for all three sites and are not substantially different in concept.

In many other aspects, the teams match up evenly. A major difference was the financial offer from Banneker providing approximately \$2.2 million more in net present value to Metro over the course of a 60-year lease. Further, the Banneker proposal has less complication than the Moddie Turay proposal, which envisions combining the smallest Metro site with an alley to be closed and adjacent historic district property to be acquired. The financial terms for this acquisition have not been agreed to, and the city staff has informed us that the prospects for closing an alley and removing two contributing historic structures are uncertain.

Staff is aware that a key potential benefit to the community of Metro's joint development program is the promotion of high-quality transit-oriented development. As a result, staff took pains to evaluate the degree to which proposals submitted by adjacent property owners could contribute to a higher-quality development project compared to a project developed independent of adjacent property owner projects.

Of particular interest were the buildings next to the Metro property fronting on 9th Street. To evaluate the potential benefits of combining Metro's property with adjacent property, staff visited these sites, consulted with District of Columbia planning and historic preservation staff, and reviewed each of the joint development proposals with attention to this important evaluation factor.

In staff's opinion, developing Metro's property independently of the development of the adjacent properties would not reduce the potential of adjacent properties to be redeveloped in accordance with historic district requirements.

Further, combining the adjacent properties with Metro's three parcels (1) would result in a significant potential for delaying the redevelopment of Metro's property because of the historic district and the alley closing issues mentioned above and (2) would not appear to offer substantial benefits in terms of transit oriented development quality.

cc. Jack Requa
Chuck Woodruff
Carol O'Keeffe
Shiva Pant

M E M O R A N D U M



SUBJECT: Shaw-Howard/Florida Avenue Joint DATE: January 29, 2008
Development Sites - Tentative
Developer Selection

FROM: Rosalyn Doggett

THRU: Joel R. Washington *JRW*

TO: Nat Bottigheimer

WMATA received 3 proposals for its Shaw-Howard/Florida Avenue joint development sites: Parcel 1, 3,800 sf on Florida Avenue at 9th St, NW; Parcel 2, 8,600 sf on Florida Avenue between 8th and 9th streets, NW, and Parcel 3, 16,500 sf on Florida Avenue between 7th and 8th streets. In accordance with the Source Selection Plan for the Shaw-Howard/Florida Avenue Joint Development Sites, an Evaluation Team composed of Rosalyn Doggett, Chair, John Magarelli and Marc Biondi met a number of times to rate proposals from each of three teams. Two meetings were held before interviews with the teams, and two were held after interviews and additional due diligence. The development teams are led by:

Banneker Ventures
Lakritz Adler
Moddie Turay Company

The Evaluation Team recommends tentative selection of Banneker Ventures and preparation and negotiation of a term sheet with that team. If negotiations are unsuccessful, the Evaluation Team recommends turning next to the Moddie Turay Company for negotiation of a term sheet.

The Lakritz Adler proposal does not meet the threshold test in the Source Selection Plan of providing WMATA with net present value of rent over a 60-year lease that meets WMATA's current fair market value appraisal for the site (\$7.5 million as of August 2007). The failure to meet appraisal value, alone, eliminates the team from further consideration. Further, Lakritz Adler offers one-half or less of the present value offered by the other two teams so it is thought that the deficit cannot be made up through negotiation even if there were other reasons to select the team, which there do not appear to be.

Washington
Metropolitan Area
Transit Authority

The net present values of the offers over a sixty-year lease period are:

Banneker	\$14 million
Moddie Turay	\$11.8 million
Lakritz Adler	\$6 million

Banneker Ventures has been recommended because it provides greater rental present value to WMATA, approximately \$2.2 million more than its remaining competitor.

Both teams propose 4 to 5 story residential development over retail for all three parcels that comprise the joint development site, at a matter-of-right FAR of 4.5. Moddie Turay proposes combining Parcel 1 with two small adjacent parcels totaling 3,000 sf, which it controls, and utilizing the air rights over an alley proposed to be closed between Parcels 1 and 2; however its financial offer is not contingent on the two parcels being incorporated or the alley closing. Banneker proposes 103 dwelling units and 12,000 sf of retail whereas, utilizing the combined properties and alley closing, Moddie Turay proposes 130 dwelling units and 26,000 sf of retail. Otherwise, there is little difference in design concept between the two teams.

The Evaluation Team ranked the teams according to the evaluation criteria in the Source Selection Plan. These final rankings are shown in the accompanying table, which lists the evaluation criteria underlined below.

The Team found that both proposals reflect TOD principles since they are on a walkable street within blocks of two different Green Line Metro stations (Shaw-Howard and U Street-Cardozo-African American Civil War Memorial), maximize matter-of-right density and provide a mix of uses that will contribute to the ongoing revitalization of the area. The Banneker proposal includes a modest amount of affordable housing and represents that its building will be "green." Both proposals are equally viable in the market provided that the apartment market remains strong in the area. Each proposes some ground floor arts/retail uses that would be an asset to the community if realized. Their proposals conform to the District of Columbia's Duke Plan (except that the plan advocates even taller buildings if possible through a PUD; lack of space for underground parking may be a constraint, however). Also, the Office of Planning has since indicated that it will support by-right development. Both provide similar benefits to the local jurisdiction in terms of property and sales taxes.

The Moddie Turay proposal is slightly more creative in that it combines Parcel 1 with adjoining property, making a larger and more regular development parcel. However, it is not clear from talking to District planning and regulatory officials that the developer can accomplish either the alley closing

or the demolition of two structures which "contribute" to the historic district in which they are located. There may be issues with combining the adjoining fee property with leased WMATA property; also a sales price has not yet been agreed upon between Moddie Turay and the adjoining property owner. ~~Price and historic preservation negotiations could delay project execution.~~ Neither project will have an impact on WMATA facilities though construction over the Metro tunnel which runs partially beneath each parcel will need to be coordinated by JDAC. Once more detailed designs are prepared it is possible that the teams may need to seek a variance for required parking because of limitations in construction over the Metro tunnel.

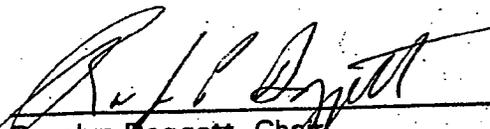
There is little difference in experience. The Banneker team members (led by Omar Karim) include the District Development Group and, recently added, Metropolis Development, which has replaced Donatelli Development as a team member. Metropolis Development has extensive experience in developing new and adaptive residential buildings with ground floor retail in the Shaw neighborhood, including the Langston Lofts condominium project at 14th and V streets, a WMATA joint development site. The other teams members are less experienced but are obtaining approvals for a Silver Spring residential building at the present time. The Banneker Team architect, Torti Gallas, is experienced in residential and retail design on nearby U Street and over Metro tunnels. Moddie Turay and his company staff appear to have somewhat less experience but have an experienced local architect, Sumian Sorg, and have teamed with Clark Enterprises represented by General Counsel Rebecca Owen who stated in interviews that Clark will deploy the necessary personnel to build the project for which the Moddie Turay Company will be project manager. Ms. Owen added that this could be either Clark Realty Capital, Clark's housing arm (which has participated in Fort Totten and Huntington but elected not to follow through on its contract for Western Bus Garage) or new personnel hired by Clark Enterprises, the parent company. Clark Enterprises clearly has construction expertise; however Banneker has stated that it intends to use Tompkins Builders, a local firm with Metro-related experience.

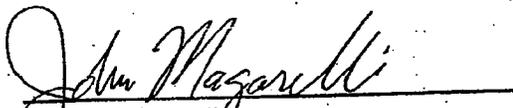
Financial benefit to WMATA was discussed earlier, and Banneker's offer is clearly superior in that regard. In terms of financial viability, neither proposal has obvious flawed market or financial assumptions though Banneker depends on rent increases, which appear to be achievable, to subsidize affordable housing. Clark would more likely have access to financial sources. However, lender references for both teams indicated an interest in financing projects on these sites. Equity for Banneker would be provided by MacFarlane Partners, who are active team participants, and Clark will furnish its own equity, which it has the resources to do. Both teams provide modest enhancement to Metro Ridership.

It should be noted that WMATA requested both lease and sale proposals and received both. Net present value analysis showed that the lease proposals generate more revenue for WMATA over 60 years than the sale proposals. Since the Board's preference is to lease, the sale proposals were not considered further.

The accompanying table summarizes the land use and financial elements of the two finalist lease proposals. Both have financial elements that would likely need to be strengthened or provided in negotiations, for example, capital event participation for both teams; bonus density rent provisions and slightly higher base rent for Banneker; and annual base rent escalation for Moddie Turay. It is conceivable that negotiations could change the relative positions of the teams.

But for the present, it appears fair to start with the Banneker team since its financial offer is superior and its proposal does not have the potential complications of combining property with an adjacent owner. The Moddie Turay team, though close in ranking, has no clear superiority overall.


Rosalyn Doggett, Chair


John Magarelli

FLORIDA AVENUE PROPOSALS EVALUATION 1-08

	POSSIBLE POINTS	BANNEKER	LAKRITZ ADLER	MODDIE TURAY
TECHNICAL CRITERIA	50 Total	42	45	45
1 Reflects TOD Principles	10	10	10	10
2 Market Viability	10	7	8	7
3 Prior Team Experience	10	7	8	9
4 Innovation/Creativity	5	3	4	4
5 Compatibility with Local Land Use Plan	5	5	5	5
6 Benefits to Local Jurisdiction	10	10	10	10
ECONOMIC CRITERIA	50 Total	35	20	30
1 Financial Benefits to WMATA	35	25	10	20
2 Financial Viability of Proposal	5	5	5	5
3 Enhanced Ridership	10	5	5	5
TOTAL POINTS	100	77	65	75

COMPARISON OF SHAW HOWARD/FLORIDA AVENUE LEASE PROPOSALS

Category	Banneker 60 year lease	Moddie Turay 60-year lease
Development Summary	104 du's, 11,750 sf retail, 47 below grade pkg. 127,692 gsf (excludes garage) 4.5 MOR FAR on site size of 28,892 sf Total Dev. Cost \$35.6M	130 du's, 26,282 retail, 62 below grade pkg. (includes closed alley and 2 adj. lots) 4.5 MOR FAR on site size of 31,892 sf plus closed alley. Total Dev. Cost \$43.6M
Non-Refundable Option Fee- amount, start, duration	\$100,000 upon Selected Developer/Term Sheet approval 2/08	\$100,000 upon Selected Developer/Term Sheet Approval
Land Value and derivation (Appraisal: \$7.5M in 2007)	\$8.2M, year 2010, based on residual land value	\$8.8-9M, year 2011, based on \$65/sf 2008 escalated 2%/year to 2011 (WMATA land only)
Pre-development Rent	\$100,000/yr. from Agreement execution through construction thru yr. 2 of stabilization 6/08-11/10 (11/10 = outside rent start date) [Note: 11/10 = 50% stabilization on pro forma 3% escalation occurs 18 months later]	\$120,000/year (\$10,000/month) upon execution of agreement thru stabilization 12/11 willing to agree on mutually acceptable outside rent commencement date
Construction Period Rent	see above (\$100,000/yr.)	see above (\$10,000/month)
Base rent: (Appraisal: \$525,000)	\$500,000 in 12/10 (6% residual land value)	@ \$700,822 (8% land value) in 12/11
Escalation of base rent from 2008 to start of payment	None (base rent is the projected rent though it is below appraiser's current rent)	2%/yr. on 2008 \$65 base land value
Escalation of base rent if delay from schedule	Increase pre-development rent 3% if projected closing (3/09) is delayed beyond a year	Increase pre-devel. rent to 1/2 stabilized rent if no full rent start by 12/11
Annual Base Rent escalation	3%	none
Periodic Rent revaluation	not addressed	adjust every 10 years-3 appraiser method
Cash Flow Participation	share of gross income to be negotiated	not addressed
Capital event participation	share of net proceeds (after all project and sale-related expenses)	5% net proceeds (to be defined) but not construction loan takeout
Density increase payments	not addressed	based on increased FAR land value if PUD
NPV with residual	\$14 M with residual	\$11.8 M with residual

**OUTLINE OF OPERATING AGREEMENT BETWEEN
BANNEKER VENTURES, LLC, DISTRICT DEVELOPMENT GROUP, INC. AND
METROPOLIS DEVELOPMENT COMPANY, LLC**

The following outlines the terms of an operating agreement between Banneker Ventures, LLC ("Banneker"), District Development Group, Inc. ("DDG"), and Metropolis Development Company, LLC ("Metropolis") and the Washington Metropolitan Transit Authority ("WMATA") for the purpose of leasing WMATA's properties on the 700 and 800 blocks of Florida Avenue, NW, Washington, DC (collectively, the "Site"), and developing and operating a to-be-built mixed-use retail and residential project consisting of approximately 103 residential units and 12,000 square feet of retail space on the Site (the "Project").

The venture will be formed as a District of Columbia limited liability company (the "Company"). The Members of the Company shall include Banneker, or an affiliate thereof, DDG, or an affiliate thereof, and Metropolis, or an affiliate thereof. This outline contains the terms and conditions which, if successfully concluded, will result in a definitive operating agreement (the "Operating Agreement").

Business Plan:

The business plan for the Company calls for the negotiation and execution of a Term Sheet and Development Agreement with WMATA and the completion of the planned development as described above.

The Company intends to lease the residential portion of the Project as mixed-income apartments and the ground floor retail portion of the Project to a mix of different retailers, including a full-service restaurant and a boutique café/theatrical/music venue.

Once the Term Sheet and Development Agreement are approved by WMATA's Board of Directors, the Members will work collaboratively to obtain all necessary government approvals (BZA, HPRB, ANC, etc.), complete designs and commence necessary plans to start construction. DDG will take the lead on working with the neighbors, community organizations, and assist with construction management activities. Banneker will take the lead in the government approval process, working with WMATA, and design and operational issues. DDG will take the lead in working with the ANC and community organizations and permitting process, and work with Banneker and Metropolis during the construction process. Metropolis will take the lead in the construction process and work with Banneker and DDG in working with WMATA and in the design process. All of the Members will work to secure necessary construction and permanent financing for the Project.

Marketing and leasing of the Project shall be handled by one or more firms selected by the Members and commence six to nine months prior to construction completion. Once the Project is stabilized or at a time deemed optimal by the Members, it is anticipated that the Project will be permanently financed.

Schedule

An overall estimated schedule for the Project is attached as Exhibit A.

Proposed Development:

The Project will consist of a to-be-built residential and retail building of approximately 152,217 square feet with the following key statistics:

- Zoning – C2B
- Land Area (square feet) – Building 1: 3,800; Building 2: 8,600; Building 3: 16,472
- Residential Units – Approx. 103, of which 20% will be affordable units
- Retail – Approximately 11,757 square feet
- Parking – 24,525 square feet

Transaction Structure:

Managing Member

Banneker, or an affiliate, will serve as the Managing Member of the Company.

Decision Making

In its role as Managing Member, Banneker shall be responsible for day-to-day decisions of the Company. With respect to certain "Major Decisions, including: (1) terms between the general contractor for the Project and the Members; (2) the project budget; (3) changes to the project budget in excess of 5%; (4) selection of consultants, contractors and vendors that will be paid a fee in excess of \$15,000; (5) selection of any lender or investor that will be providing financing to the Company and approval of the terms of any loan or equity participation in the Project; (6) terms of the Development Agreement with WMATA; (7) approval of design concepts for the Project; and (8) hiring of any Company employee, the Members shall have the right to approve such major decision. The Company's Operating Agreement shall spell out in full the remainder of Major Decisions.

If Banneker seeks the other Members' approval for a Major Decision and these Members reject such Major Decision, the Members agree to seek to work out their disagreements through the assistance of a mediator or third-party. If after meeting with a mediator or third-party, the Members are still at an impasse, Banneker shall have the right to purchase the other member's interest in the Company at fair market value (which shall be determined in a manner to be agreed upon in the Operating Agreement).

**Joint Venture Capitalization, Initial Estimated Costs, Economic Allocations,
Services and Key Provisions to the Operating Agreement**

The following is a summary of the joint venture capitalization, initial estimated costs, economic allocations, services and key provisions to the Company's operating agreement.

Estimated Sources and Uses of Funds

Sources:

Investment Equity	\$9.0M	100.0%
Construction/Mini Perm Loan	\$27.2M	100.0%
Total Sources	\$36.2M	100.0%

Uses:

Total Uses:	\$36.2M	100.0%
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Investment Equity by Member and Percentage Interests

Banneker	35.0%
DDG	35.0%
Metropolis	30.0%
Total	100.0%

The Members will adjust their equity percentages pro rata for admission of the third party equity investor source.

Promoted Interest

The Members will seek a promoted interest in connection with the respective Company. The promoted interest will be subordinated to return of and on a return of capital and other to-be-agreed upon requirements from the third party equity investor source. Any promoted interest will be allocated as follows:

Share of Promote

Banneker	35.0%
DDG	35.0%
Metropolis	30.0%
Total	100.0%

Pre-Construction Funding and Venture Capitalization

The Members will be responsible for funding pre-construction activities on the following basis, excluding the initial \$100,000 letter of credit posted by DDG with WMATA and to-be-determined Option and Security Deposit Fees that Metropolis shall post with WMATA for the right to negotiate a Development Agreement upon designation by WMATA and approval of the Term Sheet between the Members/Company and WMATA:

Banneker	35.0%
DDG	35.0%
Metropolis	30.0%
Total	<u>100.0%</u>

However, it is the intention of the Members to secure as much of the funds for pre-construction activities as the Members deem appropriate from a third party equity source.

All pre-construction capital invested in the Company will be treated as equity and earn a preferred return of 10%. It is anticipated that any third party equity invested in the Company will also receive a preferred return of 10%.

If any Member does not post its required share of the pre-construction or other required equity, the other Members may loan the non-posting Member the amount equal to the required equity. Any monies loaned to the non-posting Member shall receive a preferred return of ___%.

Allocation Priority of Economics

To be determined during negotiations with MacFarlane Partners or another third party equity investor source.

The Members will adjust their equity percentages pro rata for admission of the third party equity investor.

Distributions to the Members will be made as follows:

- 1) First, to pay, to the extent unpaid, any unpaid member loans and preferred return to the Member(s) funding such loans pro rata.
- 2) Second, to pay, to the extent unpaid, the currently due and any catch-up of the cumulative preferred return to the Members pro rata.
- 3) Then, the balance will be distributed as follows:

Banneker	35.0%
DDG	35.0%

Metropolis	<u>30.0%</u>
Total	<u>100.0%</u>

Allocation Priority of Sale and Refinancing Proceeds.

To be determined in final form during negotiations with the third party equity investor source. The Members will adjust their equity percentages pro rata for admission of the third party equity investor source. Such adjustment is not reflected below.

Sale and refinancing proceeds will be paid as follows:

- 1) First, to pay, to the extent unpaid, any unpaid member loans and preferred return to the Member(s) funding such loans pro rata.
- 2) Second, to pay, to the extent unpaid, the currently due and any catch-up of the cumulative preferred return to the Members pro rata.
- 3) Then, once all equity capital is returned, the balance will be distributed as follows:

Banneker	35.0%
DDG	35.0%
Metropolis	<u>30.0%</u>
Total	<u>100.0%</u>

Construction Mini-Perm Loan

It is anticipated that the Company will obtain a construction loan for between 65-70% of the Project's total costs. To the extent the financing amount is greater or less than this amount, Members of the Company shall adjust their respective equity investment pro rata or, if required, additional equity will be raised upon mutually approved terms and conditions. The Company will attempt to have any financing to be non-recourse to the Members or their affiliates. However, the Members may be required to provide non-recourse carve-outs for the construction or future permanent lender (the so-called "good citizen" clauses).

Project Fees and Services

The Company intends to pay fair and reasonable fees to the Members for performing services in connection with the Project. Such fees shall include:

- Development Management at approximately 3.3% of the total costs allocated 1.1% to Banneker, 1.1% to DDG, and 1.1% to Metropolis.
- Project management at 1% of total costs to Banneker. Banneker will be responsible for day-to-day project administration and reporting.

The Company intends to negotiate a commercially reasonable GMAX contract with Tompkins, Inc. to serve as general contractor for the Project. If the Company is not able to reach terms with Tompkins, the Company will select another general contractor for the Project. The Company intends to enter into a guaranteed maximum price contract to build the Project.

Except as noted above, the fees will be paid out on a pro-rata basis over the construction period. The Members may cause, subject to lender and/or third party equity investor approval, to waive some or all of their fees to fund their respective shares of the equity investment.

Residential Management and Sales

The Members will work collectively to select the residential property manager. Banneker will serve as asset manager and receive an asset management fee of 1% of the gross revenue paid monthly. The asset manager shall meet regularly with the property manager and provide regular reports and distributions of cash flow and refinancing proceeds (if any) to the Members at intervals that the Members agree upon.

If the Members decide to sell the Project, Banneker will serve as co-sales agent for the Project and earn a fee of 1.0% of the gross sales price in addition to a reasonable fee to the sales and/or purchase agents, such fee to be paid at closing.

Accounting

The Company shall hire an accountant who shall keep accurate books and records of the Company's activities. Members shall have access to the Company's books and records on request.

Documents

All long form documents associated with the Operating Agreement of the Company shall be satisfactory to the Members.

This Outline of the Company's Operating Agreement is preliminary and does not include all of the terms and conditions of a full operating agreement, and has been prepared to facilitate discussions among the Members regarding the proposed Project.

SIGNATURE PAGES BELOW

AGREED TO BY THE PARTIES BELOW:

BANNEKER VENTURES, LLC

By: 
Name: Omar Kalkan
Title: Principal

DISTRICT DEVELOPMENT GROUP, INC.

By: 
Name:
Title:

METROPOLIS DEVELOPMENT COMPANY, LLC

By: 
Name: MERRICK T. MALONE
Title: Principal and Executive Vice President

From: Rosalyn Doggett
To: Carol B. O'Keeffe
Date: 8/10/2007 3:46:37 PM
Subject: Proposal Submission Requirements - Shaw Howard FL Ave Properties

Carol, I hope that you had an enjoyable vacation. In your absence, and because I will not be here next week, I delivered to Marc Biondi a hard copy of full proposal instructions for 6 of 9 teams from whom we received initial proposals for our three sites on Florida Avenue. (We are not asking for full proposals for the other teams, which had inappropriate uses or very low financial offers to WMATA or both.)

In the spirit of the JD Task Force, I tried to slim down the requirements a bit by eliminating references to WMATA replacement facilities and a compact hearing, neither of which are needed. We also had complex instructions for calculating future WMATA ridership in the 2006 solicitation; subject to Nat's concurrence, Joel and I thought that staff can do this so we are not asking the developer to do it.

If you can review these early in the week, then Joel can probably have Maria Wallace send out the submission requirements (JDS) with with attachments and a cover letter, perhaps with Heidi/Elisa oversight.

I have attached a sample cover letter to a proposer, the Shaw Howard submission requirements, a compare version to 2006, and the attachments.

CC: Joel R. Washington; Marc E. Biondi; Nat Bottigheimer

SHAW-HOWARD/FLORIDA AVENUE JOINT DEVELOPMENT SITE: PROPOSAL SUBMISSION REQUIREMENTS

SECTION 1: ADMINISTRATIVE AND CONTRACTUAL INFORMATION

1.1.- Issuing Information

why
This Joint Development Solicitation (JDS) is issued in accordance with WMATA's Joint Development Policies and Guidelines, Revised July 21, 2005 and as may be further amended, which are available at MetroOpensDoors.com (click "About Metro," then click "Business opportunities" and "Joint development opportunities"). The sites. The three parcels which comprise the Joint Development Site in this solicitation are available primarily under a long-term lease, as WMATA's preference is to lease, rather than sell its property. If a sale is proposed, the Proposal must clearly demonstrate that a sale is more advantageous to WMATA than a long-term lease. WMATA reserves the right to select different Developers for individual parcels.

1.2.- Purpose and Scope

This JDS is intended to provide interested Developers with sufficient summary information about WMATA's requirements to facilitate Proposal preparation. It contains instructions on Proposal content and format, but does not attempt to define all of WMATA's Joint Development contract requirements in detail. Certain contract requirements are not negotiable.

1.3.- Amendments and Supplements to JDS

WMATA reserves the right to issue Amendments and/or Supplements to this JDS. If, after the Closing Date for submission of Proposals, WMATA issues an Amendment and/or Supplement, it will only be sent to Developers who submitted responsive Proposals for the specific Joint Development Site for which the Amendment and/or Supplement is being issued. Developers will be required to acknowledge in writing the receipt of an Amendment and/or Supplement.

1.4.- Acceptance/Rejection of Proposals

This JDS does not commit WMATA to designate a Selected Developer or to enter into a Development Agreement. WMATA reserves

the right to accept or reject any or all Proposals.

1.5.- Acceptance of Terms and Conditions

By submitting a Proposal, a Developer is deemed to have agreed to and accepted all terms and conditions set forth in this JDS. Notwithstanding the foregoing, WMATA reserves the right to amend or modify any of the terms and conditions.

1.6.- Selected Developer Status

one site or several
A designation as Selected Developer for a Joint Development Site does not mean WMATA accepts the Proposal without further negotiation. Rather, the Developer's Proposal is the foundation for further negotiation and WMATA reserves the right to negotiate a Development Agreement with a Selected Developer containing benefits to WMATA that exceed those set forth in the Proposal.

1.7.- Binding Agreement

An executed Development Agreement, approved by the WMATA Board of Directors, is the only binding commitment of and by WMATA with respect to a Joint Development Site. Designation of a Selected Developer, WMATA's agreement to a Term Sheet or any conduct or oral representations by WMATA shall not in any way constitute a binding obligation or commitment by WMATA. In submitting a Proposal, the Developer acknowledges it will have no legal or equitable right to, or interest in, any Joint Development Site except as set forth in an executed Development Agreement.

1.8.- Schedule of Activities

<u>Item</u>	<u>Date</u>
<u>JDS Issue</u>	<u>AUG 31, 2006</u>
<u>Pre-Proposal Conference</u>	<u>SEPT 18, 2006</u>
<u>Closing Date for Receipt of Written Inquiries</u>	<u>OCT 13, 2006</u>
<u>Closing Date for Proposal Submission</u>	<u>NOV 17, 2006</u>
<u>Meetings with</u>	<u>Date</u>
<u>Request for Proposals</u>	<u>AUG 14, 2007</u>
<u>Proposals Due</u>	<u>SEPT 28, 2007</u>

Meetings with

Developers (if required) FEB/MAR

OCT/NO
V 2007

Final Proposals Due
(if required)-MAR/APR
24-

DEC 2007

1.9.- Costs-

WMATA shall not be liable for any costs incurred by a Developer and/or Development Team responding to this JDS or any costs incurred with respect to the negotiation of the Development Agreement and related final documentation.

1.10. Approvals

The designation of Selected Developer and the terms of a Development Agreement negotiated pursuant to this JDS are subject to the approval of the WMATA Board of Directors and the Federal Transit Administration of the U.S. Department of Transportation (FTA).

1.11.- Pre-Proposal Conference ~~A Pre-Proposal Conference will be held on Monday, September 18, 2006 at 2 p.m. at WMATA Headquarters, 600 Fifth Street NW, Washington, D.C. in the lobby level meeting room. The Pre-Proposal Conference is intended to give Developers the opportunity to ask questions about the JDS and to request clarifications. Interested Developers are encouraged to attend the Pre-Proposal Conference, but attendance is not mandatory.~~

~~1.12. Inspections of Joint Development Sites may be arranged by contacting 202-962-2395 to be directed to WMATA's Joint Development Coordinator.~~

~~1.13. Inquiries-
Intentionally omitted~~

1.12. Inspections
Intentionally omitted

1.13. Inquiries

Inquiries concerning this JDS are to be submitted in writing to:

Mr. Gary Malasky ~~Nat Bottigheimer~~

Contracting Officer
Office of Property Development
and Management

Washington Metropolitan Area
Transit Authority

600 Fifth Street, NW

Washington, D.C. ~~20001~~ The closing date for receipt of written inquiries is 3 p.m. on Friday, October 13, 2006. Any response to an inquiry will be in writing from 20001

Any written response made by WMATA's Contracting Officer will be disseminated to all Developers from whom a Proposal was requested. Oral explanations or responses are not binding.

1.14.- Closing Date for Proposal Submission

One original and 150 copies of the Proposal must be received in a sealed package not later than 3 p.m.

~~on Friday, November 17~~ September 21, 2006-7 (Closing Date) addressed as provided in Section 2.7.

1.15.- Late Proposals-

Any Proposal received by WMATA after the Closing Date shall be considered a Late Proposal.

A Late Proposal may be accepted and evaluated by WMATA at the sole discretion of WMATA's Contracting Officer.

1.16.- Jurisdictional and Community Participation Requirements-

Prior to submitting a Proposal, Developers are required to meet with jurisdictional representatives (including designated staff ~~off from~~ the State Office of Maryland Planning and interested community organizations including the Advisory Neighborhood Commission, to share information about a pending Proposal submission to WMATA and to seek their views. Failure to comply with this requirement may result in a Proposal's being rejected. A list of the jurisdictional representatives, locally elected officials and community organizations associated with each Joint Development Site may be found at MetroOpensDoors.com (click "About Metro," then click "Business opportunities" and "Joint development opportunities").

~~4.17-~~

1.17. WMATA Facilities-

WMATA Facilities are critical to the efficient operation of the transit system and must be accommodated in the site plan and are typically provided or replaced at the Selected Developer's expense. However, WMATA may elect to receive the cash value of WMATA Replacement Facilities and replace them itself. Further, if WMATA agrees to discount the value of the land to reflect the cost of replacing WMATA Facilities and the Developer is able to obtain another source of public subsidy for replacing the WMATA Facilities, then WMATA shall be entitled to receive 80 percent of the subsidy. This provision shall survive execution of the Development Agreement.

~~25 Under certain conditions, on a site-specific basis and where compatible with WMATA's revenue bond obligations, WMATA may consider an increase or reduction in the number of WMATA parking spaces. Any change in WMATA's policy of replacing each existing parking space requires the specific approval of the WMATA Board of Directors and the FTA.~~

SECTION 2: Information on the WMATA facilities beneath the Joint Development Site was provided with the advertisement requiring a May 31, 2007 proposal.

SECTION 2: PROPOSAL PREPARATION/FORMAT/CONTENT/SUBMISSION

2.1.- General-

To be considered, a Developer must submit a complete response to this JDS. WMATA encourages creative and innovative Proposals which promote Transit-Oriented Development consistent with local land use policies. ~~Proposals should be straightforward and contain a concise delineation of the Developer's capability to satisfy the requirements of this JDS. Failure to respond with the requisite information may result in a Developer's being eliminated from consideration.~~

2.2.- Proposal Submission Structure-

Proposals must be submitted in two separate, 8.5" x 11" 1.1 inch bound volumes with Volume 1 containing Technical Information and Volume 2 containing Economic Information.

The contents of each volume must comply with Section 2.3 and Section 2.4 of this JDS. Proposals should include the identical titles and numbering for each subsection as set forth in this JDS.

NOTE: No financial information is to be included or referenced in Volume 1.

2.3.- Proposal Contents: Volume 1- Technical-Technical Information

- A.- Transmittal ~~Letter~~ a Letter - a letter signed by an officer authorized to make a binding commitment for the Developer which states that the Proposal is valid for a minimum of 180 days from the date of submission and that if selected, the Developer will negotiate in good faith with WMATA.
- B.- Completed Proposal Form (3 pages) ~~See~~ ATTACHMENT A.
- C.- Table of Contents.
- D.- Executive Summary excluding all financial information (5 pages maximum).
- E.- Development Team Information
 - 1.- A description of the Developer and the proposed Development Team and the role of each principal member.
 - 2.- A statement that the Developer has the power and authority to enter into a Development Agreement and all final documentation as required by WMATA without the consent or joinder of any other party or authority.
- F.- Development Entity
 - 1.- A description of the Developer's business entity and, if a different entity will be formed, details of the structure of this other entity.
 - 2. A detailed description of how the Project's ownership and management will be structured.

- G.- A proposed site plan and a description of land uses, including an explanation of how the Project complies with Transit-Oriented Transit-Oriented Development principles. ~~The site plans must show:~~
- ~~1. Pedestrian ways highlighted in yellow;~~
 - ~~2. Building elevations and height bys with number of stories.~~
 - ~~3. Approximate dimensions for WMATA Replacement Facilities;~~
 - ~~4. Approximate curb-to-curb width of all internal streets;~~

Additionally, one jpeg on a disk and one full color visual of the site plan at least 2' by 3' in size; must accompany the Proposal. The visual may be rolled up or mounted on ~~poster board~~ posterboard.

~~26.~~

- H.- An explanation of the anticipated impact that the Project will have, if any, on WMATA Facilities. ~~If a reconfiguration or relocation of WMATA Facilities is being proposed, the Proposal must detail the location and general layout and, as appropriate, the pedestrian, bus, taxi, bicycle and private vehicular access to the reconfigured or relocated WMATA Facilities.~~

~~Additionally, Proposals must ensure the uninterrupted and unimpeded operation of WMATA Facilities throughout the construction period and after Project completion, and site plans should show this clearly. Plans for interim WMATA Replacement Facilities during the construction period must be detailed. All costs associated with a reconfiguration or relocation of WMATA Facilities will be borne solely by the Developer. WMATA's construction requirements are further described in Section 4.2.C.~~

~~NOTE: A reconfiguration or relocation of WMATA Facilities (including parking) may trigger public hearing requirements under the WMATA Compact:~~

- ~~f. beneath the sites. Information on the WMATA facilities was provided with the advertisement for which proposals were requested by May 31, 2007.~~

- l. The proposed Project schedule, starting in April 2007, in Microsoft Project or similar format, which at a minimum includes the

following tasks and milestones, if applicable:

- 1.- Term Sheet negotiations (assume 1520 calendar days from the Proposal submission);
- 2.- Approval of Selected Developer and Term Sheet by WMATA's Board of Directors (assume 30 calendar days from conclusion of Term Sheet negotiations);
- 3.- Development Agreement and final documentation negotiations and execution (assume 1520 calendar days from Selected Developer and Term Sheet approval);
- 4.- Approval of Development Agreement and final documentation by WMATA's Board of Directors (assume 30 calendar days from conclusion of Development Agreement negotiations);
- 5.- Agreement(s) for the acquisition of parcels to be assembled with the Joint Development Site, if applicable;
- 6.- Concept plan preparation and approval;
- ~~7. Intentionally omitted.~~
- ~~8. Development plan preparation and approval, including interim WMATA Replacement Facilities plan (allow 30 calendar days for WMATA approval);~~
- ~~7. WMATA Compact public hearing, if applicable (allow 180 calendar days);~~
- ~~8. Development plan preparation and approval, including interim WMATA Replacement Facilities plan (allow 30 calendar days for WMATA approval);~~
- 9.- Local and other governmental approvals and actions (zoning, site plan, alley closings, grants, etc., as applicable);
- 10.- Project financing approval;
- 11.- Schematic design and construction document preparation and approval (allow 25 business days for WMATA approval of ~~35 percent~~ 35% construction

documents, 20 business days for WMATA approval of ~~65 percent~~ 65% construction documents, and 15 business days for WMATA approval of ~~100 percent~~ 100% construction documents);

NOTE: If documents are not approved, WMATA comments must be addressed and resubmitted for approval.

12.- Local permitting process;

13.- Construction ~~Intentionally of interim WMATA Replacement Facilities, mitted.~~

14.- Project construction period (per phase, if applicable);

15.- Initial occupancy; and

16.- Stabilization period.

~~27-~~

J.- Zoning

1.- The existing zoning classification and, if a change will be sought, the proposed zoning category.

2.- The permitted FAR (floor area ratio) or other density measure, and the proposed FAR or other density measure, as applicable.

K.- The proposed business relationship with WMATA and the proposed terms (lease, sale, etc.) including, but not limited to, the following:

Lease (WMATA preference is 60 years) ~~1.~~

1. Identification of the portion of the Joint Development Site to be leased by location and approximate land area. (NOTE: The leased premises will exclude all WMATA Reserved Areas and Interests.)

Sale

~~4-~~

1. Identification of the portion of the Joint Development Site proposed to be purchased in fee simple by location and

approximate land area. (NOTE: The sale will exclude all WMATA Reserved Areas and Interests.)

2.- An explanation of why the Project should not be developed under a lease and why a sale is more advantageous to WMATA than a long term lease.

L.- A market analysis and marketing strategy for the proposed uses of the WMATA joint development site.

M.- A summary (specific financial analysis required in Economic Section) of the Project's impact on the tax base of the local jurisdiction as follows:

1.- Identification of the property taxes, sales taxes, amount of fees and contributions and other local public income.

~~2. Identification of the value of public facilities to be derived from the Project.~~

~~3. The number of temporary jobs created during construction and the number of new permanent jobs created by the Project.~~

~~4. Any other quantifiable economic benefits to the local jurisdiction to be derived from the Project.~~

N.- A statement identifying each of the community organizations that the Developer has met with and the meeting dates; the specific information that the Developer shared; the reaction of each community organization to the proposed development concept; the issues raised by each community organization; and how the Proposal addresses these issues. See Section 1.16.

O.- A statement describing the Developer's contact with local jurisdiction staff, (representatives' names and meeting dates) and the views and expectations of the local jurisdiction regarding the Project, including any existing or anticipated jurisdictional issues or concerns. See Section 1.16.

P.- A statement on whether the Project's feasibility is contingent on any local,

state or federal government action or financial support (including a change in regulations; street or alley closing; funding, including guarantees and issuance of tax-exempt bonds; financing and credit enhancements; leasing of space; granting of access to the Joint Development Site; and the justification and process for obtaining government support).

Q.- Statements that:

1.-

1. The Project is compatible with local land use requirements.

2.-

2. The Project will conform to all applicable federal, state and local laws, regulations and ordinances including all federal and relevant local environmental regulations.

R.- A quantitative analysis of the Project's beneficial effect on WMATA's total daily transit ridership. The analysis must be conducted in accordance with the study entitled *2005 Development Related Ridership Survey Final Report* which may be found at [28 MetroOpensDoors.com](http://28.MetroOpensDoors.com) (click "About Metro," then click "Business opportunities" and "Joint development opportunities").

Developers should use Tables 4 and 7 as well as Figure 14 in preparing transit usage estimates for the office building components of their Proposals. However, Developers should note that the sample size for Table 4 "Suburban-Outside the Beltway" is very small and that the mode splits for sites of this type should take into account surrounding land uses, i.e., mixed-use and adjacent higher density uses generate more transit ridership. Tables 10 and 11 and Figure 15 should be used in preparing transit usage estimates for residential components. Transit usage estimates for retail, hotel and entertainment components should be based on Table 15. Developers should note that the sample sizes for these uses were small and that the mode splits for site of this type should take into account surrounding land uses, i.e., mixed-use and adjacent higher density uses generate more transit ridership.

The analysis must include the number of incremental transit trips in both peak and offpeak periods generated by the Project. (Peak periods are generally defined as 6 to 9 a.m. and 4 to 7 p.m., Monday through Friday.) In addition to the Tables and Figures cited in the previous paragraphs, Developers will find Appendices C.1.1. (Table C-11), C.1.2. (Table C-18), C.1.3 (Tables C-23 and C-27) useful in generating peak and off-peak period estimates.

Additional information regarding the *2005 Development Related Ridership Survey Final Report* may be obtained from Ms. Kristin Haldeman at 202-962-1848.

S.- Note that, for this JDS, WMATA will conduct the analysis, and there is no requirement of the Developer.

S. A statement identifying the past, current or anticipated contractual or financial relationship of any member of the Development Team (including but not limited to the Developer, partners or co-venturers) with WMATA or any of its staff or Board Members. The Development Team must also disclose any contractual or financial relationship which may give the appearance of a conflict of interest.

T.- The following information about Developer's previous projects:

1. 1. Illustrative materials on three recent successful projects of similar or comparable scope for which substantial financing was obtained.

2.-

2. The sources and amounts of debt and equity capital that were raised in previous projects.

U.- A list of any projects on which the Developer, its parent company, or any member of the Development Team has defaulted or declared bankruptcy and an explanation of each default or bankruptcy.

V.- Detailed information regarding any criminal indictments and felony or fraud convictions of the Developer or any

principal, officer, director, partner, member, manager or equivalent of any person or entity constituting a member of the Development Team.

- W.- A statement indicating whether the Developer is willing to include Disadvantaged Business Enterprises (DBEs "DBEs"), as defined in Section 6, in its Project. WMATA encourages Developers to include DBEs and will assist Developers in identifying such firms.
- X.- If the proposed Project consists of an assemblage of the WMATA Joint Development Site with adjacent property, a statement identifying the adjacent property ownership, and if the property owner and the Developer are not the same, an executed agreement between the property owner and the Developer defining the property owner's participation, if any, in the Project.
- Y.- Any other information to assist WMATA in its evaluation of the Proposal, including a statement of why WMATA should select the Developer and its Development Team.

29

2.4. Proposal Contents: Volume 2 - Economic Information

- A.- Table of Contents.
- B.- Executive Summary of economic information only.
- C.- The Developer's estimated fair market value of WMATA's land or interest, how the value was derived and the assumptions underlying the value.
- D.- If the proposed business relationship with WMATA is a Lease (the term must be specified and preferably will be 60 years):
 - 1.- A statement that the Developer will pay WMATA a non-refundable option fee of \$100,000 for the right to negotiate a Development Agreement upon designation as Selected Developer and approval of the

Term Sheet. This fee is separate and distinct from the other payments, deposits and fees which WMATA requires.

- 2.- The amount and timing of predevelopment development rent to be paid to WMATA during the interval period after the Development Agreement is executed but before the Project produces income (include the estimated length of this period).
 - 3.- The guaranteed base rent to be paid to WMATA throughout the term of the lease, including escalations. The description of escalations must include the method used to calculate escalations, their timing, and the projected amount of each escalation.
 - 4.- The method of adjusting the base rent if it does not commence by the date projected ~~and/or~~ and/or the final approved density is greater than that proposed.
- WMATA expects that the present value of its financial return will not be diminished by delays in the development process.
- 5.- How any environmental remediation costs will be handled.
 - 6.- WMATA's participating share of gross income from the Project.
 - 7.- WMATA's share of proceeds from a capital event such as an assignment of the leasehold interest, transfer of interest in the Developer's business entity, refinancing or sale of the Project, or any other capital event after construction.
 - 8.- Identification of any additional payments to WMATA based upon factors chosen by the Developer.
 - 9.- ~~Provision for increasing rent once WMATA Replacement Facilities have been amortized.~~
 - E.- 9. Intentionally omitted

E. If the proposed business relationship with WMATA is a Sale:

1.- A statement that the Developer will pay WMATA a non-refundable option fee of \$100,000 for the right to negotiate a Development Agreement upon designation as Selected Developer and approval of the Term Sheet. This fee is separate and distinct from the purchase price and the other payments, deposits and fees WMATA requires.

2.- The amount and timing of ~~predevelopment~~ ~~development~~ fees to be paid to WMATA during the interval period after the Development Agreement is executed but before WMATA realizes income from the sale (include the estimated length of this period).

3.- The proposed purchase price for each portion of the Joint Development Site including: a-

a. The schedule of purchase-price escalations if the sale is not completed by the date projected.

30-

WMATA expects that the present value of its financial return will not be diminished by delays in the development process.

b-

b. The method of adjusting the purchase price if the final approved density is greater than that proposed

4.- How any environmental remediation costs will be handled.

5.- Proposed business arrangement under which WMATA will retain an interest in any development rights in excess of those used by the development constructed pursuant to the Proposal. Under such an arrangement, WMATA will receive payments over and above the purchase price if, upon subsequent redevelopment of the Joint Development Site within 25 years

of closing, the redeveloped density is greater than the original density.

6.- Identification of any additional payments to WMATA based upon factors chosen by the Developer.

F.- A summary table of the sources (including debt, equity and other financing) and uses of funds to design and construct the Project.

G.- A 15 year pre-development, construction and operating period cash flow statement which starts in ~~April~~ ~~October~~ 2007. It should include each separate phase of development and land use type by phase and contain at a minimum:

1.- The following assumptions:

Financing

Construction loan rate, term and amount

Permanent loan rate, term and amount

Loan-to-value ratio

Equity as a percentage of total construction costs

Revenues-

Office rent (\$/GSF and #GSF)

Retail rent (\$/GSF and #GSF)

Residential (\$/DU and #DU)

Parking

Other revenues

Construction Costs

Total hard costs

Total soft costs (also as a percentage of total hard costs)

Cost of improvements on a unit basis (\$/FAR SF for office and retail, \$/DU, \$/TH)

Cost per structured parking space

Cost per surface parking space

~~Cost of any WMATA garage or other WMATA Replacement Facility (broken out separately)~~ Land value per SF

Land value per FAR SF

Ground rent to WMATA

Operating Costs-

Operating Expenses (in \$, \$/GSF

and as a percentage of revenues)

- 2.- The following line items presented as a pro forma on an annual basis:

Sources

Equity
Construction Financing
Permanent Financing
Other Financing
Total Financing

Revenues

Office
Residential
Retail
Parking
Other Revenues
Total Gross Revenues
Total Net Revenues (less vacancy)

Uses-

WMATA Rent or Sales Price (as applicable)

Construction Costs

Soft—by Soft - by line item
Hard—by Hard - by line item

Total

Operating Expenses (all non-debt
Operating Costs, e.g.: direct
costs, G&A, taxes, legal,
marketing, commissions, etc.)
Net Operating Income
Debt Service (including any fees or
expenses associated with loans)
Net Cash Flow (defined as revenue
less operating expenses, debt
service and ground rent to
WMATA if applicable)
Percentage Rent to WMATA
Distributions to Investors
Free Cash Flow
Returns
Developer's Internal Rate of Return
Return on Investment
Return on Equity

NOTE:- The pro forma (and any budgets in other parts of the Proposal) should clearly show all of the fees and income that the Developer, its partners, and affiliates receive from the Project.

Those line items should be taken from the pro forma and shown together on the spreadsheet

as individual line items in a separate report. Annual replacement reserves (total, \$/GSF and \$/DU) should also be broken out and shown.

3.- The analysis must be presented in current dollars with an annual escalation rate of three percent, 3%.

4.- All financial models must be submitted to WMATA on disk as well as hard copy. All financial information must be linked in a single spreadsheet, and all files must be in Microsoft Excel and retain all cell relationships.

H.- A detailed financial analysis, with assumptions given, of the Project's impact on the tax base of the local jurisdiction as follows:

1.- Identification of the property taxes, sales taxes, amount of fees and contributions and other local public income.

2. Identification of the value of public facilities to be derived from the Project.

3. The number of temporary jobs created during construction and the number of new permanent jobs created by the Project.

4. Any other quantifiable economic benefits to the local jurisdiction to be derived from the Project.

I.- Copies of Developer's balance sheets, income statements and sources and uses of funds statements for the past three fiscal years.

J.- Statements regarding the Developer's financial creditworthiness and past development experience which can be verified, including the following:

The names and addresses of at least three commercial or institutional credit references and a letter authorizing each credit reference to respond to inquiries from WMATA. At least two of the references should be lending institutions.

2.5.- Proposal Security

Each Proposal must be accompanied by Proposal Security in the amount of One

Hundred Thousand Dollars (\$100,000).
(Alternative Proposals for the same Joint Development Site require only one Proposal Security.) Acceptable forms of Proposal Security include a proposal bond in the form set forth in ATTACHMENT B, a bank letter of credit in the form set forth in ATTACHMENT C, a cashier's check, certified check or money order. All Proposal Security must be drawn on a U.S.-based based national bank and contain the following:

At the top of Proposal Security document, insert the JDS Number _____ and the Joint Development Site _____.

WMATA will hold all funds that can be deposited into a financial institution in an interest-bearing account, and interest will be paid on such funds.

No later than 15 business days after the WMATA Board of Directors identifies and approves the Selected Developer for a specific Joint Development Site, the Proposal Security will be returned to ~~all~~ all Developers other than the designated Selected Developer. WMATA shall retain the designated Selected Developer's Proposal Security until a Development Agreement is executed and provisions are made with respect to the disposition of the Proposal Security in the Development Agreement.

~~2.6. Multiple or Alternative Proposals A Developer may submit multiple Proposals. Each Proposal must be separately identified and submitted in accordance with the terms of this JDS and must include the requisite Proposal Security. If a Developer submits alternative Proposals for the same Joint Development Site, only one Proposal Security is required.~~

~~2.7. Intentionally omitted~~

2.7. Submission of Proposal

A complete Proposal shall include the items set forth in Section 2.3. and Section 2.4. and the requisite Proposal Security. On or before the Closing Date, one original and 15 copies of the Proposal (marked Proposal in response to JDS Number _____ Number) must be submitted in a sealed package, addressed and mailed or delivered in person to:

Mr. Gary Malasky Nat Bottigheimer
Contracting Officer
Office of Property Development
and Management
Washington Metropolitan Area
Transit Authority
600 Fifth Street, NW
Washington, D.C. 20001

SECTION 3. PROPOSAL REVIEW, EVALUATION, DEVELOPER SELECTION AND POST DEVELOPER SELECTION PROCESS

3.1.- Proposal Review Process

WMATA will review and evaluate Proposals as follows:

~~A.~~

A. The Contracting Officer receives and processes all Proposals. Proposals that in WMATA's sole and non-reviewable discretion are deemed non-responsive or not reasonably susceptible of being selected for award will be rejected and returned to the Developer with a written explanation. Please note that any Proposal that does not satisfy the requirements for jurisdictional officials and community organization participation may be rejected as technically unacceptable and returned to the Developer.

WMATA reserves the right to accept or reject any Proposal without negotiation or discussion.

~~B.~~ B. The Contracting Officer designates an Evaluation Team composed of WMATA's Joint Development staff assisted by other WMATA staff, jurisdictional representative(s) and consultants, as appropriate. An analysis and evaluation of each Proposal deemed to be reasonably susceptible of being selected for award is conducted.

~~C.~~ C. The Evaluation Team may meet with all or select Developers for both an oral presentation and specific discussions about a Proposal. If such meetings are held, details on the oral presentation will be provided as part

of the scheduling process. Such discussions will include identifying areas of the Proposal that require clarification or improvement including architectural and engineering designs and drawings, or do not comply with the JDS.

~~D.~~ D. If requested by WMATA, Developers submit Final Proposals. The Final Proposal may be significantly changed from the Initial Proposal submitted. WMATA reserves the right to waive the Final Proposal submission requirement, to request further clarification of a Final Proposal, or to request a Revised Final Proposal.

E.- The Evaluation Team will, in coordination with the Contracting Officer, rate each responsive Proposal and rank it based upon the Proposal Evaluation Factors in Section 3.2. The Evaluation Team will then forward its ranking to the Contracting Officer, who will decide to tentatively designate a Selected Developer. The Joint Development project manager will commence negotiation of a Term Sheet. If negotiations are unsuccessful, the Joint Development staff, in coordination with the Contracting Officer, may terminate negotiations and commence negotiations with the second ranked Developer and those ranked thereafter, in order of ranking. Alternatively, the Joint Development staff may, in coordination with the Contracting Officer, decide upon competitive negotiations with two or more ranked Developers.

~~F.~~ F. As soon as the principal business terms for the tentatively Selected Developer's Project have been reduced to a Term Sheet, the Contracting Officer submits a recommendation regarding the designation of a Selected Developer and approval of the Term Sheet to WMATA's Real Estate Committee and to the WMATA Board of Directors.

G.- Designation of a Selected Developer must be approved by the WMATA Board of Directors.

3.2.- Proposal Evaluation Factors

Each Proposal will be evaluated using FTA's requirements for "Highest and Best Use" or "Highest and Best Transit Use" (see www.fta.dot.gov/library/policy/9300.4A/appenB1A/appenB.htm) and the following criteria:

A.- Technical Criteria

- 1.- Degree to which the Project reflects Transit-Oriented Development principles;
- 2.- The market viability of the Project;
- ~~3.-~~ 3. The experience and prior performance of the Developer and Development Team;
- ~~4.-~~ 4. The innovation and creativity of the Project;
- ~~5.-~~ 5. The compatibility of the Project with local Transit-Oriented Development plans and land use policies; and
- ~~6.-~~ 6. Benefits accruing to the local jurisdiction.

B.- Economic Criteria

- 1.- Financial benefits accruing to WMATA;
- 2.- Financial viability of the Project; and
- 3.- Enhanced ridership.

3.3. ~~Post Developer Selection Process~~ A.-

A. A Developer designated by the WMATA Board of Directors as a Selected Developer will be required to send a letter to each of the community organizations with which its representatives met to inform them as to how the Proposal ~~presented to~~ presented to WMATA addresses their issues or concerns. A copy of this letter must also be submitted to WMATA.

~~B.-~~ B. A Developer designated by the

WMATA Board of Directors as a Selected Developer will be required to pay WMATA, in immediately available funds, a non-refundable option fee for WMATA's granting to the Selected Developer the exclusive right to negotiate a Development Agreement. The amount and timing of the non-refundable option fee shall be as set forth in the Proposal (or Final Proposal, as the case may be), in accordance with Section 2.4.

- C. After WMATA's Board of Directors has designated a Selected Developer and approved the Term Sheet, WMATA staff, in coordination with the Contracting Officer, will negotiate with the Selected Developer a Development Agreement (and other necessary final documentation) that incorporates the provisions of the Term Sheet. Such Development Agreement shall be completed within 150 days following the WMATA Board's designation of the Selected Developer and approval of the Term Sheet.

In the event that this schedule is not met, the Selected Developer designation expires, the Proposal is no longer viable and ~~34~~ WMATA may retain the Proposal Security (in addition to the non-refundable option fee) in accordance with Section 5.2. WMATA may choose to reestablish the Selected Developer designation and provide a specific time frame to the Selected Developer for the completion of negotiations or to re-advertise the Joint Development Site.

- D.- As soon as the Development Agreement (and related final documentation) is completed and executed by the Developer, the Contracting Officer submits a recommendation and summary of the final Development Agreement to WMATA's Real Estate Committee and to the WMATA Board of Directors for approval. There is no binding agreement between

the Selected Developer and WMATA until such time as the WMATA Board of Directors has approved the final Development Agreement and the Development Agreement has been executed by both the parties.

- 3.4.- Disclosure and Use of Data
WMATA is required to brief its Board of

Directors on all aspects of a Proposal. The proposed business terms of a Proposal will be held in confidence only until the Development Agreement and all final documentation have been approved and executed.

WMATA reserves the right to review the zoning and land use aspects of any Proposal with local zoning, land use planning, transportation and environmental officials (and in the State of Maryland, with state officials). Additionally, at the sole discretion of the WMATA Board of Directors, such review may include conducting public hearings, town meetings and similar public forums.

NOTE: WMATA's "Public Access to Records Policy" is available at MetroOpensDoors.com (click "About Metro," then click "Public access to records policy").

SECTION 4. WMATA'S NON-NEGOTIABLE REQUIREMENTS AND CONDITIONS

The following requirements and conditions are nonnegotiable and the concepts will be included in the Development Agreement and final documentation executed by the Selected Developer and WMATA. By submitting a Proposal in response to this JDS, a Developer is agreeing to accept and comply with these nonnegotiable requirements and conditions.

4.1. WMATA's Reserved Areas and Interests

The location of WMATA's Reserved Areas and Interests shall be determined by WMATA in its sole and absolute discretion. Additionally, the conveyance or lease of any WMATA property shall be subject to a reservation by WMATA of a permanent, exclusive and irrevocable easement for vertical and horizontal support and as otherwise necessary for the operation and maintenance of present and future WMATA Facilities, WMATA Improvements and WMATA Reserved Areas and Interests.

4.2. WMATA's Approval Rights and Adjacent Construction Requirements

The following rights and requirements apply to all Projects:

A.- Approval Rights

WMATA shall have the right to approve in its sole and absolute discretion:

1.-

1. Matters that affect the integrity, functionality, efficiency, safety, operation, maintenance, legal compliance, cost or profitability of WMATA's business, customers, operations or activities;

2.-

2. Matters that affect WMATA-Facilities, WMATA Replacement Facilities, WMATA Reserved Areas and Interests, ingress/egress to WMATA Facilities, etc.;

3.-

3. Matters that affect any of WMATA's adjacent property;

4.-

4. The design and construction of interim and permanent WMATA Replacement Facilities; and

5.-

5. Matters that affect the Selected-Developer's obligations as they relate to timing (changes in Project schedule) and performance (changes in what will be constructed, i.e., the product mix).

B.-

B. WMATA's Comment Rights-

WMATA shall have the right to comment on the development plan/site plan and on other matters concerning the Project which do not affect the integrity, functionality, efficiency, safety, operation or maintenance of WMATA Facilities, WMATA Improvements or WMATA Reserved Areas and Interests. The Selected Developer shall be obligated to consider WMATA's comments and to respond reasonably.

C. WMATA's Construction Requirements

In order to avoid adverse impact on WMATA Facilities, Projects must be built in compliance with WMATA's adjacent construction criteria as contained in WMATA's Adjacent Construction Design Manual, Revision I and as further revised, and WMATA's Manual of Design Criteria (Release 7), which are available by calling 202-962-2395 to be directed to the Joint Development Coordinator: 202-962-2043.

Additionally, Developers must comply with WMATA's requirements for the relocation and maintenance of operations during construction which include the uninterrupted and unimpeded operation of WMATA Facilities. WMATA will review and approve Developer plans in accordance with established WMATA procedures.

4.3.- Relocation or Replacement of WMATA Facilities ~~If a Project requires the relocation or replacement of any WMATA Facility, on a permanent or interim basis, the cost shall be borne solely by the Selected Developer. No WMATA Facility may be taken out of service unless a permanent or interim replacement facility is already available, such that there will be no disruption to WMATA operations. Any exception to this requirement is subject to the specific approval of the WMATA Board of Directors.~~

~~WMATA shall own and operate any permanent relocated or replaced WMATA Facility. Additionally, the configuration of the relocated or replaced WMATA Facility must be agreed to by WMATA in writing.~~

~~4.4.-~~

~~Intentionally omitted.~~

4.4. Selected Developer's Funding of WMATA Compact Public Hearing ~~A change in WMATA Facilities (including parking) may trigger a public hearing requirement under the Washington Metropolitan Area Transit Authority Compact, Public Law 89-774, 80 Stat. 1324, as may be amended (WMATA Compact). The Selected Developer will be required to contribute \$50,000 towards the cost of the WMATA Compact public hearing, payable 60 calendar days prior to the date of the public hearing. If WMATA's actual public hearing costs are less than the aforesaid amount, WMATA will credit the remaining funds to the outstanding amount that it is owed by the Selected Developer.~~

~~4.5.-~~

~~Intentionally omitted.~~

4.5. No Subordination of WMATA's Fee Interest

WMATA will not subordinate its fee interest in its property. In a lease situation, WMATA will permit lenders to have a leasehold security interest in the Project, which security interest would be subordinate to WMATA's right to terminate the lease upon a default by the Selected Developer (subject to the lender's right to cure).

4.6.- Federal Transit Administration (FTA) Requirements

WMATA is subject to the requirements of the Federal Transit Administration (FTA). The terms of the Development Agreement negotiated with the Selected Developer, as it pertains to WMATA property, are subject to FTA approval. While FTA may impose additional requirements which cannot be known until FTA reviews a specific Project, FTA requires that the Selected Developer comply with certain laws and regulations barring discrimination on the basis of race, color, national origin or disabilities; and further requires compliance with FTA requirements

regarding conflicts of interest and debarment.

36-FTA also requires, as a covenant running with the land, that the entire Joint Development Project constitute a Transit-Oriented Development as defined in the latest applicable FTA Regulations.

See FTA Circular 9300.1A, Appendix B, The Relationship Between Joint Development and Livable Communities on the FTA web site at: www.fta.dot.gov/library/policy/IFT/iftb.html.

4.7. Americans With Disabilities Act (ADA)- All Projects shall be constructed in compliance with Titles II and III of the Americans with Disabilities Act, 42 USCA Section 12101, et seq., as amended, and any regulations promulgated thereunder.

Proposals must include a plan indicating how access from the Project to the Metro station will be provided for persons with disabilities. Additionally, if a Project or any subsequent addition, modification or alteration triggers ADA-related improvements to the Metro station, the Selected Developer shall be responsible for the costs of such improvements. The only exceptions are when the ADA-related improvements predate the date of completion of the Project and are required to be made regardless of the Project, or constitute ADA-related improvements that WMATA is implementing at Metro stations in general as part of its system-wide improvements or alterations.

4.8.- Direct Connections ~~If a direct connection to a Metro station is part of the overall Project, then in accordance with Section 4.6, FTA may determine that the National Environmental Policy Act, 42 USCA 4321, et seq., as amended, is applicable to the Project. Additionally, the following laws and their implementing regulations are also applicable to a direct connection: A. Rehabilitation Act of 1973, 29 USCA Section 794; B. Architectural Barriers Act, 42 USCA Section 4151, et seq.; and C. Planning and Design for the Elderly and Handicapped, 49 USCA Section 5301, et seq.~~

~~4.9.-
If intentionally Omitted~~

**A.
4.9. Davis-Bacon Act/Fair Labor Standards Act-**

The construction of any WMATA Replacement Facility or WMATA Improvement must be built in compliance with the Davis-Bacon Act, 40 USC Section 276a, et seq., and overtime compensation must be paid in compliance with Section 64 of the WMATA Compact, and the Fair Labor Standards Act, 29 USCA Section 201, et seq. (1978), as amended.

4.10.- Other Laws, Regulations and Requirements-

Developers are responsible for being fully informed of and complying with the requirements of applicable federal, State of Maryland, District of Columbia, Commonwealth of Virginia, and local jurisdictional laws and regulations. Additionally, the Selected Developer shall be responsible for obtaining, at its own cost and expense, all requisite approvals, licenses and permits.

4.11.- WMATA's Indemnification Policy-

The terms of any Development Agreement and final documentation will require that the Selected Developer and its contractors and subcontractors (and subtenants, where applicable) indemnify WMATA against all claims, liabilities and costs of whatsoever kind and nature including environmental claims which may be imposed upon, or incurred by, or asserted against WMATA in connection with the Selected Developer's performance under the Development Agreement or related agreements.

WMATA will accept financial responsibility for environmental damage to the site caused by WMATA prior to the transfer of the site to the Selected Developer.

4.12.- WMATA's Insurance Requirements

The terms of any Development Agreement and final documentation will require that the Selected Developer, its contractors and subcontractors procure and maintain insurance coverage in amounts determined by WMATA, which may include, but is not limited to: General Liability, All Risk Property, Builder's Risk, Worker's Compensation, Automobile Liability, Contractors' Pollution Legal Liability,

Railroad Protective Liability, Rental Value Insurance, Professional Errors and Omissions Liability and Boiler and Machinery (during operations only).

4.13.- Payment, Performance and Completion Bonds-

WMATA requires that the Selected Developer secure and file with WMATA a payment bond equal to ~~100 percent~~ 100% of the value of each phase of the Project from a federally approved surety company, with sufficient assets. The payment bond must name WMATA for the benefit of laborers, subcontractors, material suppliers and others that have or may have claims or liens against the Project or the realty.

WMATA also requires the Selected Developer to secure and file with WMATA a performance bond equal to ~~100 percent~~ 100% of the value of each construction phase of the Project from a federally approved surety company, with sufficient assets and which bond names WMATA for the completion of the planned construction in that phase.

Additionally, if there are WMATA Replacement Facilities being constructed, WMATA requires the Selected Developer to secure and file with WMATA a completion bond equal to ~~100 percent~~ 100% of the value of the WMATA Replacement Facilities from a federally approved surety company, with sufficient assets, and which bond names WMATA as the sole obligee for the completion of the WMATA Replacement Facilities.

All bonds must be in a form acceptable to WMATA and countersigned by a Commonwealth of Virginia, State of Maryland or District of Columbia resident agent of the surety, with a copy of the agent's license, as issued by the appropriate Insurance Commissioner.

4.14.- WMATA's Disclaimer of Liability-
WMATA disclaims all responsibility and liability for the completeness or accuracy of any information that it provides.

4.15.- Inspection of Accounting Records

The Selected Developer will be required to permit WMATA, or any of its duly authorized representatives, at reasonable times and places, access to any books, documents, papers and records, including certified financial statements, which are directly pertinent to the Development Agreement.

WMATA shall be permitted to audit, inspect, examine, copy and transcribe such books, documents, papers and records. The Selected Developer shall retain all records for three years after submission of any statement required for determining any variable payment obligations under the Development Agreement or related agreements.

4.16.- WMATA's Tax Exempt Status-

WMATA is tax exempt pursuant to the WMATA Compact. Any taxes, assessments or impositions on the Project or the real estate shall be assumed by the Selected Developer. In no event shall the Selected Developer assert or attempt to assert for its own benefit, an exemption or immunity available to WMATA under the WMATA Compact.

4.17.- Financing Requirement-

The Selected Developer shall be obligated to obtain the requisite financing to consummate the lease/sale of the WMATA Joint Development Site, and the development, construction and final completion of the Project by a reasonable date certain, or WMATA may terminate the Development Agreement.

~~38-~~

SECTION 5. ADDITIONAL JOINT DEVELOPMENT REQUIREMENTS AND PROCEDURES

5.1.- Assignment of Proposal, Change in Developer or Withdrawal of Developer-

WMATA considers the designation of Selected Developer to be in the nature of a personal services contract. The Selected Developer will be designated because of its skills, experience, knowledge and financial standing.

A Developer who submits a Proposal in response to this JDS may withdraw, assign its Proposal or change the composition of its Development Team only as follows:

A-

A. Withdrawal of Proposal-

At any time prior to designation of the Selected Developer, a Developer may elect to withdraw its Proposal. Under such circumstances, WMATA shall return the Proposal Security without interest.

B.

B. Assignment of Proposal-

At any time prior to designation of the Selected Developer, a Developer may request WMATA's approval to assign its Proposal to another development entity. No purported assignment is valid unless WMATA has given its prior written approval. The Developer and its proposed assignee shall submit all documents required by WMATA before the request will be considered. WMATA is under no obligation to approve the request. If WMATA refuses to grant approval, and the Developer does not want to proceed in accordance with its Proposal, WMATA will return the Proposal Security without interest. An assignment may be subject to the requirement of a Guaranty pursuant to Section 5.7.

C. Change in Composition of Developer or Development Team

1.- Prior to designation of the Selected Developer, a Developer may change its composition or the composition of its Development Team only with WMATA's prior written approval.

If WMATA does not approve the change, and the Developer does not want to proceed in accordance with its Proposal, WMATA will return the Proposal Security without interest.

2.- After designation as the Selected Developer, the Selected Developer must request WMATA's written approval to change its composition or the composition of its Development Team. If WMATA does not approve the change, and the Selected Developer does not want to proceed in accordance with its Proposal, WMATA may terminate the Selected Developer designation and retain the Proposal Security.

D. Other Situations-

An assignment or change in the composition of the Development Team which is not addressed above is at the sole discretion of WMATA's Contracting Officer. For any such assignment or change to be valid, WMATA's prior written approval is required. Any purported assignment occurring without WMATA's prior written approval shall be void.

5.2.- Termination of Selected Developer Designation

WMATA may terminate the Selected Developer designation for any of the following reasons and retain the Proposal Security and any other deposit held by WMATA (except as stated otherwise in subsections I and J):

A.- The Selected Developer fails to negotiate and execute the Development Agreement within 150 days following the designation of the Selected Developer and approval of the Term Sheet by the WMATA Board of Directors.

In the event that the foregoing schedule is not met, WMATA may terminate the designation of the Selected Developer and retain the Proposal Security without any liability or further obligation to the Selected Developer.

~~39~~ The foregoing deadlines can only be extended by action of the WMATA Board of Directors in its sole and non-reviewable discretion.

B.- The Selected Developer or any individual or entity holding ownership in or comprising the Development Team declares bankruptcy.

C.

The ownership structure of the Selected Developer changes without WMATA's prior written approval. Structural changes include changes in percentages of ownership interests or changes in ownership of any entity holding an ownership interest in the Selected Developer.

D.- ~~D.~~ The Selected Developer assigns its designation or transfers its rights in a WMATA Joint Development Site without WMATA's prior written approval.

E.- The Selected Developer or any principal, officer, director, partner, member, manager or equivalent of any person or entity constituting a member of the Development Team is indicted for, or convicted of, a fraud or a felony.

F.- The Selected Developer or any principal, officer, director, partner, member, manager or equivalent of any person or entity constituting a member of the Development Team is found not to have a satisfactory record of integrity and business ethics, in WMATA's sole and non-reviewable discretion.

G.- The Selected Developer provided materially incorrect or incomplete information in any of its submissions to WMATA, as determined in WMATA's sole and non-reviewable discretion.

H.- The Selected Developer does not comply with this JDS, its Proposal or the terms of the Development Agreement as negotiated by the parties.

I.- In accordance with Section 5.5, the Selected Developer conducts environmental due diligence and consequently modifies its Proposal in a manner which is unacceptable to WMATA.

~~Under such circumstances, WMATA shall return the Proposal Security with any interest that may have accrued, less site restoration costs actually incurred by WMATA.~~

~~J. WMATA determines (in its sole and non-reviewable discretion) that termination is in its best interest. Under such circumstances, WMATA shall return the Proposal Security with any interest that may have accrued, except for site restoration costs actually incurred by WMATA.~~

~~J. WMATA determines (in its sole and non-reviewable discretion) that termination is in its~~

~~best interest. Under such circumstances, WMATA shall return the Proposal Security with any interest that may have accrued.~~

~~5.3.~~

~~5.3. Metro Station Access Roads and Interior Maintenance Roads WMATA's Metro station access roads and interior maintenance roads are owned, maintained and improved by WMATA. Any anticipated use of such roads by a Project must be addressed in the Proposal.~~

~~WMATA reserves the right to reject shared use of its roads if detrimental to its operations.~~

~~5.4.~~

~~Intentionally omitted.~~

~~5.4. Developer's Research Obligations~~

A Developer is expected to know all information reasonably ascertainable concerning the site size, and character, quality, and quantity of surface and subsurface materials or obstacles on the Joint Development Site as well as the existing utilities on the Joint Development Site. Some of this information is available from a visual inspection of the Joint Development Site and may be available from technical drawings and specifications (as built drawings) which WMATA will make available upon request, utility companies serving the area and local land records. WMATA disclaims all responsibility and liability for the completeness or accuracy of any information that it provides. All Joint Development Sites are subject to existing physical and legal conditions, whether of record or not.

Additionally, a Developer is expected to know the conditions affecting construction on the Joint Development Site, which include but are not restricted to those bearing upon transportation, disposal, handling and storage of materials, availability of labor, water, electric power, roads, the topography and conditions of the ground, and the character of equipment and facilities needed before and during prosecution of the work.

~~40-~~

~~5.5.- Environmental Matters~~

WMATA has undertaken no comprehensive environmental investigations of the presence or absence of contaminated material or other

environmental conditions that may affect development except as specifically identified in PART ONE.

Interested Developers may request permission to perform a due diligence environmental site assessment prior to Proposal submission, after Proposal submission or after designation as the Selected Developer.

Such due diligence site assessment and all associated costs shall be the sole responsibility of the Developer. Permission will be granted by WMATA subject to the execution of a Right of Entry Agreement with standard insurance and indemnity provisions. A sample Right of Entry Agreement is available by calling 202-962-2395 to be directed to from the Joint Development Coordinator who may be reached through 202-962-2395.

WMATA shall be provided, in a timely manner, a copy of each test result and report addressing the environmental site investigation.

If environmental contamination is found that requires a clean up or remediation of the Joint Development Site under a governmental regulatory agency's review, the Developer may withdraw its Proposal (including its Final Proposal) but is responsible for site restoration costs. In the event that the due diligence environmental site assessment is performed after the designation of the Selected Developer, but prior to the execution of the Development Agreement, the Selected Developer and WMATA may negotiate the transaction based upon the levels of contaminated materials or other environmental conditions encountered which would substantially delay development or substantially increase the costs of excavation, removal or disposal of ~~soil/materials~~ soil/materials, or the treatment of groundwater. If the parties cannot agree upon the resolution of these issues, the Selected Developer may withdraw its Proposal but the Developer is responsible for site restoration costs, and WMATA has the corresponding right to terminate the Selected Developer designation in accordance with Section 5.2.1.

5.6. Protest Policy

The policy and procedure for the administrative resolution of protests involving the designation of a Selected Developer arising pursuant to this

JDS are as follows: ~~A-~~

~~A-~~ Only an Interested Party may submit a protest.

~~B-~~ An Interested Party is defined as a Developer who submitted a Proposal pursuant to this JDS.

~~B-~~ Protests must be submitted no later than 30 calendar days after WMATA's designation of the Selected Developer. Any protest submitted subsequent to this time may be deemed by WMATA's Contracting Officer to be untimely and denied on that basis unless the Contracting Officer concludes that the issue(s) raised by the protest involves fraud, gross abuse of the selection process, or otherwise indicates substantial prejudice to the integrity of the selection process.

~~C-~~ The Interested Party wishing to file a protest shall submit a written document to WMATA's Contracting Officer which contains the following:-

1.- The name and address of the Interested Party;

~~2-~~ 2. Description of the nature of the protest;

~~3-~~ Identification of the provision(s) of this JDS, applicable Joint Development Policies and Guidelines or laws upon which the protest is based;

~~4-~~ 4. A statement of the specific relief requested; and

~~5-~~ 5. Any documents relevant to the protest.

~~D-~~ D. WMATA's Contracting Officer shall carefully review the protest in consultation with WMATA staff. At the discretion of the Contracting Officer, a conference may be held with the Interested Party. The Contracting Officer shall have 30 calendar days to render a written decision on the merits of the protest. A determination by the Contracting Officer that a protest is

meritorious may result in a change~~41~~ in the terms, conditions or format of this JDS in the form of an Amendment; the rejection of a Proposal; the cancellation of this JDS; or the termination of the designated Selected Developer.

~~E. E.~~ This Protest Policy is not applicable to actions taken by WMATA in response to legal proceedings filed in the courts, or actions taken by WMATA in its sole and non-reviewable discretion.

5.7- Guaranty-

WMATA may require a third party to guarantee some or all of the obligations of the Selected Developer, including but not limited to construction obligations.

SECTION 6: DEFINITIONS

Contracting Officer-

WMATA's Managing Director of the Office of Property Development and Management, or, if such position is vacant at the time in question, the person designated to act in such capacity at such time.

Developer(s)-

The entity submitting or contemplating the submission of a Proposal in response to this Joint Development Solicitation (JDS). The Developer may be any qualified individual or entity with real estate development-related experience and access to financing sufficient to undertake the proposed Project, including real estate brokers, non-profit organizations, public agencies, etc. Real estate brokers are invited to participate as the Developer or as a member of the Development Team as opposed to participating in a purely marketing role.

WMATA will not pay any broker's commissions.

Development Agreement-

The legal document (lease, sales contract, combination lease/sale, master development agreement or other agreement) that constitutes the contract between WMATA and the Selected Developer.

Development Team-

The Developer and the principal persons and/or

entities (including officers, directors, partners, members, managers or the equivalent of such persons and/or entities) identified by the Developer as the participants in the Project.

Disadvantaged Business Enterprise (DBE)-

For the purpose of Joint Development Projects, a DBE is a for-profit, small business concern that is owned and controlled (at least ~~51~~ percent ~~51%~~) by one or more socially and economically disadvantaged persons. Socially and economically disadvantaged persons are persons who are citizens of the United States (or lawfully admitted permanent residents) and who are either: A-

A. Black Americans (meaning persons having origin in any of the Black racial groups of Africa); ~~B-~~

B. Hispanic Americans (meaning persons of Mexican, Puerto Rican, Cuban, Dominican, Central or South American, or other Spanish or Portuguese culture or origin, regardless of race); ~~C-~~

C. Native Americans (meaning persons who are American Indians, Eskimos, Aleuts, or Native Hawaiians); ~~D-~~

D. Asian-Pacific Americans (meaning persons whose origins are from Japan, China, Taiwan, Korea, Burma (Myanmar), Vietnam, Laos, Cambodia (Kampuchea), Thailand, Malaysia, Indonesia, the Philippines, Brunei, Samoa, Guam, the U.S. Trust Territories of the Pacific Islands (Republic of Palau), the Commonwealth of the Northern Marianas Islands, Macao, Fiji, Tonga, Kiribati, Juvalu, Nauru, Federated States of Micronesia, or Hong Kong); ~~E-~~

E. Subcontinent Asian American (meaning persons whose origins are from India, Pakistan, Bangladesh, Bhutan, the Maldiv Islands, Nepal or Sri Lanka); ~~F-~~

F. Women.

42-Evaluation Team-

WMATA staff assigned by the Contracting Officer to analyze the Proposals and make recommendations.

Federal Transit Administration (FTA)-

The federal agency within the U.S. Department of Transportation which administers the federal rules and regulations governing joint development programs and oversees other aspects of real property purchased with federal funds for transit purposes.

Final Proposal-

If requested by WMATA, the final document or compilation of documents submitted by the Developer for analysis before the Evaluation Team makes its recommendation. See definition of Proposal.

Initial Proposal-

The initial document or compilation of documents submitted by the Developer in response to this JDS. See definition of Proposal.

Joint Development-

A creative program through which property interests owned and/or controlled by WMATA are marketed to office, retail/commercial, recreational/entertainment/recreational/entertainment and residential developers with the objective of developing Transit-Oriented Development projects. See definition of Transit-Oriented Development.

Joint Development Policies and Guidelines-

The procedures approved by the WMATA Board of Directors which govern the Joint Development Program and are available at MetroOpensDoors.com (click "About Metro," then click Business Business opportunities and Joint Joint development opportunities).

Joint Development Project-

The development ideas, concepts and plans that a Developer presents in its Proposal. Also refers to the development plans of the Selected Developer.

Joint Development Site(s)-

The property areas and interests identified in Part I.

Joint Development Work Program-

A document prepared annually of Joint Development opportunities associated with WMATA-owned properties. The Joint Development Work Program is drafted in coordination with the local jurisdictions and approved by the WMATA Board of Directors.

Project-

The joint development ideas, concepts and plans that a Developer presents in its Proposal. Also refers to the development plans of the Selected Developer. Project is synonymous with Joint Development Project.

Proposal(s)-

The development-related documents submitted in response to this Joint Development Solicitation (JDS). The term Proposal can include both the Initial Proposal and, if requested by WMATA, the Final Proposal.

Selected Developer-

The Developer with the exclusive right to negotiate a Development Agreement with WMATA.

WMATA's designation of the Selected Developer shall not become final and binding until a Development Agreement has been negotiated and executed by the parties.

Term Sheet

The nonbinding document which summarizes the development concept, financial structure and other major business terms of the Project.

Transit-Oriented Development-

Those projects that integrate WMATA's transit facilities, reduce automobile dependency, increase pedestrian/bicycle originated transit trips, foster safe station areas, enhance surrounding area connections to transit stations, provide mixed use including housing and the opportunity to obtain goods and services near transit stations, offer active public spaces and promote and enhance ridership and sound growth in the communities which WMATA serves. See also FTA's definition at www.fta.dot.gov/library/policy/IFT/iftb.html.

WMATA Compact-

Washington Metropolitan Area Transit Authority Compact, Public Law 89-774, 80 Stat. 1324, as may be amended.

WMATA Facility-

Any improvements, structures, infrastructure components, tangible property and/or areas required, in the judgment of WMATA, for the use, operation, access, maintenance, repair, servicing, replacement or removal of structures and supports, any and all access, parking, operation and service facilities and areas relating to WMATA's operations or activities, including without limitation, the Metro station, tunnels, rails, tracks, bus stations, bus transfer areas, supervision kiosks, employee bathrooms, electric substations, conduits and lines, communications equipment and structures, pedestrian ways, waiting and shelter areas, facilities serving people ~~people~~ persons with disabilities, cooling towers, chiller plants, vent and fan shafts, bicycle rack and locker areas, storm water management facilities, landscaping, lighting and all other associated facilities.

WMATA Improvement(s)-

Those improvements, whether an interim replacement facility or a new facility, which will be designed and/or constructed by the Selected Developer for WMATA in a configuration acceptable to WMATA. Upon final acceptance by WMATA, a WMATA Improvement will become a WMATA Facility.

WMATA Replacement Facility

A WMATA Improvement designed and/or constructed by the Selected Developer for WMATA in a configuration acceptable to WMATA that replaces any displaced or disrupted WMATA Facility and which will be turned over to WMATA.

WMATA Reserved Areas and Interests-

Includes (a) all areas of, within or adjacent to the Joint Development Site containing any WMATA Facility; (b) all areas of, within or adjacent to the Joint Development Site relating to the use, operation, access, maintenance, repair, servicing, replacement or removal of any WMATA Facility; and (c) any and all easements and other reserved rights required by WMATA

in connection with its use, operation, access, maintenance, repair, servicing, replacement or removal of any WMATA Facility or WMATA operations and business generally, whether expressly provided for or reasonably contemplated. Such easements and other reserved rights shall include, without limitation, easements and reserved rights (whether at, above or below ground level) for (i) the construction, operation, maintenance, repair, replacement, removal or relocation of any and all existing tunnels and related ~~facility~~ facilities, (ii) all WMATA Facilities (including, without limitation, any replacement facilities) which have piling or other structural support within or adjacent to the Joint Development Site, (iii) any and all service facilities serving such tunnels or any WMATA ~~Facilities~~ Facility, (iv) all underground power lines and other utilities, (v) horizontal and vertical support for all WMATA Facilities in, on and about the WMATA Joint Development Site, including without limitation, structures, equipment or installations such as foundations, beams, columns, bracing and similar structural features which maintain vertical and horizontal support and are necessary for the maintenance, operation and protection of any WMATA Facility and (vi) protections and approval rights satisfactory to WMATA in its sole and unreviewable discretion with respect to limits on loads and pressures which may affect any WMATA Facility, whether vertical or lateral.

~~45 Part Three. Attachments 47 ATTACHMENT A Page 1 of 3 Washington Metropolitan Area Transit Authority PROPOSAL FORM JOINT DEVELOPMENT SITES Please use a separate Proposal Form for each Joint Development Site.~~

~~JOINT DEVELOPMENT SOLICITATION (JDS) DATED: PROPOSAL SUBMITTED FOR THE FOLLOWING JOINT DEVELOPMENT SITE: JDS Number: DEVELOPER: Name (must be existing entity) Name of Authorized Representative Signature of Authorized Representative Title Address including Zip Code Telephone Number Fax Number E-Mail Address Name of Entity to be Formed (if applicable) 48 ATTACHMENT A Page 2 of 3 REPRESENTATIONS AND CERTIFICATIONS REPRESENTATIONS 1.~~

~~Developer's existing operation is: (check or complete all applicable boxes) an individual a partnership general limited Formed under the~~

laws of a nonprofit organization a corporation, incorporated under the laws of a limited liability company (LLC) formed under the laws of other;

2. Developer's proposed operation as set forth in its proposal will be: (check or complete all applicable boxes) an individual a partnership general limited To be formed under the laws of a nonprofit organization a corporation to be incorporated under the laws of a limited liability company (LLC), to be formed under the laws of other; 49-CERTIFICATIONS (check applicable box)

1. Debarred or Ineligible Contractors: Developer certifies that its existing operation is is not included in the "List of Parties Excluded from Federal Procurement or Nonprocurement Programs" maintained by the U.S. General Services Administration;

2. Contingent Fee: a. Developer has has not employed or retained any company or persons (other than a full-time, bona fide employee working solely for the Developer) to solicit or secure a Development Agreement; and b. Developer has has not paid or agreed to pay any company or person (other than a full-time, bona fide employee working solely for the Developer) any fee, commission, percentage or brokerage fee contingent upon or resulting from the award of a Development Agreement; and c. Developer agrees to furnish information relating to the above as requested by WMATA's Contracting Officer;

3. Covenant Against Gratuities: Neither Developer nor any of its employees, representatives or agents have offered or given gratuities or will offer or give gratuities (in the form of entertainment, gifts or otherwise) to any director, officer or employee of WMATA with the view toward securing favorable treatment in the designation of a Selected Developer or in any determination made with respect to Developer selection, or in the negotiation, amendment or performance of the Development Agreement.

The undersigned Developer certifies that the foregoing is true.

Date Developer Authorized Representative

ATTACHMENT A Page 3 of 3-51 ATTACHMENT B Page 1 of 3 Washington Metropolitan Area Transit Authority PROPOSAL BOND JDS Date: Penal Sum of Bond: \$100,000 JDS Number: Date Bond Executed: Joint Development Site: *KNOW ALL PERSONS BY THESE PRESENTS*, that we, the Principal and Surety(ies) hereto, are firmly bound to the Washington Metropolitan Area Transit Authority (WMATA) in the above penal sum for the payment of which we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally; Provided, that, where the Sureties are corporations acting as co-sureties, we the Sureties, bind ourselves in such sum "jointly and severally" as well as "severally" only for the purpose of allowing a

joint action or actions against any or all of us, and for all other purposes each Surety binds itself, jointly and severally with the Principal, for the payment of such sum only as set forth opposite the name of such Surety, but if no limit of liability is indicated, the limit of liability shall be the full amount of the penal sum.

THE CONDITION OF THIS OBLIGATION IS SUCH, that whereas the Principal has submitted a Proposal in response to the JDS identified above, this Bond shall be valid for 360 days from the JDS Date written above:

If WMATA designates the Principal as the Selected Developer based upon the Proposal it submitted under the JDS Number written above, and WMATA terminates the Principal's designation as the Selected Developer in accordance with Section 5-2 of the aforesaid JDS, the Principal and the Surety(ies) named herein shall be liable to WMATA as aforesaid for the Penal Sum of this Bond. Each Surety executing this instrument hereby agrees that its obligation shall not be impaired by any extension(s) of the time for WMATA's designation of the Selected Developer or the negotiation of a Development Agreement, notice of which extension(s) to the Surety(ies) being hereby waived; provided that such waiver shall apply only with respect to extensions aggregating not more than 120 calendar days in addition to the period originally allowed as stated above.

52 Principals) 1. Developer: Address: Signature of Authorized Representative: Corporate Seal: Name and Title: State of Incorporation: 2. Developer: Address: Signature of Authorized Representative: Corporate Seal: Name and Title: State of Incorporation: 3. Developer: Address: Signature of Authorized Representative: Corporate Seal: Name and Title: State of Incorporation: **ATTACHMENT B Page 2 of 3-53 Corporate Sureties A.** Surety Name: Liability Limit (Seal) \$ Address: Signature: Name and Title: State of Incorporation: B. Surety Name: Liability Limit (Seal) \$ Address: Signature: Name and Title: State of Incorporation: C. Surety Name: Liability Limit (Seal) \$ Address: Signature: Name and Title: State of Incorporation: *Attach additional pages as needed.*

Instructions 1. This form is authorized for use in providing Proposal Security. It must be completed legibly.

The name of each person signing this Proposal Bond should be typed in the space provided.

WMATA may request documentation confirming the authorization of a person signing in a representative capacity:

2. Sureties executing the Proposal Bond must be among those appearing on the U.S. Treasury Department's list of approved sureties and must be acting within the limitations set

forth therein.

~~ATTACHMENT B Page 3 of 3 55~~

~~ATTACHMENT C Page 1 of 2~~ [If issuing

bank is located outside of Washington, D.C., Maryland or Virginia, then a confirming bank in one of those jurisdictions is required; both banks must be members of the Federal Reserve System.] [Issuing Bank L/C Letterhead]

IRREVOCABLE STANDBY LETTER OF CREDIT Letter of Credit No. _____

_____ Issue Date:

_____, 2006 APPLICANT:

Name: _____

Address: _____

_____ Re: Issued in connection with JDS Number: _____ Joint Development

Site: _____ Joint

Development Solicitation (JDS) Dated: _____

_____ BENEFICIARY: Washington Metropolitan Area Transit Authority 600 Fifth Street, NW Washington, D.C. 20004

Ladies and Gentlemen: 1. We hereby open in your favor, at the request and for the account of the above-identified Applicant, our Irrevocable Standby Letter of Credit No. _____ in an aggregate

amount of One Hundred Thousand and 00/100's US Dollars (USD 100,000.00), to be available for payment of your drafts drawn at sight on us, and accompanied, in the case of each draft, by your written certification to us signed by any person purporting to act on your behalf, stating:

Applicant as the Selected Developer for the above-referenced Joint Development Site pursuant to that certain Joint Development Solicitation (JDS) dated _____, and issued by

_____, and issued by Beneficiary, has been terminated as the Selected Developer in accordance with Section 5.2 of the JDS, and Beneficiary hereby certifies that the Sight Draft presented herewith constitutes an amount owed to Beneficiary under the JDS:

56 ATTACHMENT C Page 2 of 2 2. Drafts drawn under this letter of credit (as same may have been or may be amended from time to time) shall be completely sufficient if in the form attached hereto as Exhibit A, and need not be endorsed on the letter of credit.

We will accept any and all statements delivered pursuant to this credit as conclusive, binding and

correct, without having to investigate or being responsible for the accuracy, truthfulness, correctness or validity thereof and notwithstanding the claim of any person to the contrary.

3. This credit shall expire, unless extended as provided herein, at 5 p.m. local time in Washington, D.C., on _____, 2007. If such date is

a Saturday, Sunday, legal holiday or day on which we are not open for business on account of any other reason, the expiration date set forth above shall automatically be extended to our next regular business day. It is a condition of this credit that it will be automatically extended without amendment for an additional period of 12 months from the present and each future expiration date, unless, not less than 60 days prior to the then-relevant expiration date, we notify you by Registered Mail that we elect not to extend this credit for any additional period. Upon your receipt of such a notification, you may draw your sight draft on us prior to the then-relevant expiration date for the unused balance of this credit, which need be accompanied only by your signed written statement that you received notification of our election not to extend.

4. All drafts drawn under this letter of credit must refer to the number and issue date of this credit, and must be marked "Drawn under [Issuer's Name] Irrevocable Standby Letter of Credit No. _____."

5. We agree to honor each draft drawn under and in compliance with the terms of this credit, if duly presented at our offices at [must be the address of an office of the issuing bank in Washington, D.C., Virginia, or Maryland; for, if a confirming bank is being used, at the offices of such confirming bank at a specified address in Washington, D.C., Virginia, or Maryland] at or before 5 p.m. local time in Washington, D.C. We agree to deliver payment in full of each such draft without any processing, check, or other fees whatsoever, to your offices as set forth hereinabove, Attn: General Counsel, not later than 36 hours after the time of presentment (not including Saturdays, Sundays, legal holidays, or any day on which we are not open for business on account of any other reason) by our Cashier's or Teller's check payable solely to the order of the "Washington Metropolitan Area Transit Authority."

6. The original and/or any amendment of the credit under which drafts are presented by you need not be presented with any draft drawn thereunder in order to constitute a valid presentment, unless such draft is a full and/or final draft under this credit.

7. Partial drawings under this letter of credit are permitted.

8. This credit shall be governed by the Uniform Customs and Practices for Documentary Credits, UCP 500 (1993 Rev.), published by the

International Chamber of Commerce, and to the extent not so governed in accordance with the statute and case law of the District of Columbia. Very truly yours, [name of issuing or confirming bank] By: _____

Authorized Officer Print name: _____
_____ Print title:

_____ 57 EXHIBIT A
SIGHT DRAFT Date: _____ AT
SIGHT, pay to the order of Washington Metropolitan Area Transit Authority, the sum of _____ Dollars (USD _____):

For Value Received, and charge to the account of [name of Applicant]:

Drawn under [name of issuing bank] Irrevocable Standby Letter of Credit No. _____, dated _____ [as amended by _____]:

Washington Metropolitan Area Transit Authority, as Beneficiary under said Irrevocable Standby Letter of Credit No. _____, dated _____ [as amended by _____], hereby certifies to you that:

[insert certification language] TO: [name of issuing bank] Washington Metropolitan Area Transit Authority Address: By: Print Name: Title: Attn: Letter of Credit Department 600 Fifth Street, NW Washington, D.C. 20001-58 Washington Metropolitan Area Transit Authority

C:\Documents and Settings\E007371\Local Settings\Temp\Comparison of 2006 & 2007 Submission rgts
Update: July 24, 2006 (11:22am)

10 AW
Shaw Howard archive

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, October 14, 2009 1:59 PM
To: Bottigheimer, Nat; Goldin, Steven; Doggett, Rosalyn; Montague, Joshua W.
Subject: MEAD 100527 Approve Term Sheet for Sale of Shaw-Howard U./Florida Avenue Joint Development Site
Attachments: Shaw Howard Fl Ave Approve Term Sheet for Sale-m.pptx

All,

To advance the ball towards the goal line, we're proceeding with the MEAD and PowerPoint presentation (copy attached) on the basis of this being a joint development project sale. If during the process of approving MEAD 100527, (which includes CHOS, COUN, GMGR, SECT, etc. as approvers) someone wants to characterize this item in some other way, (e.g., an excess property sale), we will accordingly adjust the supporting documents.

As I understand it, this item will be addressed during a special Executive Session of the PDRE Cmte on 10/22/09.

Thanks.

Sid

-----Original Message-----

From: Bottigheimer, Nat
Sent: Wednesday, October 14, 2009 1:03 PM
To: Doggett, Rosalyn; Goldin, Steven
Cc: Montague, Joshua W.; Mohsberg, Sid
Subject: Re: Florida Ave note

I'm honestly not sure. Josh, can you check with Carol, please?
I asked Carol this same question last week but did not understand the answer.

----- Original Message -----

From: Doggett, Rosalyn
To: Goldin, Steven; Bottigheimer, Nat
Cc: Montague, Joshua W.; Mohsberg, Sid
Sent: Wed Oct 14 11:42:00 2009
Subject: FW: Florida Ave note

Nat, I am presuming this is a joint development sale and will write it up as such. Please let me know immediately if that is not the case.

In the attached pro forma, please note that the npv at time of sale will be less than the appraiser's price. However, the appraiser indicates in his report, pp. 36,37; that "Given the complexities of developing the subject site, the necessity of obtaining approvals and processing reviews and agreements relating to the WMATA easements and tunnels, and the difficulty of obtaining development financing in the current economic climate, the exposure time associated with the values set forth herein is estimated at 12 to 18 months or more."

Either the appraiser's reasoning would obtain or we would need to get from Banneker an additional payment at lease execution to make up the difference between \$2,092,000 and \$2,200,000.

The term sheet we sent out provided that if closing does not occur by 600 days from execution of a sales agreement that the price goes up 5.8% per year.

— 171

Doggett, Rosalyn

From: Goldin, Steven
Sent: Wednesday, October 14, 2009 10:55 AM
To: Montague, Joshua W.; Doggett, Rosalyn
Subject: FW: WMATA Term Sheet for Shaw-Howard Parcels
Attachments: WMATA Term Sheet for Sale of Shaw-Howard-U-Florida Ave Site (Redline Ver).doc; WMATA Term Sheet for Sale of Shaw-Howard-U-Florida Ave Site (Clean Ver).doc

Importance: High

Does JDAC come into play for this project? How do we address their "6 month" review process in the context of this agreement?

From: Tiwana Hicks [<mailto:thicks@bannekerventures.com>]
Sent: Wednesday, October 14, 2009 10:49 AM
To: Montague, Joshua W.
Cc: Maurice 'Perry'; alves@bannekerventures.com; 'Omar A. Karim'; Neil.Albert@dc.gov; Yohance S. Fuller; Goldin, Steven; John 'Hagner; Bottigheimer, Nat; Doggett, Rosalyn
Subject: WMATA Term Sheet for Shaw-Howard Parcels
Importance: High

Josh:

Attached for your review are the clean and redline versions of our comments to the WMATA Term Sheet. The redline shows our comments to the original version received on Friday, October 9th. It remains our goal that this Term Sheet move forward for Committee and Board approval on October 22nd. Let's continue to work diligently towards that objective. Please contact us with any questions you may have. Thanks.

Tiwana

Tiwana Z. Hicks
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, D.C. 20005
T: (202) 393-5460
F: (202) 393-5462
C: (202) 486-1863
thicks@bannekerventures.com

Doggett, Rosalyn

From: Tiwana Hicks [thicks@bannekerventures.com]
Sent: Wednesday, October 14, 2009 10:49 AM
To: Montague, Joshua W.
Cc: Maurice 'Perry; aives@bannekerventures.com; 'Omar A. Karim'; Neil.Albert@dc.gov; Yohance S. Fuller; Doggett, Rosalyn; John 'Hagner; Bottigheimer, Nat; Goldin, Steven
Subject: WMATA Term Sheet for Shaw-Howard Parcels
Attachments: WMATA Term Sheet for Sale of Shaw-Howard-U-Florida Ave Site (Redline Ver).doc; WMATA Term Sheet for Sale of Shaw-Howard-U-Florida Ave Site (Clean Ver).doc

Importance: High

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Tiwana

Tiwana Z. Hicks
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729 15th Street, NW, Suite 400
Washington, D.C. 20005
T: (202) 393-5460
F: (202) 393-5462
C: (202) 486-1863
thicks@bannekerventures.com

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Friday, October 09, 2009 4:21 PM
To: Tiwana Hicks
Cc: Doggett, Rosalyn; Goldin, Steven; Heppen, Bruce P.; jhagner@wcsr.com
Subject: Florida Avenue - Draft Sale Term Sheet
Attachments: Draft FL AVE Sale Term Sheet 100809.doc

Attached is an electronic version of the Term Sheet that was provided at today's meeting.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

The information contained in this email may be confidential and/or legally privileged. It has been sent for the sole use of the intended recipient(s). If the reader of this message is not an intended recipient, you are hereby notified that any unauthorized review, use, disclosure, dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please contact the sender by reply email and destroy all copies of the original message.

Doggett, Rosalyn

From: Burns, Bob
Sent: Friday, October 09, 2009 3:54 PM
To: eric.smart@bolasmart.com
Cc: Doggett, Rosalyn
Subject: FW: More Parking Analysis
Attachments: Analysis Nelson-Nygaard Memo.docx; EFC Replacement Parking Memo.doc; EastFallsChurchrev3.xlsx; EFC Parking Cost-Benefit Analysis_092209.xls

Eric,

Attached are analyses and emails related to development possibilities for the E. Falls Church station. Arlington Co. would like to see the development revenue and ridership impact for various levels of parking replacement, 0-100%. We need an outside review/reality check of the analyses. We can discuss a work product in more detail during our conference call. Tuesday looks doubtful now. I'll give you some dates and times for next week. Let me know what your schedule is.

Thanks,

Bob Burns
202 962 2392

From: Peterson, Scott
Sent: Thursday, October 08, 2009 3:22 PM
To: Doggett, Rosalyn
Cc: Burns, Bob; McElhenny-Smith, Robin
Subject: FW: More Parking Analysis

Roz,

Bob advised that we hire Bolin-Smart to provide some fresh market analysis of the East Falls Church planning study using the work I've done so far. I agree it would be good to get an independent assessment of our cost/benefit analysis for replacement parking with Joint Development. Please review the attached email and documents, then we can meet and discuss at your convenience. Thanks, Scott

From: Peterson, Scott
Sent: Thursday, October 08, 2009 10:45 AM
To: Burns, Bob; Marshall, Malcolm
Cc: McElhenny-Smith, Robin; Johnston, Kasondra
Subject: FW: More Parking Analysis

Bob and Malcolm,

I should have included you guys on the CC: list for the attached documents I sent to Robin for review. Ya'll ought to look at the numbers I came up with for revenue. The file: Analysis Nelson-Nygaard Memo.doc provides an outline of my analysis and the two spreadsheets, which are linked with data, provides the background. As recommended, I used a 10% figure for a land lease option, with the lease revenue being 10% of the land value of each alternative and parking option. The numbers I've come up with are surprising, since the Nelson-Nygaard conclusions show an upward straight line revenue curve b/w 0 %, 50%, and 100% parking replacement. But, my bow curve could be wrong.

However, if the County and community reject apartment development in favor of condominium development, then the lease option is off the table. Please review as early as possible, thanks. - Scott

From: Peterson, Scott
Sent: Wednesday, September 30, 2009 9:56 AM
To: McElhenny-Smith, Robin
Cc: Kennedy, Sean; Greenan, Brian
Subject: More Parking Analysis

Robin,

Attached is a memo with my response to Arlington County consultant's analysis of our analysis. So my memo is an analysis of their analysis, which is also an analysis of our earlier analysis. I reformatted my earlier analysis to conform to Nelson/Nygaard's formatting of Arlington County criteria, so to speak.

My new analysis is providing some interesting numbers in regard to overall revenue generated by the different development alternatives and parking options with a lease agreement. It was not what I expected. Please provide comments as early as practical.

*Scott Peterson, Architect/Transit Facilities Planner
Office of Station Area Planning and Asset Management
Department of Planning and Joint Development
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW Room 6E-17
Washington, DC 20001
202-962-1458 (w)
571-235-7581 (c)
speterson@wmata.com*

Doggett, Rosalyn

From: Marshall, Malcolm
Sent: Friday, October 09, 2009 1:53 PM
To: richard harps
Cc: Doggett, Rosalyn
Subject: Shaw Howard
Attachments: ScopeShawHoward4.doc

Attached is revised scope

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Friday, October 09, 2009 1:36 PM
To: Goldin, Steven; Heppen, Bruce P.; Meister, Mark K.; O'Keeffe, Carol B.
Cc: Doggett, Rosalyn
Subject: RE: Florida Avenue Draft Sale Term Sheet - UPDATED
Attachments: Draft FL AVE Sale Term Sheet 100809.doc

Attached is an updated version of the Term Sheet.

Please note the following changes/issues:

1. Since this is apparently going to go before the Board on 10/22, the parties now have two months to take a Sale Agreement to the Board (in December).
2. The reversion language was changed so that the Developer has to commence excavation of building foundations within twelve (12) months of Closing, as opposed to just "commence construction."
3. The Term Sheet no longer refers to "Joint Development." Should it?

Please let me know if you have any comments or questions.

Thanks,

Josh

From: Goldin, Steven
Sent: Thursday, October 08, 2009 2:26 PM
To: Heppen, Bruce P.; Meister, Mark K.; Montague, Joshua W.; O'Keeffe, Carol B.
Cc: Doggett, Rosalyn
Subject: RE: Florida Avenue Draft Sale Term Sheet - UPDATED

Josh

Please incorporate all of the comments you have received and circulate a cleaned-up copy we can give to the developer tomorrow

Steve

From: Heppen, Bruce P.
Sent: Thursday, October 08, 2009 12:58 PM
To: Meister, Mark K.; Montague, Joshua W.; Goldin, Steven; O'Keeffe, Carol B.
Cc: Doggett, Rosalyn
Subject: RE: Florida Avenue Draft Sale Term Sheet - UPDATED

2. The Definitive Agreement, to be prepared initially by WMATA and presented by WMATA to the WMATA Board for approval within one month of Board Term Sheet approval, will be a Purchase and Sale Agreement ("Definitive Agreement"), together with all related documentation upon which WMATA and DEVELOPER mutually agree. The sale ("Closing") will take place at the earlier of twenty (20) months after the WMATA Board approves the Definitive Agreement or the start of construction of the Project. (Should a timeframe be identified for execution of the Definitive Agreement after Board approval?)

I agree with Mark's comment that there should be a timeframe (really a maximum number of months or perhaps a calendar year) for execution of the Definitive Agreement – since they have put this on a fast track for Board approval (as I understand this, this calls for Board approval of the Definitive Agreement before Thanksgiving), we should require execution of the agreement on a similar fast track i.e. within 2 weeks of Board approval.

I think the second sentence of this provision should be rephrased to provide that the sale (closing) will take place no later than 20 months after Board approval of the project. Section 7.4 of the agreement contemplates that the 20 months is an absolute deadline. Our problem is generally with holding the developers to the deadlines rather than allowing them to start earlier. Section 7.9 contemplates that closing can occur as long as 12 months prior to the beginning of construction. I think the "either/or" language of the current 2nd sentence is confusing

From: Meister, Mark K.
Sent: Thursday, October 08, 2009 11:41 AM
To: Montague, Joshua W.; Goldin, Steven; Heppen, Bruce P.; O'Keeffe, Carol B.

Cc: Doggett, Rosalyn
Subject: RE: Florida Avenue Draft Sale Term Sheet - UPDATED

Josh,

Please see my comment at the end of Section 2 and proposed revision to Section 7.8.

Mark

From: Montague, Joshua W.
Sent: Thursday, October 08, 2009 10:56 AM
To: Goldin, Steven; Heppen, Bruce P.; O'Keeffe, Carol B.
Cc: Meister, Mark K.; Doggett, Rosalyn
Subject: Florida Avenue Draft Sale Term Sheet - UPDATED

A new draft of the term sheet is attached, updated with comments from Mark Meister.

Please work off of this version going forward.

Thanks,

Josh

From: Montague, Joshua W.
Sent: Wednesday, October 07, 2009 5:47 PM
To: Doggett, Rosalyn; Goldin, Steven
Cc: Meister, Mark K.; O'Keeffe, Carol B.; Heppen, Bruce P.
Subject: Florida Avenue Draft Sale Term Sheet

Attached is the updated draft of the term sheet. Please take a look and let me know what you think.

Please note while reviewing that Section 7.9 is a concept that has not totally been fleshed out and so your feedback here will be very helpful.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

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Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Thursday, October 08, 2009 5:31 PM
To: Goldin, Steven; Heppen, Bruce P.; Meister, Mark K.; O'Keeffe, Carol B.
Cc: Doggett, Rosalyn
Subject: RE: Florida Avenue Draft Sale Term Sheet - UPDATED
Attachments: Draft FL AVE Sale Term Sheet 100809.doc

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Please take a look and let me know what you think.

Thanks,

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Doggett, Rosalyn

From: Peterson, Scott
Sent: Thursday, October 08, 2009 3:22 PM
To: Doggett, Rosalyn
Cc: Burns, Bob; McElhenny-Smith, Robin
Subject: FW: More Parking Analysis
Attachments: Analysis Nelson-Nygaard Memo.docx; EFC Replacement Parking Memo.doc; EastFallsChurchrev3.xlsx; EFC Parking Cost-Benefit Analysis_092209.xls

Roz,

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Subject: More Parking Analysis

Robin,

Attached is a memo with my response to Arlington County consultant's analysis of our analysis. So my memo is an analysis of their analysis, which is also an analysis of our earlier analysis. I reformatted my earlier analysis to conform to Nelson/Nygaard's formatting of Arlington County criteria, so to speak.

My new analysis is providing some interesting numbers in regard to overall revenue generated by the different development alternatives and parking options with a lease agreement. It was not what I expected. Please provide comments as early as practical.

*Scott Peterson, Architect/Transit Facilities Planner
Office of Station Area Planning and Asset Management
Department of Planning and Joint Development
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW Room 6E-17
Washington, DC 20001
202-962-1458 (w)
571-235-7581 (c)
speterson@wmata.com*

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Thursday, October 08, 2009 11:41 AM
To: Montague, Joshua W.; Goldin, Steven; Heppen, Bruce P.; O'Keeffe, Carol B.
Cc: Doggett, Rosalyn
Subject: RE: Florida Avenue Draft Sale Term Sheet - UPDATED
Attachments: Draft FL AVE Sale Term Sheet 100809.doc

Josh,

Please see my comment at the end of Section 2 and proposed revision to Section 7.8.

Mark

From: Montague, Joshua W.
Sent: Thursday, October 08, 2009 10:56 AM
To: Goldin, Steven; Heppen, Bruce P.; O'Keeffe, Carol B.
Cc: Meister, Mark K.; Doggett, Rosalyn
Subject: Florida Avenue Draft Sale Term Sheet - UPDATED

A new draft of the term sheet is attached, updated with comments from Mark Meister.

Please work off of this version going forward.

Thanks,

Josh

From: Montague, Joshua W.
Sent: Wednesday, October 07, 2009 5:47 PM
To: Doggett, Rosalyn; Goldin, Steven
Cc: Meister, Mark K.; O'Keeffe, Carol B.; Heppen, Bruce P.
Subject: Florida Avenue Draft Sale Term Sheet

Attached is the updated draft of the term sheet. Please take a look and let me know what you think.

Please note while reviewing that Section 7.9 is a concept that has not totally been fleshed out and so your feedback here will be very helpful.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

The information contained in this email may be confidential and/or legally privileged. It has been sent for the sole use of the intended recipient(s). If the reader of this message is not an intended recipient, you are hereby notified that any unauthorized review, use, disclosure, dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please contact the sender by reply email and destroy all copies of the original message.

Doggett, Rosalyn

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Cc: Meister, Mark K.; Doggett, Rosalyn
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Thanks,

Josh

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Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Wednesday, October 07, 2009 5:47 PM
To: Doggett, Rosalyn; Goldin, Steven
Cc: Meister, Mark K.; O'Keeffe, Carol B.; Heppen, Bruce P.
Subject: Florida Avenue Draft Sale Term Sheet
Attachments: Draft FL AVE Sale Term Sheet 100709.doc

Attached is the updated draft of the term sheet. Please take a look and let me know what you think.

Please note while reviewing that Section 7.9 is a concept that has not totally been fleshed out and so your feedback here will be very helpful.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

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Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Wednesday, October 07, 2009 3:13 PM
To: Doggett, Rosalyn
Subject: RE: draft FL Ave sale term sheet
Attachments: Draft FL AVE Sale Term Sheet 10-7-09 - JWM Redline.doc

See redline with comments attached.

Please let me know when you are free to discuss.

Josh

From: Doggett, Rosalyn
Sent: Wednesday, October 07, 2009 12:21 PM
To: Montague, Joshua W.
Subject: draft FL Ave sale term sheet

Josh please review as soon as possible. Steve wants a draft by COB. I have meetings all afternoon but could leave my 1 o'clock early. 2-3:30 is Emeka and 4 is about Dunn Loring, which I think I would have to stay for. But we can squeeze in something.

Thanks,
Roz

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Wednesday, October 07, 2009 10:42 AM
To: Doggett, Rosalyn
Subject: RE:
Attachments: Final FL AVE Term Sheet COUN 031808.doc

From: Doggett, Rosalyn
Sent: Wednesday, October 07, 2009 10:27 AM
To: Montague, Joshua W.
Subject: RE:

Just starting. Thanks. I'll be in touch with you.

From: Montague, Joshua W.
Sent: Wednesday, October 07, 2009 10:10 AM
To: Doggett, Rosalyn
Subject: RE:

Hi Roz,

Are you drafting? If so, let me know how I can help.

Josh

From: Doggett, Rosalyn
Sent: Tuesday, October 06, 2009 5:50 PM
To: Montague, Joshua W.
Subject: FW:

Please note item 2 below

From: Goldin, Steven
Sent: Tuesday, October 06, 2009 5:18 PM
To: Doggett, Rosalyn
Subject:

Also pls remind harps we need app by 1:00 on Friday

Term sheet draft tomorrow for internal review

Steven E. Goldin
Director, Station Area Planning & Asset Management
Washington Metropolitan Area Transit Authority
sgoldin@wmata.com
202-962-2616

Doggett, Rosalyn

From: Goldin, Steven
Sent: Tuesday, October 06, 2009 5:26 PM
To: Doggett, Rosalyn
Cc: Bottigheimer, Nat; Meister, Mark K.; Marshall, Malcolm
Subject: RE: Shaw Howard

Friday by 1:00 is fine but Thursday AM is even better

From: Doggett, Rosalyn
Sent: Tuesday, October 06, 2009 12:57 PM
To: Goldin, Steven
Cc: Bottigheimer, Nat; Meister, Mark K.; Marshall, Malcolm
Subject: FW: Shaw Howard

My response below was not acceptable to Yohance; he called to say he must have the appraisal tomorrow.

I called Richard Harps who said that he really cannot promise tomorrow. He WILL aim for Thursday morning and let us know around lunch time tomorrow how he is doing.

From: Doggett, Rosalyn
Sent: Tuesday, October 06, 2009 12:29 PM
To: Yohance S. Fuller; 'okarim@bannekerventures.com'
Cc: Marshall, Malcolm
Subject: FW: Shaw Howard

As soon as the appraisal comes in, I will forward to you both.
Rosalyn

From: Marshall, Malcolm
Sent: Tuesday, October 06, 2009 10:52 AM
To: Meister, Mark K.
Cc: Bottigheimer, Nat; Goldin, Steven; Doggett, Rosalyn
Subject: Shaw Howard

The appraiser, Richard Harps, expects to send over a revised appraisal, incorporating the latest changes, this Friday

Doggett, Rosalyn

From: Marshall, Malcolm
Sent: Tuesday, October 06, 2009 10:52 AM
To: Meister, Mark K.
Cc: Bottigheimer, Nat; Goldin, Steven; Doggett, Rosalyn
Subject: Shaw Howard

The appraiser, Richard Harps, expects to send over a revised appraisal, incorporating the latest changes, this Friday

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Friday, October 02, 2009 5:39 PM
To: Ackerman, Heidi; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Goldin, Steven; Haldeman, Kristin M.; Harrington, Thomas; Hendren, Patricia; Jachles, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Johnston, Kasondra; Jones, Catherine; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Mohsberg, Sid; Peterson, Scott; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S.
Attachments: Board Items Preparation Milestones - 2009.xls

All:

Latest Board agenda/schedule is attached.

BAR: http://p590a3.wmata.com:7778/pls/bar/p_bar_public

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Thursday, October 01, 2009 10:32 AM
To: Goldin, Steven
Cc: Doggett, Rosalyn
Subject: RE: Approve Term Sheet for Sale of Shaw-Howard U./Florida Avenue Joint Development Site

Steve and Roz,

OPSV had added it, and this morning they removed it.

Sid

From: Goldin, Steven
Sent: Wednesday, September 30, 2009 3:27 PM
To: Mohsberg, Sid
Subject: Re: Approve Term Sheet for Sale of Shaw-Howard U./Florida Avenue Joint Development Site

Needs to be removed

From: Mohsberg, Sid
To: Goldin, Steven
Cc: Doggett, Rosalyn; Bottigheimer, Nat; Wallace, Maria A
Sent: Wed Sep 30 14:55:53 2009
Subject: Approve Term Sheet for Sale of Shaw-Howard U./Florida Avenue Joint Development Site
Steve,

The subject item has been added to the Executive Session agenda of the 10/8/09 PDRE Cmte as "Shaw-Howard University Station Agreement".

See: http://p590a3.wmata.com:7778/pls/bar/p_bar_public

Currently, the title of the PowerPoint presentation (copy attached) is "Approve Term Sheet for Sale of Shaw-Howard U./Florida Avenue Joint Development Site". The two titles need to match. Please decide what you want the title to be and let me know.

Per Nat, no materials for this item will be included in this Friday's mailout to the Board.

This morning, Roz raised a question about whether this is a joint development project or simply the sale of excess land. Nat said he would like to hear her thoughts about this before he shares his.

Important: Between now and the day the Board meets, 10/8/09, SAAM has to create a MEAD and get it approved by various parts of the staff. A week is not much time to get a MEAD approved.

Thanks.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, September 30, 2009 2:56 PM
To: Goldin, Steven
Cc: Doggett, Rosalyn; Bottigheimer, Nat; Wallace, Maria A
Subject: Approve Term Sheet for Sale of Shaw-Howard U./Florida Avenue Joint Development Site
Attachments: Shaw Howard Fl Ave Approve Term Sheet for Sale.pptx

Steve,

The subject item has been added to the Executive Session agenda of the 10/8/09 PDRE Cmte as "Shaw-Howard University Station Agreement".

See: http://p590a3.wmata.com:7778/pls/bar/p_bar_public

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Per Nat, no materials for this item will be included in this Friday's mailout to the Board.

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Important: Between now and the day the Board meets, 10/8/09, SAAM has to create a MEAD and get it approved by various parts of the staff. A week is not much time to get a MEAD approved.

Thanks.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, September 30, 2009 1:13 PM
To: Wallace, Maria A
Cc: Doggett, Rosalyn; Bottigheimer, Nat; Goldin, Steven
Subject: Shaw Howard Presentation - with new slide
Attachments: Shaw Howard Fl Ave Approve Term Sheet for Sale.pptx

Maria,

This version has an additional slide (#4) compared to the version used for the GMGR's pre-brief this morning.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, September 30, 2009 8:17 AM
To: Doggett, Rosalyn
Subject: RE: Shaw Howard

Your e-mail had no attachments. Please send me the elevations. Thanks.

From: Doggett, Rosalyn
Sent: Tuesday, September 29, 2009 6:15 PM
To: Mohsberg, Sid
Subject: FW: Shaw Howard

These are newer elevations that should be substituted for the slide presentation which I will send you in a minute

From: Meister, Mark K.
Sent: Monday, September 07, 2009 5:49 PM
To: Bottigheimer, Nat
Cc: Marshall, Malcolm; Doggett, Rosalyn
Subject: RE: Shaw Howard

Nat,

The estimated lump sum rental value is greater than the fee value of the property since WMATA's discount rate (6.8%) is below market, which I believe is about 8.4%. I will verify this with Malcolm or Roz tomorrow. We definitely should be prepared to discuss highest and best use with both the Board and FTA, and I will talk to Malcolm about this as well.

By copy of this email, I am requesting Roz to prepare a timeline for you.

I'm all for restricting use of the property to residential development, but I believe Omar has a retail component. Roz, is that correct?

Mark

From: Bottigheimer, Nat
Sent: Monday, September 07, 2009 1:36 PM
To: Meister, Mark K.
Cc: Moneme, Emeka
Subject: FW: Shaw Howard

Mark --

Thanks for passing this on. I'm a little confused as to the relationship between the 1.9 and the 1.2 million dollar numbers. Can you clarify for me, please?

Also, do we have an estimate for the value of the land in its highest and best use? We will need to be able to speak to that in committee.

Related, can we condition the agreement on the development of a residential project so that it can not be used for anything but that? The Board's decision would then be an endorsement of both a residential use of the site and a substantial affordable development component.

I can't imagine that the FTA will approve this, but that does not bother me.

Emeka, the market value of the property without the onerous affordable housing requirements is about 4.6 million. The value with the Duke plan goals and the stringent AMI requirements is a really substantial deduction from the value of the land. How the Board deals with this is very difficult to foresee.

Mark, one last thing: for Thursday's committee meeting, I would like to have a timeline that explains why it has taken us the amount of time that it has to get to this point. I do not have the words in my brain right now to tell this story to the Board. I think Mr. Graham will be energetically curious about this, and I need to have some words to say.

Thanks,

Nat

From: Meister, Mark K.
Sent: Sunday, September 06, 2009 3:07 PM
To: Bottigheimer, Nat
Subject: FW: Shaw Howard

Nat,

For our meeting with Omar on Tuesday, it looks like our number for a capitalized lease is \$1,905,000. My only concern is Malcolm's statement at the end that residential development with a 20% affordable housing component does not represent the highest and best use of the property. This may be hard to defend, especially if this is Harps' conclusion as well. I will speak with Malcolm on Tuesday.

Mark

From: Marshall, Malcolm
Sent: Friday, September 04, 2009 5:11 PM
To: Meister, Mark K.; Doggett, Rosalyn
Subject: Shaw Howard

I have a doctor's appointment Tuesday morning but should be in about 10:00 AM.

As shown on the attachment, if Eric Smart's estimated cost of approximately \$3,464,000 for providing 20% affordable housing at 50% AMI is deducted from the estimated land value after adjustments for the costs of building over the tunnel, the net land value is estimated at \$1,126,000 which equates to \$9 per SF of FAR and \$39 per SF of land. Please note that proposed development with 20% affordable housing clearly does not appear to be the highest and best use of the site since higher values can be generated from commercial development of the site.

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Tuesday, September 29, 2009 6:15 PM
To: Goldin, Steven; Doggett, Rosalyn; Bottigheimer, Nat
Cc: Wallace, Maria A
Subject: 9th & FL Ave Board Item: Metro PowerPoint Models
Attachments: Shaw Howard Fl Ave FURTHER extend negotiation period rev 4-m.ppt; BAIS 100376 Shaw Howard Lease.pdf; BCP Presentation 5-27-09m (2).ppt

Steve and Roz,

Here are the models we discussed.

The Shaw Howard presentation is in the new format. The BCP presentation is in the old format, but the story line and pictures are typical.

The Shaw Howard Board Action Information Summary (BAIS) is a typical example of a BAIS.

Nat needs a presentation to show Neal Albert tomorrow.

1:00 PM: SAAM delivers draft presentation to Nat for his review.
1:00 PM to 1:15 PM: Nat reviews presentation and delivers comments to SAAM.
1:15 PM to 2:00 PM: SAAM finalizes and prints presentation
2:00 PM to 2:30 PM: Nat travels to Wilson Building with presentation
2:30 PM to 3:30 PM: Nat meets with Neil Albert at Wilson Building on 9t & FL Ave item
3:30 PM to 4:00 PM: Personal Time
4:00 PM to 5:00 PM: Nat meets with Jim Graham at Wilson Building on 9t & FL Ave item

Roz: Please draft the 9th & FL Ave presentation early tomorrow morning using the new format reflected in the Shaw Howard FL Ave presentation.

I will then work with you to smooth it up.

Nat: Please confirm that tomorrow afternoon the 9th & FL Ave item will be discussed first with Neil Albert and then separately with Jim Graham.

See: <http://poetry.eserver.org/light-brigade.html>

Thanks.

Sid

Doggett, Rosalyn

From: Marshall, Malcolm
Sent: Tuesday, September 29, 2009 9:59 AM
To: Yohance S. Fuller; Doggett, Rosalyn; Meister, Mark K.
Subject: Shaw Howard
Attachments: Scan001.PDF

Attached is a final copy of the scope of work for the appraisal of the above property

-----Original Message-----

From: tprint1@wmata.com [<mailto:tprint1@wmata.com>]
Sent: Tuesday, September 29, 2009 6:30 AM
To: Marshall, Malcolm
Subject: Scan from Xerox WorkCentre

Please open the attached document. It was sent to you using a Xerox WorkCentre Pro.

Sent by: Guest [tprint1@wmata.com]
Number of Images: 1
Attachment File Type: PDF

WorkCentre Pro Location: JGB By 5B Corridor Device Name: XRX0000AA70D44F

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Monday, September 28, 2009 4:21 PM
To: Ackerman, Heidi; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Goldin, Steven; Haldeman, Kristin M.; Harrington, Thomas; Hendren, Patricia; Jachles, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Johnston, Kasondra; Jones, Catherine; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Mohsberg, Sid; Peterson, Scott; Talia, Anabela; Wallace, Maria A; Wyner, Jonathan S.
Subject: Board Items Preparation Milestones
Attachments: Board Items Preparation Milestones -2010.xls; Board Items Preparation Milestones - 2009.xls

The latest status.

Sid

Doggett, Rosalyn

From: Marshall, Malcolm
Sent: Monday, September 28, 2009 2:55 PM
To: richard harps
Cc: Doggett, Rosalyn; Meister, Mark K.
Subject: Shaw Howard
Attachments: Jazz.pdf

As discussed, attached are copies of 2 contracts for sites on the block acquired by Omar. Price was \$91/FAR

Doggett, Rosalyn

From: Omar Karim [okarim@bannekerventures.com]
Sent: Friday, September 25, 2009 3:55 PM
To: Doggett, Rosalyn
Subject: Accepted: Shaw Howard Florida Avenue Properties Appraisal
Attachments: not supported calendar message.ics

Doggett, Rosalyn

From: ProcAdmin@wmata.com
Sent: Friday, September 25, 2009 3:31 PM
To: Doggett, Rosalyn
Subject: MEAD Routing (APPROVED!) - MEAD(100426) Extend Negotiating Period for Shaw-Howard U/FL Ave

TO: ROSALYN DOGGETT
DOCUMENT: MEAD(100426) Extend Negotiating Period for Shaw-Howard U/FL Ave
SUBJECT: The document specified above has just been approved.

All approver(s) have approved your document.

Doggett, Rosalyn

From: Marshall, Malcolm
Sent: Thursday, September 24, 2009 2:07 PM
To: Doggett, Rosalyn
Subject: FW: Shaw Howard

From: richard harps [mailto:rharp@earthlink.net]
Sent: Thursday, September 24, 2009 2:06 PM
To: Marshall, Malcolm
Subject: RE: Shaw Howard

DC Max Rents for 80% AMI units of \$1,438 per month less \$108 for utilities or \$1,330 compared to newer units in that area at \$1,600 to \$1,800 per month for efficiencies and \$1,643 less \$150 for 1 BRs less \$150 for utils or \$1,493 per month compared to \$1,800 to \$2,000 for market. Rough differential \$400 (operating expenses on the IZ units would likely be lower as RETaxes should be lower)

-----Original Message-----
From: "Marshall, Malcolm"
Sent: Sep 24, 2009 1:56 PM
To: richard harps
Cc: "Doggett, Rosalyn"
Subject: RE: Shaw Howard

Harps & Harps Inc
1111 14th Street, NW Suite 600
Washington, DC 20005
202-682-2194
202-682-1579 (fax)
rharp@earthlink.net

Doggett, Rosalyn

From: Marshall, Malcolm
Sent: Thursday, September 24, 2009 1:57 PM
To: richard harps
Cc: Doggett, Rosalyn
Subject: RE: Shaw Howard

For your monthly rent deficiency of \$400/unit, what did you use for market v. affordable?

From: richard harps [<mailto:rharp@earthlink.net>]
Sent: Thursday, September 24, 2009 1:16 PM
To: Marshall, Malcolm
Subject: Re: Shaw Howard

Malcolm- here's the minimum IZ test results based on moderate (80% AMI) on the minimum IZ requirements on the three WMATA sites. This is NOT an analysis of the impact of IZ and the Duke Plan on the combined development.

With luck, I can get to that later today or maybe tomorrow

Richard

Also, I have NOT had a chance to look at the material you sent me today, so nothing therein has been considered or factored into anything so far.

-----Original Message-----

From: "Marshall, Malcolm"
Sent: Sep 24, 2009 12:16 PM
To: richard harps
Subject: Shaw Howard

Harps & Harps Inc
1111 14th Street, NW Suite 600
Washington, DC 20005
202-682-2194
202-682-1579 (fax)
rharp@earthlink.net

Doggett, Rosalyn

From: Marshall, Malcolm
Sent: Thursday, September 24, 2009 1:41 PM
To: Doggett, Rosalyn; Meister, Mark K.
Subject: FW: Shaw Howard
Attachments: MM Memo 092409.pdf

From: richard harps [<mailto:rharp@earthlink.net>]
Sent: Thursday, September 24, 2009 1:16 PM
To: Marshall, Malcolm
Subject: Re: Shaw Howard

Malcolm- here's the minimum IZ test results based on moderate (80% AMI) on the minimum IZ requirements on the three WMATA sites. This is NOT an analysis of the impact of IZ and the Duke Plan on the combined development.

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Sent: Sep 24, 2009 12:16 PM
To: richard harps
Subject: Shaw Howard

Harps & Harps Inc
1111 14th Street, NW Suite 600
Washington, DC 20005
202-682-2194
202-682-1579 (fax)
rharp@earthlink.net

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, September 23, 2009 5:04 PM
To: Ackerman, Heidi; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Goldin, Steven; Haldeman, Kristin M.; Harrington, Thomas; Hendren, Patricia; Jachles, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Johnston, Kasondra; Jones, Catherine; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Mohsberg, Sid; Peterson, Scott; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S
Subject: Board Documents Preparation Status
Attachments: Board Items Preparation Milestones - 2009.xls; 11-5-09 PDRE Cmte Agenda.doc

All,

Attached is the status of PLJD's preparation for upcoming Committee and Board meetings.

Heads Up for near-term milestones:

9/30/09, 1000-1100, SAAM Conference Room: pre-brief for Nat for the 11/5/09 PDRE Cmte meeting.

10/2/09, 1500: PLJD owes its materials (BAIS, presentation, resolution (if applicable) to Michelle Bellamy (OPRS).

10/5/09: 1000-1100: Pre-brief for AGM, OPRS, room 4G-22.

Attached is the agenda according to OPRS. I've annotated it to show who owns and is responsible for preparing each PLJD item.

The OPRS agenda matches the BAR: http://p590a3.wmata.com:7778/pls/bar/p_bar_public

I'm aware of discussions concerning modifying or deleting some of these items, but until decisions are reached, this agenda is still official.

WHEN THOSE WHO OWN EACH ITEM COME TO THE BRIEFING FOR NAT NEXT WEDNESDAY (A WEEK AWAY), THEY NEED TO BRING WITH THEM FIVE COPIES OF EACH OF THEIR SUPPORTING DOCUMENTS: BAIS, POWERPOINT PRESENTATION, AND DRAFT RESOLUTION (IF APPLICABLE).

Thanks.

Sid

Doggett, Rosalyn

From: Lawson, Arturo V.
Sent: Friday, September 18, 2009 4:32 PM
To: Doggett, Rosalyn
Subject: FW: OCTOBER 1 PUBLIC MEETING AND OPEN HOUSE: MOUNT VERNON SQUARE DISTRICT PROJECT

FYI

From: Patricia (OP) Zingsheim [<mailto:patricia.zingsheim@dc.gov>]
Sent: Friday, September 11, 2009 7:15 PM
To: dtuchmann@akridge.com; JSvatos@akridge.com; twilbur@akridge.com; Theresa (ANC 2C04) Sule; kchapple@anc2c02.com; moultonm@aol.com; padroanc2c@aol.com; ShawMainStreets@aol.com; spmmartim@aol.com; ksimmons@bostonproperties.com; pjohnston@bostonproperties.com; flindstrom@cfa.gov; tloebeke@cfa.gov; sbatcheler@cfa.org; info@chatmansbakery.com; carysilverman@comcast.net; Alice (DDOT) Kelly; Art (OP) Rodgers; Brendan (DDOE) Shane; Bridget (DPR) Stesney; Catondra.Noye@dc.gov; Charles (DDOT) Whalen; Chris (OP) Shaheen; Christopher (DDOT) Ziemann; Colleen (OP) Mitchell; Courtney (DDOT) Williams; Emily (OP) Yates; Eulois (DDOT) Cleckley; George (DDOT) Branyan; Gilbert (DDOT) Williams; Harriet (OP) Tregoning; Jamie (DDOT) Henson; Jamison L. (DCOZ) Weinbaum; Jennifer (OP) Steingasser; Jim (DDOT) Sebastian; Joyce (OP) Tsepas; Muhammed (DDOT) Khalid; Natalie (EOM) Martirosian; Rachel (CAH) Dickerson; Rosalynn (OP) Hughey; Sakina (OP) Khan; Samuel (DCRA) Williams; Sarah (DPR) Moulton; Sharon (DDOT) Dendy; Stephen (OP) Cochran; Steve (OP) Callcott; Steven (EOM) Siegel; Tomika (DDOT) Hughey; William (DDOT) McGuirk; GOdell@dcconvention.com; ssands@dcconvention.com; Daniel (COUNCIL) Conner; Windy (COUNCIL) Rahim; miles@dcdna.org; djemal@douglasdev.com; ellen@downtowndc.org; gerry@downtowndc.org; mvtbill@downtowndc.org; rich@downtowndc.org; RickReinhard@downtowndc.org; dsmith@eekarchitects.com; kmathema@eekarchitects.com; mbell@eekarchitects.com; psalvi@eekarchitects.com; anc2f06@gmail.com; blagdenalley@gmail.com; cyndiecota@gmail.com; scheng27@gmail.com; abenton@gouldproperty.com; gmaxp@gouldproperty.com; klll@gouldproperty.com; howard_riker@hines.com; bellamy@historydc.org; gmahifere@historydc.org; blount@infionline.net; DCinkala@jbg.com; clusterdc@juno.com; creed@kgrmlaw.com; jennifer.trock@logancircle.org; malone@metropolis-dc.com; president@mountvernonssquare.org; donna@myvumc.org; chris@myvumc.org; christine.saum@ncpc.gov; david.zaidain@ncpc.gov; elizabeth.miller@ncpc.gov; jeff@ncpc.gov; SSterling@nmwa.org; Alexa_Viets@nps.gov; peter_may@nps.gov; Steve_Lorenzetti@nps.gov; joann@PennQuarter.org; mbrung@quad1.com; ykoval@quad1.com; cvolney@rclco.com; Skannan@rdco.com; Brad.edwards@renaissancehotels.com; nwhite@symmetradesign.com; Lawson, Arturo V.; bberry@tishmanspeyer.com; Thomas.Taylor@usdoj.gov; oliver@vikacapitol.com; pwr@warehousetheater.com; SMoore@wdcep.com; Erion, David F.; Stallworth, Douglas; Burns, Ramona M.; McElhenny-Smith, Robin; Harrington, Thomas; jthompsondc@yahoo.com; mail4albert@yahoo.com; thaisaustin@yahoo.com
Subject: OCTOBER 1 PUBLIC MEETING AND OPEN HOUSE: MOUNT VERNON SQUARE DISTRICT PROJECT

MOUNT VERNON SQUARE DISTRICT PROJECT
A Center City DESTINATION

Transit Hub · Dynamic Center ·
Vibrant Parks & Open Spaces · Active Economy

Public Open House

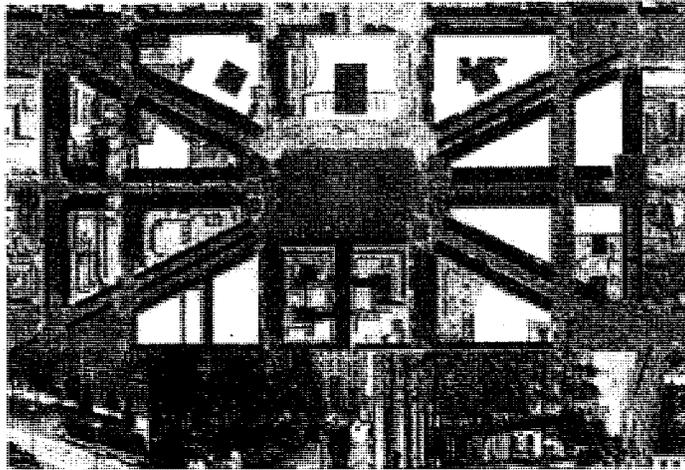
OCTOBER 1st, 2009, 6-8PM

Held at: 801 K St NW, Washington, DC 20001
Historical Society of Washington DC



For project information, visit: <http://planning.dc.gov>
or contact: Patricia.Zingsheim@dc.gov

d.



We hope to see you at this event! Please share the invitation with others you think may be interested.

Patricia Zingsheim AIA, CPM
Associate Director of Revitalization and Design
DC Office of Planning
2000 14th Street, NW | 3rd Floor | Washington, DC 20009
(202) 442-8965
(202) 442-7638 fax
patricia.zingsheim@dc.gov

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Thursday, September 17, 2009 1:47 PM
To: Bottigheimer, Nat
Cc: Doggett, Rosalyn; Marshall, Malcolm; Montague, Joshua W.
Subject: Proposed Banneker Term Sheet
Attachments: SHAW-HOWARD FL AVE Meeting 9-18-09.doc

Nat,

Attached is Roz's review of Banneker's proposed Term Sheet.

Mark

Doggett, Rosalyn

From: Yohance (EOM) Fuller [yohance.fuller@dc.gov]
Sent: Tuesday, September 15, 2009 9:20 PM
To: Bottigheimer, Nat
Cc: Maurice Perry; aives@bannekerventures.com; Omar A. Karim; Tiwana Hicks; Neil.Albert@dc.gov; sgoldin@intercapholdings.com; Doggett, Rosalyn; John Hagner; Moneme, Emeka; Marshall, Malcolm; Meister, Mark K.
Subject: Re: Shaw-Howard/Florida Avenue Appraisal

Great. Thanks, I will also be in attendance.

Sent from my iPhone

On Sep 15, 2009, at 9:14 PM, "Bottigheimer, Nat" <NBottigheimer@wmata.com> wrote:

It's on our calendars for 2:30

From: Yohance (EOM) Fuller [yohance.fuller@dc.gov]
Sent: Tuesday, September 15, 2009 8:40 PM
To: Omar A. Karim; Bottigheimer, Nat; Meister, Mark K.; Doggett, Rosalyn
Cc: Maurice Perry; aives@bannekerventures.com; Tiwana Hicks; Neil.Albert@dc.gov; sgoldin@intercapholdings.com; John Hagner; Moneme, Emeka; Marshall, Malcolm
Subject: RE: Shaw-Howard/Florida Avenue Appraisal

Mark/Nat/Roz --

Just closing the loop. Are we confirmed from 2:30p? Please advise.

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From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Tuesday, September 15, 2009 2:34 PM
To: 'Meister, Mark K.'; 'Bottigheimer, Nat'; 'Doggett, Rosalyn'
Cc: 'Maurice Perry'; aives@bannekerventures.com; 'Tiwana Hicks'; Albert, Neil (EOM); Fuller, Yohance (EOM); sgoldin@intercapholdings.com; 'John Hagner'; 'Moneme, Emeka'; 'Marshall, Malcolm'
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Sent: Tuesday, September 15, 2009 1:51 PM
To: Omar A. Karim; Bottigheimer, Nat; Doggett, Rosalyn
Cc: 'Maurice Perry'; aives@bannekerventures.com; 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance S. Fuller; sgoldin@intercapholdings.com; 'John Hagner'; Moneme, Emeka; Marshall, Malcolm
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Cc: 'Maurice Perry'; aives@bannekerventures.com; 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance S. Fuller; sgoldin@intercapholdings.com; 'John Hagner'; Moneme, Emeka; Marshall, Malcolm
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To: 'Meister, Mark K.'
Cc: 'Bottigheimer, Nat'; 'Moneme, Emeka'; 'Doggett, Rosalyn'; 'Marshall, Malcolm'; Fuller, Yohance (EOM); Albert, Neil (EOM); 'Perry, Maurice'; 'Tiwana Hicks'; aives@bannekerventures.com; 'Hagner, John'
Subject: RE: Shaw-Howard/Florida Avenue Appraisal

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We welcome meeting with you again on Friday to try to come to some agreement on these terms.

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Omar A. Karim

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(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

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Sent: Wednesday, September 09, 2009 2:54 PM
To: okarim@bannekerventures.com
Cc: Bottigheimer, Nat; Moneme, Emeka; Doggett, Rosalyn; Marshall, Malcolm
Subject: RE: Shaw-Howard/Florida Avenue Appraisal

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As discussed, please see attached Basic WMATA Financial Terms.

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Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
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Fax: 202-962-2396
Email: mmeister@wmata.com

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Sent: Wednesday, September 09, 2009 2:38 PM
To: Meister, Mark K.
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Subject: Re: Shaw-Howard/Florida Avenue Appraisal?

Thanks.

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okarim@bannekerventures.com

From: "Meister, Mark K."
Date: Wed, 9 Sep 2009 14:22:28 -0400
To: Omar A. Karim <okarim@bannekerventures.com>
Subject: RE: Shaw-Howard/Florida Avenue Appraisal?

Omar,

I will have it to you within the next half hour.

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To: Meister, Mark K.
Cc: 'Tiwana Hicks'
Subject: Shaw-Howard/Florida Avenue Appraisal?
Importance: High

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Any word on the update appraisal results?

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From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Tuesday, September 15, 2009 10:51 AM
To: Meister, Mark K.; Bottigheimer, Nat; Doggett, Rosalyn
Cc: 'Maurice Perry'; aives@bannekerventures.com; 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance S. Fuller; sgoldin@intercapholdings.com; 'John Hagner'; Moneme, Emeka; Marshall, Malcolm
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okarim@bannekerventures.com

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Subject: Re: Shaw-Howard/Florida Avenue Appraisal?

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Sent: Tuesday, September 15, 2009 4:49 PM
To: Doggett, Rosalyn; Meister, Mark K.; Bottigheimer, Nat
Cc: 'Maurice Perry'; aives@bannekerventures.com; 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance S. Fuller; sgoldin@intercapholdings.com; 'John Hagner'; Moneme, Emeka; Marshall, Malcolm
Subject: RE: Shaw-Howard/Florida Avenue Appraisal
Attachments: Summary of Updated Term Sheet-Shaw-Howard-Florida Avenue Sites (9-15-09).doc
Importance: High

Nat, Mark, and Roz,

Attached please find the updated Summary of the Term Sheet for the Shaw-Howard/Florida Avenue sites. The four items highlighted in red are our responses to some of the questions that were raised at Friday's meeting. All of the other items we believe have been agreed to by WMATA and Banneker/BACDC. Please review the Summary for accurateness as we hope to finalize all remaining issues either prior to or at Friday's meeting.

Best,

Omar

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Sent: Tuesday, September 15, 2009 12:30 PM
To: thedoggettgroup@cs.com; Doggett, Rosalyn
Subject: RE: the wedding
Attachments: Wedding information v6.xls

Sorry for the earlier outburst but your email about adding people annoyed me (as you could tell!). Anyway, I have attached an updated spreadsheet for you to use going forward - should have all responses on it to date.

Sad to hear about Al - I like those 2 and am sad they can't come

how was your course

From: thedoggettgroup@cs.com [mailto:thedoggettgroup@cs.com]
Sent: 15 September 2009 02:36
To: Doggett Mimi
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and here is my updated list with Melissa and Mr and Mrs Joshua Peck (you just keep adding) added but not Gwen. I am happy to have you consolidate and send back I will send Gwen an invitation

We had several declines today:
Al and Ellen Postrel (Al has lung cancer, not looking good)
Drs. Eric and Rachel Brown
Mr.and Mrs. Les Stanczak
Oliver Gayner

acceptances from Peck, Piney, Bunce, Lindsay, Jenner

-----Original Message-----

From: Doggett Mimi <Doggett.Mimi@bcg.com>
To: thedoggettgroup@cs.com
Sent: Mon, Sep 14, 2009 7:24 am
Subject: RE: the wedding

Here is an updated list with Melissa and Gwen added

From: thedoggettgroup@cs.com [mailto:thedoggettgroup@cs.com]
Sent: 14 September 2009 01:46
To: Doggett Mimi
Subject: Fwd: the wedding

See message below (Irene is 89 so I want to make sure all will go well with her travel)

Who is Melissa Carson? She responded that she is coming but I don't see her on your list.

Latest list is attached.

Hope you had a good time in Portugal. Love, Mom

-----Original Message-----

From: thedoggettgroup@cs.com
To: Weisberg-Larry@CooperHealth.edu
Sent: Sun, Sep 13, 2009 8:32 pm
Subject: Re: the wedding

Larry, this sounds fine. I wanted to consult with the bride to be but she is partying in Portugal and I think, in light of the help that Gwen could be and the genuine delight to have her come, I will just make an executive decision and say "yes!"

Love, Roz

-----Original Message-----

From: Weisberg, Larry <Weisberg-Larry@CooperHealth.edu>
Sent: Thu, Sep 10, 2009 5:53 pm
Subject: the wedding

Dear Roz and Ken,

As I might have mentioned, my national nephrology meetings are in San Diego at the end of Oct. Unfortunately, the organizers of the meetings can't reschedule the paper I'm supposed to present on Saturday. So, sadly, I won't be able to attend Mimi's wedding.

My mother is really looking forward to being there. She mentioned the wedding to Gwen and discovered that Gwen hadn't been invited. Gwen completely understood that you have to limit the invitations. But I'm just wondering, since I won't be able to come, whether Gwen might be invited "in my place," to share in the simcha and to help out my mother with the logistics of travel, etc.

Please understand that I feel like I'm way over the line of proper etiquette even bringing this up, and I apologize for that. Also know that neither Gwen nor my mom is aware of this correspondence, so PLEASE feel completely free to decline this request. No one will be offended, I assure you.

Wishing you both a peaceful run-up to the wedding, and a Shana Tova,

Larry

Lawrence S. Weisberg, M.D.
OD
Professor of Medicine
UMDNJ-Robert Wood Johnson Medical School
Head, Division of Nephrology
The Cooper Health System
Camden, NJ 08103
Phone: 856-757-7844
Fax: 856-757-7778

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The Boston Consulting Group Limited
Registered in England 958970
20 Manchester Square, London, W1U 3AN

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Doggett, Rosalyn

From: Meister, Mark K.
Sent: Tuesday, September 15, 2009 12:12 PM
To: Doggett, Rosalyn; Burns, Bob; Malasky, Gary; Scales, Phillip; Wyner, Jonathan S.
Subject: FTA Quarterly Report
Attachments: FTA Quarterly REV 4 Status of Current Projects 7-22-09.doc

The next FTA Quarterly Meeting is scheduled for November 5, 2009. Nat has requested that I update this report to brief him and Steve Goldin prior to the OPRS pre-brief in October. Please review your assigned projects, update the status as appropriate and forward the redline version to me by COB Thursday, September 17th. Thanks

Doggett, Rosalyn

From: Yohance (EOM) Fuller [yohance.fuller@dc.gov]
Sent: Tuesday, September 15, 2009 11:01 AM
To: Doggett, Rosalyn; Meister, Mark K.; Bottigheimer, Nat
Subject: RE: Shaw-Howard/Florida Avenue Appraisal

Nat et al.,

To the best of your ability, let's plan to meet on Friday at 9am. I'm off that day, for my son's first birthday -- but will still plan to attend the meeting at 9a.

Thanks In Advance,

Yohance

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Tuesday, September 15, 2009 10:51 AM
To: 'Bottigheimer, Nat'; 'Meister, Mark K.'; 'Doggett, Rosalyn'
Cc: Albert, Neil (EOM); Fuller, Yohance (EOM); 'Maurice Perry'; aives@bannekerventures.com; 'Tiwana Hicks'; 'John Hagner'; 'Moneme, Emeka'; 'Marshall, Malcolm'; sgoldin@intercapholdings.com
Subject: RE: Shaw-Howard/Florida Avenue Appraisal

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Thank you in advance.

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Sent: Thursday, September 10, 2009 10:03 PM
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Cc: Maurice Perry; aives@bannekerventures.com; Tiwana Hicks; Neil.Albert@dc.gov; John Hagner; Moneme, Emeka; Marshall, Malcolm; Doggett, Rosalyn; sgoldin@intercapholdings.com
Subject: RE: Shaw-Howard/Florida Avenue Appraisal

Yohance and Omar--

I recognize neither of you may be able to review this material prior to tomorrow morning's meeting among ourselves and Banneker, but I wanted to provide our responses to Omar's comments below so that all involved in this negotiation can be aware of the positions Metro staff will be taking and the basis for these positions.

Thanks very much.

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Washington, DC 20005
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okarim@bannekerventures.com

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Sent: Wednesday, September 09, 2009 2:54 PM
To: okarim@bannekerventures.com
Cc: Bottigheimer, Nat; Moneme, Emeka; Doggett, Rosalyn; Marshall, Malcolm
Subject: RE: Shaw-Howard/Florida Avenue Appraisal

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Fax: 202-962-2396
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To: Meister, Mark K.
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Subject: Re: Shaw-Howard/Florida Avenue Appraisal?

Thanks.

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Any word on the update appraisal results?

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Subject: RE: Shaw-Howard/Florida Avenue Appraisal
Attachments: Jazz @ Florida Avenue Financial Model - (Sent to WMATA as of 9-15-09).xls

Importance: High

Nat, Mark and Rosalyn,

As promised on Friday, attached please find our updated budget and 15 year residential and retail pro formas. Also as promised, by COB today, we will send you the updated Summary of the Term Sheet with our thoughts on Capital Participation, and by COB tomorrow we will send you an outline of the co-tenancy agreement.

We look forward to meeting with you all on Friday to work out any remaining issues so that the Revised Term Sheet can go to the Planning, Development and Real Estate Committee on October 8th.

Please call or email with any questions.

Omar

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Doggett, Rosalyn

From: Yohance (EOM) Fuller [yohance.fuller@dc.gov]
Sent: Thursday, September 10, 2009 11:16 PM
To: okarim@bannekerventures.com; Meister, Mark K.; Bottigheimer, Nat
Cc: maurice.perry@bankofamerica.com; aives@bannekerventures.com; thicks@bannekerventures.com; Neil.Albert@dc.gov; sgoldin@intercapholdings.com; Doggett, Rosalyn; JHagner@wcsr.com; Moneme, Emeka; Marshall, Malcolm
Subject: Re: Shaw-Howard/Florida Avenue Appraisal

Nat,

I appreciate your due diligence thus far. I will review it prior to our meeting in the morning.

Yohance

From: Bottigheimer, Nat <NBottigheimer@wmata.com>
To: Fuller, Yohance (EOM); Omar A. Karim <okarim@bannekerventures.com>; Meister, Mark K. <MMeister@wmata.com>
Cc: Maurice Perry <maurice.perry@bankofamerica.com>; aives@bannekerventures.com <aives@bannekerventures.com>; Tiwana Hicks <thicks@bannekerventures.com>; Albert, Neil (EOM); John Hagner <JHagner@wcsr.com>; Moneme, Emeka <EMoneme@wmata.com>; Marshall, Malcolm <MMarshall@wmata.com>; Doggett, Rosalyn <RDoggett@wmata.com>; sgoldin@intercapholdings.com <sgoldin@intercapholdings.com>
Sent: Thu Sep 10 22:03:12 2009
Subject: RE: Shaw-Howard/Florida Avenue Appraisal

Yohance and Omar--

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Thanks very much.

Nat

From: Yohance (EOM) Fuller [yohance.fuller@dc.gov]
Sent: Wednesday, September 09, 2009 6:28 PM
To: Omar A. Karim; Meister, Mark K.
Cc: Maurice Perry; aives@bannekerventures.com; Tiwana Hicks; Neil.Albert@dc.gov; Bottigheimer, Nat; John Hagner; Moneme, Emeka; Marshall, Malcolm; Doggett, Rosalyn
Subject: RE: Shaw-Howard/Florida Avenue Appraisal

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Sent: Wed 9/9/2009 5:21 PM
To: 'Meister, Mark K.'
Cc: 'Bottigheimer, Nat'; 'Moneme, Emeka'; 'Doggett, Rosalyn'; 'Marshall, Malcolm'; Fuller, Yohance (EOM); Albert, Neil (EOM); 'Perry, Maurice'; 'Tiwana Hicks'; aives@bannekerventures.com; 'Hagner, John'
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From: Omar Karim [mailto:okarim@bannekerventures.com]
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To: Meister, Mark K.
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Subject: Re: Shaw-Howard/Florida Avenue Appraisal?

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Subject: RE: Shaw-Howard/Florida Avenue Appraisal
Attachments: Shaw-Howard Florida Avenue WMATA Response to Banneker 9-10-09.doc

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Doggett, Rosalyn

From: Meister, Mark K.
Sent: Thursday, September 10, 2009 12:22 PM
To: Doggett, Rosalyn
Cc: Bottigheimer, Nat; Wallace, Maria A.
Subject: FW: Shaw-Howard/Florida Avenue Appraisal

Roz,

Are you available to meet with Nat today at 3:00 to discuss the outstanding lease items?

Mark

From: Bottigheimer, Nat
Sent: Thursday, September 10, 2009 12:20 PM
To: Meister, Mark K.
Cc: Wallace, Maria A.
Subject: Re: Shaw-Howard/Florida Avenue Appraisal

Great, - can we try for 3pm or so?

From: Meister, Mark K.
To: Bottigheimer, Nat
Cc: Doggett, Rosalyn
Sent: Thu Sep 10 12:17:55 2009
Subject: RE: Shaw-Howard/Florida Avenue Appraisal
Sure, but I would like to get together with you and Roz and strategize first. I've asked Roz to prioritize the outstanding items as far as WMATA is concerned.

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Sent: Thursday, September 10, 2009 12:08 PM
To: Meister, Mark K.
Subject: Fw: Shaw-Howard/Florida Avenue Appraisal
Importance: High

Can you arrange to get together tomorrow with Omar?

From: Yohance (EOM) Fuller
To: Omar A. Karim ; Meister, Mark K.
Cc: Maurice Perry ; aives@bannekerventures.com ; Tiwana Hicks ; Neil.Albert@dc.gov; Bottigheimer, Nat; John Hagner ; Moneme, Emeka; Marshall, Malcolm; Doggett, Rosalyn
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From: "Meister, Mark K."
Date: Wed, 9 Sep 2009 14:22:28 -0400
To: Omar A. Karim <okarim@bannekerventures.com>
Subject: RE: Shaw-Howard/Florida Avenue Appraisal?
Omar,

I will have it to you within the next half hour.

Mark

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Wednesday, September 09, 2009 1:55 PM
To: Meister, Mark K.
Cc: 'Tiwana Hicks'
Subject: Shaw-Howard/Florida Avenue Appraisal?
Importance: High

Mark,

Any word on the update appraisal results?

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Bottigheimer, Nat
Sent: Thursday, September 10, 2009 7:58 AM
To: Doggett, Rosalyn; Meister, Mark K.
Subject: FW: U Street

This is the third extension, right?

From: Pant, Shiva K.
Sent: Thursday, September 10, 2009 7:42 AM
Cc: O'Keeffe, Carol B.; Moneme, Emeka; Requa, Jack; Sequeira, Loyda; Bottigheimer, Nat
Subject: Re: U Street

Nat--please be prepared to address this question and how certain you are that this will be the last.

Thx

Thx

Shiva

Shiva K. Pant
Chief of Staff
Office of the General Manager
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

Direct: 202-962-1721
Cell: 202-744-7587
Spant@wmata.com

From: Jim Graham
To: Pant, Shiva K.
Cc: Neil.Albert@dc.gov; O'Keeffe, Carol B.; Moneme, Emeka; Requa, Jack; Sequeira, Loyda; Bottigheimer, Nat
Sent: Thu Sep 10 07:39:24 2009
Subject: RE: U Street
How many extensions is this?

I typically answer emails before 9 AM on weekdays. If you email me after that, it is likely that you will hear from me the next weekday. If there is a need to communicate prior to that, you may wish to call me. For most effective communication, please use my direct email address: jim@grahamwone.com

Jim Graham, Councilmember, Ward One, 1350 Pa. Ave., NW, #105, Washington, DC 20004. 202-724-8181; 202-724-8109 (fax).

Chairman, Committee on Public Works and the Transportation (including alcohol regulation). Main Committee Number: 202-724-8195. 1350 Pa. Ave., NW, #116, Washington, DC 20004.

Chairman and Voting Member, Board of Directors, WMATA/Metro.

Website: www.grahamwone.com

From: Pant, Shiva K. [mailto:SPant@wmata.com]
Sent: Wednesday, September 09, 2009 10:19 AM
To: Jim Graham
Cc: Bottigheimer, Nat; Moneme, Emeka; Requa, Jack; Sequeira, Loyda; O'Keeffe, Carol B.; Neil.Albert@dc.gov
Subject: U Street

Chairman Graham:

In John's absence, I am responding to your e-mail regarding the status of the subject proposal. We will brief you and other Board members tomorrow in executive session about the status of negotiations. We also are asking the committee for an extension of 120 days to complete negotiations with Banneker. We have targeted December for completion of a joint development agreement.

Thanks and please let me know if you have any questions,

Shiva

Shiva Pant
Chief of Staff
202-962-1721

-----Original Message-----

From: Jim Graham [mailto:Jim@grahamwone.com]
Sent: Monday, September 07, 2009 9:08 AM
To: Catoe, John B.
Subject: FW: U Street Flea Market Slated for Redevelopment

Where are we on this?

I typically answer emails before 9 AM on weekdays. If you email me after that, it is likely that you will hear from me the next weekday. If there is a need to communicate prior to that, you may wish to call me. For most effective communication, please use my direct email address: jim@grahamwone.com

Jim Graham, Councilmember, Ward One, 1350 Pa. Ave., NW, #105, Washington, DC 20004. 202-724-8181; 202-724-8109 (fax).

Chairman, Committee on Public Works and the Transportation (including alcohol regulation).
Main Committee Number: 202-724-8195. 1350 Pa. Ave., NW, #116, Washington, DC 20004.

Chairman and Voting Member, Board of Directors, WMATA/Metro.

Website: www.grahamwone.com

-----Original Message-----

From: wnagroup@googlegroups.com [mailto:wnagroup@googlegroups.com] On Behalf Of Scott Pomeroy
Sent: Monday, September 07, 2009 9:09 AM
To: ustreetnews@yahoo.com; WNAGroup
Subject: U Street Flea Market Slated for Redevelopment

U Street Flea Market Slated for Redevelopment Retail and Apartments Planned for WMATA-owned Site by Hunter Gorinson

[http://capitalcommunitynews.com/CCN_Website09/publication%20html/papers/DCN/0909/UStFleaMarket.html]

More than a year after gaining development rights to a string of Washington Metro Area Transit Authority (WMATA)-owned vacant lots along Florida Avenue NW, Banneker Ventures LLC and the Banc of America Community Development Corporation have announced the details behind the mixed-use, mixed-income project they're now calling "The Jazz @ Florida Avenue."

Per an application for Federal Low Income Housing Tax Credits filed with the District's Department of Housing and Community Development (DHCD) in July, the Jazz will bring some 153,770 square feet of new apartments and retail to the current site of Shaw's U Street Flea Market. In total, WMATA owns three separate properties between Seventh and Ninth streets on the north side [actually, the south side] of Florida Avenue, totaling nearly 29,000 square feet, above the Green Line tunnel linking the Howard-Shaw and U Street-Cardozo stations. Those lots, all of which will be incorporated in to the Jazz, stand just blocks from Howard University and delineate the border of the booming U Street corridor from the less development-prone Shaw/LeDroit Park communities.

"We've had challenges at Ninth and U," said Bryan N. Martin Firvida, president of the U Street Neighborhood Association. "It'll be nice to see new activity and investment on that corner. The neighborhood is always looking for new opportunities for more daytime traffic and more retail. Everyone loves the idea of the 24-hour neighborhood that serves not only people who are just visiting, but residents as well. This is one of the gateway corners into the neighborhood, and it's going to be nice have something other than a vacant lot there."

Since being selected to develop the project by WMATA in June of last year, Banneker has gone on to acquire two other privately-owned parcels along Ninth Street, thereby adding an additional 7,720 square feet of buildable ground area to their project plan. At present, the Jazz is slated to consist of three adjacent four-story buildings, for a total of 124 apartments and 20,000 square feet of ground-floor retail.

Designed by Torti Gallas and Partners, each of the glass and brick buildings will feature between 32 and 52 units, one level of underground parking and a private interior courtyard for use by residents only. According to the development teams application, their plans call for "a mix of studio, junior one-bedroom, one-bedroom and two-bedroom units" with finishes like "9-foot ceilings, in-unit laundry, granite countertops and ceramic kitchen tiles." Kettler Management has already been contracted to handle the day-to-day of the residential operation.

Making it Affordable and Profitable

Twenty-six of the Jazz's apartment units have been earmarked for affordable housing (defined as housing for District residents making 50 percent or less of the Area Median Income), with the remainder slated to hit the market as workforce housing targeted at the "young and affluent professionals" now flooding into the greater U Street area.

It is the Jazz's affordable housing component, however, that has put the project on the fast track to development. Since posting their application with DHCD, the Banneker/Banc of America proposal has drawn several letters of support from prominent local authorities, businesses and residents, including Advisory Neighborhood Commissioner Myla Moss (1B01), Suman Sorg, head of a U Street-based architectural firm unaffiliated with the project, and Dr Rodney D. Green, executive director of the Howard University Center for Urban Progress.

"The injection of commercial and residential development will have a transformative impact on two city blocks on the Florida Avenue corridor that have been underutilized for over 40 years," wrote Green, who has previously worked with Banneker Ventures on the redevelopment of Petworth's Park Morton public housing complex. "The plans for this project include 26 units of affordable housing, which is both a commendable and necessary element of any urban development. We are confident [of Banneker's] ability to ensure that The Jazz @ Florida Avenue will be a successful community partner."

A key component of that partnership will be the Jazz's retail outlets, which will front along a two-block span of Florida Avenue. Though the development team has not formally outlined uses for the commercial space, the Florida Avenue lots do fall under the purview of three District planning initiatives: the Great Streets plan for Seventh Street and Georgia Avenue NW; the Neighborhood Investment Fund that seeks to "provide a much-needed economic stimulus to the immediate area"; and, most importantly, the District of Columbia's Uptown Cultural District Plan for Greater Shaw/U Street (aka "the Duke Plan"), which envisions the neighborhood as DC's newest "arts and entertainment district with active restaurants, shopping and music/theatre venues"

Once completed, the Jazz @ Florida Avenue will stand directly across from such area nightlife destinations as Nellie's Sports Bar and the DC9 and Town nightclubs, and two blocks from the soon-to-be renovated, historic Howard Theatre. As such, the Jazz's strategic positioning makes it a linchpin of the Duke Plan's intent to extend the success of the U Street corridor even farther south. For their part, Banneker hopes to invite area foot traffic in with not only new shopping opportunities, but three public, open-air plazas along Eighth Street, Ninth Street and Florida Avenue, as well.

Extra Credit

Apart from the application for \$695,000 in tax credits currently pending with DHCD, the \$40 million project is being funded in part by Tax Incremental Financing (TIF) "tentatively awarded" by the Office of the Deputy Mayor for Planning and Economic Development (DMPED). According to the DHCD, the developers are "currently in final negotiations with [DMPED] to receive \$7 million in the form of a promissory note to help pay costs associated with infrastructure, parking and the retail component." Banneker founder and principal Omar Karim did not respond to repeated inquiries concerning the status of these negotiations.

Moss, however, has been receiving quarterly updates from the developer for the past two years and states that an announcement regarding the tax credit application will be coming in the next several weeks.

"I understand that they have been notified that they have been tentatively awarded the credits that they were seeking and that on Sept. 9, there will be a meeting of those who have made the short list. [DHCD] will absolutely make an approval after [that date]," said Moss.

Though the Jazz is scheduled to start construction in the summer of 2010, the Banneker team has yet to fully reach joint development and lease agreements with WMATA. A final, conclusive meeting with that agency's board of directors was expected in late July but failed to materialize. Angela Gates, an information specialist with WMATA, says that the board will now likely meet with Banneker representatives this winter, and according to Moss, the developer hopes to have the Jazz "fully operational by the fall of 2011."

You received this message because you are subscribed to the Google Groups "WNAGroup" group. To post to this group, send email to wnagroup@googlegroups.com To unsubscribe from this group, send email to wnagroup+unsubscribe@googlegroups.com For more options, visit this group at <http://groups.google.com/group/wnagroup?hl=en>

Internal Virus Database is out of date.
Checked by AVG - www.avg.com
Version: 8.5.392 / Virus Database: 270.13.44/2283 - Release Date: 08/05/09 05:57:00

Doggett, Rosalyn

From: Yohance (EOM) Fuller [yohance.fuller@dc.gov]
Sent: Wednesday, September 09, 2009 6:28 PM
To: Omar A. Karim; Meister, Mark K.
Cc: Maurice Perry; aives@bannekerventures.com; Tiwana Hicks; Neil.Albert@dc.gov; Doggett, Rosalyn; John Hagner; Moneme, Emeka; Marshall, Malcolm; Bottigheimer, Nat
Subject: RE: Shaw-Howard/Florida Avenue Appraisal

Importance: High

Mark et al.,

Per an email exchange with Nat earlier today -- there are only a few outstanding items to resolve to get a term sheet in draft from and more importantly get this on October's agenda. I don't see why we can't get all stakeholders at a table and get these issues finally put to bed.

Please set up a meeting this Friday, per our conversation last week. It is imperative that we get these initial deal terms finalized by COB Friday. I am available 2:30p and anytime thereafter.

Regards,

Yohance

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Wed 9/9/2009 5:21 PM
To: 'Meister, Mark K.'
Cc: 'Bottigheimer, Nat'; 'Moneme, Emeka'; 'Doggett, Rosalyn'; 'Marshall, Malcolm'; Fuller, Yohance (EOM); Albert, Neil (EOM); 'Perry, Maurice'; 'Tiwana Hicks'; aives@bannekerventures.com; 'Hagner, John'
Subject: RE: Shaw-Howard/Florida Avenue Appraisal

Mark,

Thank you for the email with your thoughts on the basic WMATA Financial Terms. Below are our comments:

Capitalized Lease Payments

If we agree to all of the other terms, we could agree to pay the value of the capitalized lease payment of \$1.98M that your appraiser put together.

Please explain why you indicated that the value of the land was absent any subsidies other than 4% tax credits. Based on our knowledge of projects that include 20% affordable housing, and as discussed with you all on several occasions, the value of the land would be zero if we had to do 20% affordable housing and then we would still need some subsidies to cover the gap. We can't think of one project in the District that includes 20% affordable housing that is paying anywhere close to what we would pay WMATA AND these projects would still need subsidies.

We would not be willing to pay WMATA any portion of any subsidies that we obtain for the project, let alone paying 80% of anything that we get. We've mentioned this many times before as we believe that no project could move forward with 20% affordable housing and pay \$1.98M at closing for the land, without some public subsidies to help close the gap because of the inclusion of the affordable housing units.

Pre-Closing Payments

Okay with amounts but payments would be made quarterly.

Additional Density

This is confusing. The portion of the alley that will be closed is 1,025 SF. About ½ will be deeded to WMATA and ½ will be deeded to us as the purchasers of the adjacent parcels that are next to the alley. Since we are building a 5 story building, this would mean 512 SF x 5 stories = 2,560 SF would be attributable to WMATA land. Based on your calculations of the value of the land, this would mean that we would pay about \$16 per SF or \$42,000 in additional capitalized rent at Lease execution. We could agree to this increase over the \$1.98M.

Annual Operating Income Participation

We would agree to 1.5% of Effective Gross Income but would not run our Debt Service Coverage at 1.25. We've never run our DSC at 1.25 as our project couldn't be financed at this rate. We are using a 1.11 DSC because HUD allows this.

Capital Event Participation

Any equity or member loans to receive a 20% return prior to WMATA receiving its 10% of net proceeds. Member loans or equity are indistinguishable. We could agree that equity or member loans not to exceed 40% of the development costs.

Term

Initial term is 60 years with an option for the Developer to extend for another 39 years. Any annual escalation after the initial term to be at 1%, not 3%.

After yesterday's meeting, we thought that we were much closer to resolving the financial issues with you all. However, based on the terms that you sent us this afternoon, it appears that you all want to continue to raise new issues and change old ones. We cannot send over a summary of open issues until we know where we are with the ones above.

We welcome meeting with you again on Friday to try to come to some agreement on these terms.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: Meister, Mark K. [mailto:MMeister@wmata.com]
Sent: Wednesday, September 09, 2009 2:54 PM
To: okarim@bannekerventures.com
Cc: Bottigheimer, Nat; Moneme, Emeka; Doggett, Rosalyn; Marshall, Malcolm
Subject: RE: Shaw-Howard/Florida Avenue Appraisal

Omar,

As discussed, please see attached Basic WMATA Financial Terms.

Mark

Mark K. Meister
Acting Director
Office of Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001
Tel: 202-962-1589
Fax: 202-962-2396
Email: mmeister@wmata.com

From: Omar Karim [mailto:okarim@bannekerventures.com]
Sent: Wednesday, September 09, 2009 2:38 PM
To: Meister, Mark K.
Cc: Tiwana Hicks
Subject: Re: Shaw-Howard/Florida Avenue Appraisal?

Thanks.

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 office
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Meister, Mark K."
Date: Wed, 9 Sep 2009 14:22:28 -0400
To: Omar A. Karim <okarim@bannekerventures.com>
Subject: RE: Shaw-Howard/Florida Avenue Appraisal?
Omar,

I will have it to you within the next half hour.

Mark

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Wednesday, September 09, 2009 1:55 PM
To: Meister, Mark K.
Cc: 'Tiwana Hicks'
Subject: Shaw-Howard/Florida Avenue Appraisal?
Importance: High

Mark,

Any word on the update appraisal results?

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Wednesday, September 09, 2009 2:54 PM
To: okarim@bannekerventures.com
Cc: Bottigheimer, Nat; Moneme, Emeka; Doggett, Rosalyn; Marshall, Malcolm
Subject: RE: Shaw-Howard/Florida Avenue Appraisal
Attachments: Shaw Howard FI Ave Basic Financial Terms 9-9-09 (2).doc

Omar,

As discussed, please see attached Basic WMATA Financial Terms.

Mark

Mark K. Meister
Acting Director
Office of Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001
Tel: 202-962-1589
Fax: 202-962-2396
Email: mmeister@wmata.com

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Sent: Wednesday, September 09, 2009 2:38 PM
To: Meister, Mark K.
Cc: Tiwana Hicks
Subject: Re: Shaw-Howard/Florida Avenue Appraisal?

Thanks.

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(202) 393-5460 office
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okarim@bannekerventures.com

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Date: Wed, 9 Sep 2009 14:22:28 -0400
To: Omar A. Karim <okarim@bannekerventures.com>
Subject: RE: Shaw-Howard/Florida Avenue Appraisal?
Omar,

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Sent: Wednesday, September 09, 2009 1:55 PM
To: Meister, Mark K.
Cc: 'Tiwana Hicks'
Subject: Shaw-Howard/Florida Avenue Appraisal?
Importance: High

Mark,

Any word on the update appraisal results?

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: eric.smart@bolansmart.com
Sent: Wednesday, September 09, 2009 2:44 PM
To: Doggett, Rosalyn
Cc: Montague, Joshua W.; Marshall, Malcolm; Meister, Mark K.
Subject: Re: FL Ave baic financial terms
Attachments: Shaw_Howard_Fl_Ave_Basic_Financial_Terms_9-9-09 BSA rev.doc

After a brief review with Roz she asked that we insert suggested numbers for your next foray back with Omar. They are based on offsetting a huge decrease in the base rent, plus allowing for it to be prepaid, with a history of quasi offers and talk points from Omar.

Eric

On Wed, 09 Sep 2009 16:59:55 -0000 (GMT), "Doggett, Rosalyn"

<RDoggett@wmata.com> wrote:

> Any changes or additions?

>

> Rosalyn P. Doggett

> Station Area Planning and Asset Management Washington Metropolitan

> Area Transit Authority 600 Fifth Street, NW Washington, DC 20001

>

> rdoggett@wmata.com

> 202-962-2208 phone

> 202-962-2396 fax

>

>

>

>

>

--

Eric Smart, Bolan Smart Associates, Inc.

1250 24th Street, NW, Suite 300, Washington, DC 20037 202-776-7740 (direct), 202-841-2227

(cell), 202-371-1333 (BSA general) www.bolansmart.com

Doggett, Rosalyn

From: eric.smart@bolansmart.com
Sent: Wednesday, September 09, 2009 2:20 PM
To: Doggett, Rosalyn
Subject: Re: FL Ave baic financial terms
Attachments: Shaw_Howard_FL_Ave_Basic_Financial_Terms_9-9-09 BSA COMMENTS.doc

Roz

I left phone message and here are some quick comments.

Eric

On Wed, 09 Sep 2009 11:59:55.-0500 (EST), "Doggett, Rosalyn"

<RDoggett@wmata.com> wrote:

> Any changes or additions?

>

> Rosalyn P. Doggett

> Station Area Planning and Asset Management Washington Metropolitan

> Area Transit Authority 500 Fifth Street, NW Washington, DC 20001

>

> rdoggett@wmata.com

> 202-962-2208 phone

> 202-962-2396 fax

>

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>

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>

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Eric Smart, Bolan Smart Associates, Inc.

1250 24th Street, NW, Suite 300, Washington, DC 20037 202-776-7740 (direct), 202-841-2227
(cell), 202-371-1333 (BSA general) www.bolansmart.com

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, September 09, 2009 11:55 AM
To: Bottigheimer, Nat
Cc: Doggett, Rosalyn
Attachments: Shaw Howard Fl Ave FURTHER extend negotiation period rev 4-m.ppt

Nat,

In the interest of a quick turnaround, attached is the latest version I have.

I'm obtaining a copy of the version that was in the SECT mailout. My sense is that any differences will be in the layout, not the words. This presentation was prepared during the transition.

Sid

Doggett, Rosalyn

From: Marshall, Malcolm
Sent: Tuesday, September 08, 2009 5:21 PM
To: Meister, Mark K.; Doggett, Rosalyn
Subject: Shaw Howard Values
Attachments: ShawHowardValues.xlsx

See attached

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Tuesday, September 08, 2009 1:56 PM
To: Doggett, Rosalyn
Subject: RE: Shaw Howard
Attachments: ShawHoward20%Rev..xlsx

Attached is what I forwarded to Nat.

From: Doggett, Rosalyn
Sent: Tuesday, September 08, 2009 1:46 PM
To: Meister, Mark K.
Subject: RE: Shaw Howard

Yes, there is a small retail component, of under 12,000 sf. Which Malcolm took into account.
I have not seen what you passed on to and what puzzled Nat. (see below)

From: Meister, Mark K.
Sent: Monday, September 07, 2009 5:49 PM
To: Bottigheimer, Nat
Cc: Marshall, Malcolm; Doggett, Rosalyn
Subject: RE: Shaw Howard

Nat,

The estimated lump sum rental value is greater than the fee value of the property since WMATA's discount rate (6.8%) is below market, which I believe is about 8.4%. I will verify this with Malcolm or Roz tomorrow. We definitely should be prepared to discuss highest and best use with both the Board and FTA, and I will talk to Malcolm about this as well.

By copy of this email, I am requesting Roz to prepare a timeline for you.

I'm all for restricting use of the property to residential development, but I believe Omar has a retail component. Roz, is that correct?

Mark

From: Bottigheimer, Nat
Sent: Monday, September 07, 2009 1:36 PM
To: Meister, Mark K.
Cc: Moneme, Emeka
Subject: FW: Shaw Howard

Mark --

Thanks for passing this on. I'm a little confused as to the relationship between the 1.9 and the 1.2 million dollar numbers. Can you clarify for me, please?

Also, do we have an estimate for the value of the land in its highest and best use? We will need to be able to speak to that in committee.

Related, can we condition the agreement on the development of a residential project so that it can not be used for anything but that? The Board's decision would then be an endorsement of both a residential use of the site and a substantial affordable development component.

I can't imagine that the FTA will approve this, but that does not bother me.

Emeka, the market value of the property without the onerous affordable housing requirements is about 4.6 million. The value with the Duke plan goals and the stringent AMI requirements is a really substantial deduction from the value of the land. How the Board deals with this is very difficult to foresee.

Mark, one last thing: for Thursday's committee meeting, I would like to have a timeline that explains why it has taken us the amount of time that it has to get to this point. I do not have the words in my brain right now to tell this story to the Board. I think Mr. Graham will be energetically curious about this, and I need to have some words to say.

Thanks,

Nat

From: Meister, Mark K.
Sent: Sunday, September 06, 2009 3:07 PM
To: Bottigheimer, Nat
Subject: FW: Shaw Howard

Nat,

For our meeting with Omar on Tuesday, it looks like our number for a capitalized lease is \$1,905,000. My only concern is Malcolm's statement at the end that residential development with a 20% affordable housing component does not represent the highest and best use of the property. This may be hard to defend, especially if this is Harps' conclusion as well. I will speak with Malcolm on Tuesday.

Mark

From: Marshall, Malcolm
Sent: Friday, September 04, 2009 5:11 PM
To: Meister, Mark K.; Doggett, Rosalyn
Subject: Shaw Howard

I have a doctor's appointment Tuesday morning but should be in about 10:00 AM.

As shown on the attachment, if Eric Smart's estimated cost of approximately \$3,464,000 for providing 20% affordable housing at 50% AMI is deducted from the estimated land value after adjustments for the costs of building over the tunnel, the net land value is estimated at \$1,126,000 which equates to \$9 per SF of FAR and \$39 per SF of land. Please note that proposed development with 20% affordable housing clearly does not appear to be the highest and best use of the site since higher values can be generated from commercial development of the site.

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Tuesday, September 08, 2009 12:13 PM
To: Montague, Joshua W.
Cc: Maurice 'Perry; Tiwana Hicks'; Neil.Albert@dc.gov; Yohance S. Fuller; Doggett, Rosalyn; John 'Hagner; Moneme, Emeka; Marshall, Malcolm; Meister, Mark K.; Bottigheimer, Nat
Subject: The Jazz @ Florida Avenue - Comments to JDA and Elevations and Sections
Attachments: WINSTON-#4178271-v2-
Joint_Development_Agreement_for_The_Jazz_@_Florida_Avenue.DOC; WINSTON-#
4178271-v1&2-Joint_Development_Agreement_for_The_Jazz_@_Florida_Avenue.DOC;
WINSTON-#4178303-v2-
Joint_Development_Agreement_Definitions_for_The_Jazz_@_Florida_Avenue.DOC;
WINSTON-#4178303-v1&2-
Joint_Development_Agreement_Definitions_for_The_Jazz_@_Florida_Avenue.DOC; Jazz @
Florida Avenue - Elevations and Sections (as of 9-8-09).pdf

Josh,

As promised, we attach for your review the following:

1. Revised JDA;
2. Redline of the JDA showing all changes from the latest version that WMATA sent us;
3. Revised Definitions/Defined Terms for the JDA
4. Redline of the Definitions/Defined Terms showing all changes from the latest version that WMATA sent us
5. Latest Elevations and Sections from Torti Gallas

Our attorney, John Hagner, provided footnotes to many of the changes in the document which should clarify why changes were made to the documents. The revised JDA addresses most, if not all, of the principal elements of the deal, including the proposed financial structure, how the adjacent parcels will be handled, etc. As discussed, we are proposing to pay the entire Base Rent for the 60-year Initial Term under a capitalized lease structure in addition to paying WMATA a % of Effective Gross Income. The balance of the issues are properly addressed in the Lease which we expect to get over to you by the end of the week if not by early next week. However, we believe that significant progress can be made with the revised JDA. Other than the JDA, Lease and Elevations and Sections, I believe this is all of the information that we promised you all except the updated pro forma which we will provide as soon as we get the updated results of the appraisal from you all. As mentioned to Nat, Marshall and Yohance, it will take a few days for us to turn the pro forma around after we receive the results of the appraisal. We have already began updating it and if we get the results today, we should be able to send you all something by Thursday or Friday at the latest.

My best,

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Wyner, Jonathan S.
Sent: Tuesday, September 08, 2009 9:07 AM
To: Malasky, Gary; Doggett, Rosalyn; Burns, Bob; McElhenny-Smith, Robin; Goldin, Steven; Mohnsberg, Sid
Subject: Web Page Project Write-ups
Attachments: JD Assignments 9-08 incl COUNAB all.docx; ACTIVE JD Assignments 09-08 incl COUNAB.docx

Importance: High

Here are the latest JD tables showing project responsibility – The Active JD projects need write-ups..

We need to develop timetable for write-up production – We need to allow enough time for write-ups to be reviewed and approved prior to web placement.

Much thanks,

jonathan

Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development
600 Fifth Street, NW
Washington, DC 20001
202/962-1577

Doggett, Rosalyn

From: Bottigheimer, Nat
Sent: Monday, September 07, 2009 7:16 PM
To: Meister, Mark K.
Cc: Marshall, Malcolm; Doggett, Rosalyn
Subject: RE: Shaw Howard

I guess what I meant was not to restrict it to retail, but if we're negotiating a value that is dependent on a land use that is less than the highest and best, we should make sure that if the development concept changes from what's proposed -- predominantly residential with heavy affordable component -- to something that's more like what Lakritz Adler originally proposed, which was more retail dominated, then we should have a chance to come back and revisit the value we receive.

From: Meister, Mark K.
Sent: Monday, September 07, 2009 5:48 PM
To: Bottigheimer, Nat
Cc: Marshall, Malcolm; Doggett, Rosalyn
Subject: RE: Shaw Howard

Nat,

The estimated lump sum rental value is greater than the fee value of the property since WMATA's discount rate (6.8%) is below market, which I believe is about 8.4%. I will verify this with Malcolm or Roz tomorrow. We definitely should be prepared to discuss highest and best use with both the Board and FTA, and I will talk to Malcolm about this as well.

By copy of this email, I am requesting Roz to prepare a timeline for you.

I'm all for restricting use of the property to residential development, but I believe Omar has a retail component. Roz, is that correct?

Mark

From: Bottigheimer, Nat
Sent: Monday, September 07, 2009 1:36 PM
To: Meister, Mark K.
Cc: Moneme, Emeka
Subject: FW: Shaw Howard

Mark --

Thanks for passing this on. I'm a little confused as to the relationship between the 1.9 and the 1.2 million dollar numbers. Can you clarify for me, please?

Also, do we have an estimate for the value of the land in its highest and best use? We will need to be able to speak to that in committee.

Related, can we condition the agreement on the development of a residential project so that it can not be used for anything but that? The Board's decision would then be an endorsement of both a residential use of the site and a substantial affordable development component.

I can't imagine that the FTA will approve this, but that does not bother me.

Emeka, the market value of the property without the onerous affordable housing requirements is about 4.6 million. The value with the Duke plan goals and the stringent AMI requirements is a really substantial deduction from the value of the land. How the Board deals with this is very difficult to foresee.

Mark, one last thing: for Thursday's committee meeting, I would like to have a timeline that explains why it has taken us the amount of time that it has to get to this point. I do not have the words in my brain right now to tell this story to the Board. I think Mr. Graham will be energetically curious about this, and I need to have some words to say.

Thanks,

Nat

From: Meister, Mark K.
Sent: Sunday, September 06, 2009 3:07 PM
To: Bottigheimer, Nat
Subject: FW: Shaw Howard

Nat,

For our meeting with Omar on Tuesday, it looks like our number for a capitalized lease is \$1,905,000. My only concern is Malcolm's statement at the end that residential development with a 20% affordable housing component does not represent the highest and best use of the property. This may be hard to defend, especially if this is Harps' conclusion as well. I will speak with Malcolm on Tuesday.

Mark

From: Marshall, Malcolm
Sent: Friday, September 04, 2009 5:11 PM
To: Meister, Mark K.; Doggett, Rosalyn
Subject: Shaw Howard

I have a doctor's appointment Tuesday morning but should be in about 10:00 AM.

As shown on the attachment, if Eric Smart's estimated cost of approximately \$3,464,000 for providing 20% affordable housing at 50% AMI is deducted from the estimated land value after adjustments for the costs of building over the tunnel, the net land value is estimated at \$1,126,000 which equates to \$9 per SF of FAR and \$39 per SF of land. Please note that proposed development with 20% affordable housing clearly does not appear to be the highest and best use of the site since higher values can be generated from commercial development of the site.

Doggett, Rosalyn

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Cc: Marshall, Malcolm; Doggett, Rosalyn
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To: Meister, Mark K.; Doggett, Rosalyn
Subject: Shaw Howard

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Doggett, Rosalyn

From: Marshall, Malcolm
Sent: Friday, September 04, 2009 5:12 PM
To: Meister, Mark K.; Doggett, Rosalyn
Subject: Shaw Howard
Attachments: ShawHoward20%Rev..xlsx

I have a doctor's appointment Tuesday morning but should be in about 10:00 AM.

As shown on the attachment, if Eric Smart's estimated cost of approximately \$3,464,000 for providing 20% affordable housing at 50% AMI is deducted from the estimated land value after adjustments for the costs of building over the tunnel, the net land value is estimated at \$1,126,000 which equates to \$9 per SF of FAR and \$39 per SF of land. Please note that proposed development with 20% affordable housing clearly does not appear to be the highest and best use of the site since higher values can be generated from commercial development of the site.

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Thursday, September 03, 2009 5:45 PM
To: Marshall, Malcolm
Cc: 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance S. Fuller; Doggett, Rosalyn; Meister, Mark K.; Bottigheimer, Nat
Subject: RE: Shaw Howard Sites
Importance: High

Marshall,

Thank you for the information. When do you expect to receive a draft of the appraisal? Can you explain how the appraiser came up with the \$271,000 in fixed rent with 20% affordable housing at 50% AMI. This seems very high considering for example if the market rate rent for the project is \$2.50 per SF and the affordable rate rent is \$1.10 per SF, the different in income that a project could generate because of the affordable units is \$1.40 per SF. If we have 20 units of affordable housing (the project actually has 26, but WMATA's portion is 20 since it represents 79% of the project) and we assume that each unit is 1000 gross SF, this would give us 20,000 gross SF of affordable housing allocated to WMATA. If we then multiplied the net loss per SF (\$1.40) b/c of the inclusion of the affordable units by the gross affordable SF (20,000), this would give us \$28,000 net loss per month or \$336,000 net loss per year due to the inclusion of the affordable units. These calculations don't even include any concessions which every new apartment project in the District is offering (2-3 months free rent, free parking, no amenity fee, etc. Please see last week's Washington Post article dated August 25, 2009 by Dina El Boghdady "Concessions Help Upscale Buildings Fill Apartments"). If the appraiser initially gave you a value of \$375,000 in rent per year for a 92% market-rate and 8% IZ (at 80% AMI) project, including the 20% affordable units at 50% AMI rent would result in a much lower rent than the \$271,000 that you sent us. Can you provide some detail (as requested earlier, such as discount rate used, cost of the project due to the WMATA tunnels, rent assumptions for the market and affordable units, etc.) as we are still somewhat confused as to how the appraiser came up with this new value.

Thank you in advance.

Omar

From: Marshall, Malcolm [mailto:MMarshall@wmata.com]
Sent: Thursday, September 03, 2009 4:41 PM
To: Omar A. Karim
Cc: 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance S. Fuller; Meister, Mark K.; Bottigheimer, Nat; Doggett, Rosalyn
Subject: RE: Shaw Howard Sites

We have not as yet received a draft of the appraisal. Applying the Duke Plan 20% affordable housing requirement, base rent can be estimated at a fixed rent of \$271,000 for 60 years plus 1% of gross revenue per year and 2% of the net proceeds from refinancing or sales.

If the base, fixed rent of \$271,000 for 60 years is paid in a lump sum, the rent would be \$4,175,000.

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Thursday, September 03, 2009 1:07 PM
To: Marshall, Malcolm
Cc: 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance S. Fuller; Meister, Mark K.; Bottigheimer, Nat; Doggett, Rosalyn
Subject: RE: Shaw Howard Sites

Marshall,

When you send the results of the appraisal, please provide us with the assumptions that the appraiser used (i.e., any discount rate used, cap rate, assumed cost of the project, cost of impact of designing and building a project on WMATA tunnels, etc.). Thank you.

Omar

From: Marshall, Malcolm [mailto:MMarshall@wmata.com]
Sent: Thursday, September 03, 2009 12:11 PM
To: Omar A. Karim
Cc: Meister, Mark K.; Doggett, Rosalyn
Subject: RE: Shaw Howard Sites

So we can complete the appraisal under a 20% affordable housing scenario can you please provide details on the tax credits you mentioned. 4%? 9%? Have the tax credits have been awarded, by what agency, date of agency and Council action, if known, etc. Thanks - Malcolm

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Wednesday, September 02, 2009 6:26 PM
To: Marshall, Malcolm; Bottigheimer, Nat
Cc: 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance S. Fuller; Lawson, Arturo V.; Moneme, Emeka; Meister, Mark K.; Doggett, Rosalyn
Subject: RE: Shaw Howard Sites
Importance: High

Nat,

Thank you for your email. I look forward to hearing from Mark. My office # is 202-393-5460 and my cell # is 301-523-1810. I am still unclear whether the appraisal includes 20% affordable housing in it or not; can you or Mark clarify this for us.

As for the affordability in the project, for more than a year, we have been working with 20% affordable housing as the requirement in the project which the DUKE Plan requires as a minimum. As you may know, tax credit guidelines require a minimum of 20% affordable housing requirement at 50% Area Median Income. Thus, if you all are changing the affordable housing requirement, or want to change the requirement (although I don't think a project can get approved by the Office of Planning w/o this 20% in the DUKE area), please advise AS SOON AS POSSIBLE as our financing would be adversely affected by this as we would automatically lose any tax credits that we were expecting.

Also, we would welcome getting together in the coming days with you and your team to hash out details of the deal. If we do this, I am confident that we can hammer out what's needed to get the Joint Development Agreement and Lease to the Board at the October meeting, as opposed to simply asking the Board to approve another Term Sheet, in which case, this would certainly further delay the project, and most certainly expose us to the risk of losing any tax credits that we may get as the tax credit guidelines require that any project that receive tax credits be put into service within 24 months of award of such credits.

Again, thank you for reaching out. I look forward to hearing from you and Mark.

Omar

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okarim@bannekerventures.com

From: Bottigheimer, Nat [mailto:NBottigheimer@wmata.com]
Sent: Wednesday, September 02, 2009 5:51 PM
To: 'okarim@bannekerventures.com'; Marshall, Malcolm
Cc: 'thicks@bannekerventures.com'; Neil.Albert@dc.gov; Yohance S. Fuller; Moneme, Emeka; Meister, Mark K.; Doggett, Rosalyn; Lawson, Arturo V.
Subject: Re: Shaw Howard Sites

Omar-

I'm asking Mark Meister to reach out to you to address your questions about the appraisal parameters. I believe Mark is out of the office now, but he can call you first thing tomorrow morning.

I've already spoken with Mark about the 8 percent / 20 percent issue. We need to take to the Board an agreement that's based on the Duke Plan goals as you point out, but if ultimately the project has lower affordable housing requirements than that, we need to be able to reflect that in our final agreement. For these immediate purposes, we will modify the lease payments accordingly, but subject to Board approval of course and also subject to the final affordable housing requirement.

We may need to meet all together in the coming days to hash out details for an October Board committee item. I will participate in such a meeting as needed to make sure Metro provides information needed to hit the October target.

Best wishes,

Nat

From: Omar A. Karim
To: Marshall, Malcolm
Cc: 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance S. Fuller; Bottigheimer, Nat; Moneme, Emeka; Meister, Mark K.; Doggett, Rosalyn
Sent: Wed Sep 02 17:01:17 2009
Subject: RE: Shaw Howard Sites
Mr. Marshall,

This is very confusing. Is the \$375,000 lease payment exclusive of (1) rent participation and (2) share of proceeds or is the appraiser saying that if the 1% rent participation and 2% net proceeds was included, the estimated flat lease payment would be \$375,000?

Also, your email does not state that the appraisal includes the 20% affordable housing at 50% of AMI. Since zoning for the site (which is governed by the DUKE Plan) requires a minimum of 20% affordable housing, coupled with the WMATA Board requirement that 20% affordable housing be included in the project per the amendment to the Board approval of our Term Sheet back in July 2008 and subsequent meeting with Chairman Graham, please have the appraiser provide you with what a lease payment would be with this 20% affordable housing requirement and forward the results to us. We cannot begin to provide WMATA with a pro forma until we get the results of the appraisal which includes 20% affordable housing at 50% AMI. We are at a loss of why more than 90 days after WMATA stated that it needed a new appraisal to justify our lease payments that you all still do not have the results of a comprehensive appraisal in hand.

Moreover, since we are proposing to capitalize our lease payments, please also ask the appraiser what a capitalized lease payment would be under the above assumptions.

Finally, as you may know, it is 1 1/2 years after we negotiated a Term Sheet with WMATA and we seem to be no closer today than where we were back in March 2008. This is extremely discouraging as we have been working in good faith to get this deal done expending more than \$600,000 in legal, design and other fees to date. As a local, small, minority-owned development firm, these delays have severely increased the risk that our financing and JV partner might walk should the delays continue.

Please let us know when we might expect to receive this information.

Omar

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From: Marshall, Malcolm [mailto:MMarshall@wmata.com]
Sent: Wednesday, September 02, 2009 3:58 PM
To: OKarim@BannekerVentures.com
Cc: Doggett, Rosalyn; Meister, Mark K.; Bottigheimer, Nat
Subject: Shaw Howard Sites

We have not as yet received a draft of the appraisal of the above property. However, based on discussions with the appraiser, the base market rental for the lease of the above property, assuming a lease structure with a fixed rental for 60 years plus rent participation equal to 1% of gross revenue per year and 2% of the net proceeds from refinancing or sales, is estimated at \$375,000 per year. In his evaluation the appraiser assumed 124,000 SF of density to be used for the combined sites and made downward rental adjustments for additional costs associated with building over the WMATA tunnel and for mandatory IZ requirements.

Doggett, Rosalyn

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Subject: Shaw Howard Sites

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Doggett, Rosalyn

From: Bottigheimer, Nat
Sent: Thursday, September 03, 2009 4:35 PM
To: Doggett, Rosalyn; Meister, Mark K.; Marshall, Malcolm
Subject: Re: OME for Shaw Howard

Please. I'm trying to put a number on paper that will match the plan's goal. I don't want the City to complain that we are not reflecting the plan goals. It is the BOARD's role to state whether the difference between appraised value and what we're proposing is acceptable or not, and then for the FTA after that. We need to go in and say we've got a value that matches the plan goals; say what it costs Metro to provide that social benefit; and wait for Board response on whether they want to give that value away.

Please stop using different assumptions embedded in appraisal instructions as a negotiating tactic for this project. Reflect the impact of the housing goals at 50 percent AMI so we can get it to the Board for action.

I really thought I'd been clear on this months ago. I'm very frustrated.

From: Doggett, Rosalyn
To: Meister, Mark K.; Marshall, Malcolm
Cc: Bottigheimer, Nat
Sent: Thu Sep 03 16:10:48 2009
Subject: RE: OME for Shaw Howard

It is fine as is, but I would be prepared for a possible next round once you send it out. I expect that Omar will ask if you took into account 50% of AMI as the rent level. Harps would have looked at 80% of AMI which is what mandatory IZ allows. Omar will attempt to use the 50% number to further beat down the rental number. The response would be that there is really no guidance in the various Duke Plan goals as to what AMI level constitutes "affordable" and, if Omar wishes to use a financing mechanism geared to 50%, then there are other means of subsidy to get there.

From: Meister, Mark K.
Sent: Thursday, September 03, 2009 3:50 PM
To: Marshall, Malcolm; Doggett, Rosalyn
Cc: Bottigheimer, Nat
Subject: RE: OME for Shaw Howard

Looks OK to me.

From: Marshall, Malcolm
Sent: Thursday, September 03, 2009 3:49 PM
To: Meister, Mark K.; Doggett, Rosalyn
Cc: Bottigheimer, Nat
Subject: OME for Shaw Howard

Using an analysis similar to that of our third party appraiser, Richard Harps, the market rent for a fixed, 60-year lease with rent participation equal to 1% of gross revenue per year and 2% of the net proceeds from refinancing or sales could be estimated at \$271,000 per annum if the 20% affordable housing goals of the Duke Plan are used, rather than the lower affordable housing requirement estimated by the appraiser. Please note that this rental estimate does not take into account the value of some tax benefits generated by the higher amount of affordable housing and is merely an Order of Magnitude based on an analysis of the property performed by Harps.

The lump sum rental payment assuming WMATA's 6.8% discount rate is estimated at \$4,175,000.

See the attachment for the calculation of the estimated rent.

If this looks OK, I will send the proposed rents to Omar.

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Thursday, September 03, 2009 3:50 PM
To: Marshall, Malcolm; Doggett, Rosalyn
Cc: Bottigheimer, Nat
Subject: RE: OME for Shaw Howard

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From: Marshall, Malcolm
Sent: Thursday, September 03, 2009 3:49 PM
To: Meister, Mark K.; Doggett, Rosalyn
Cc: Bottigheimer, Nat
Subject: OME for Shaw Howard

Using an analysis similar to that of our third party appraiser, Richard Harps, the market rent for a fixed, 60-year lease with rent participation equal to 1% of gross revenue per year and 2% of the net proceeds from refinancing or sales could be estimated at \$271,000 per annum if the 20% affordable housing goals of the Duke Plan are used, rather than the lower affordable housing requirement estimated by the appraiser. Please note that this rental estimate does not take into account the value of some tax benefits generated by the higher amount of affordable housing and is merely an Order of Magnitude based on an analysis of the property performed by Harps.

The lump sum rental payment assuming WMATA's 6.8% discount rate is estimated at \$4,175,000.

See the attachment for the calculation of the estimated rent.

If this looks OK, I will send the proposed rents to Omar.

Doggett, Rosalyn

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Attachments: ShawHoward20%.xlsx

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Sent: Thursday, September 03, 2009 1:06 PM
To: Marshall, Malcolm
Cc: 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance S. Fuller; Doggett, Rosalyn; Meister, Mark K.; Bottigheimer, Nat
Subject: RE: Shaw Howard Sites

Marshall,

When you send the results of the appraisal, please provide us with the assumptions that the appraiser used (i.e., any discount rate used, cap rate, assumed cost of the project, cost of impact of designing and building a project on WMATA tunnels, etc.). Thank you.

Omar

From: Marshall, Malcolm [mailto:MMarshall@wmata.com]
Sent: Thursday, September 03, 2009 12:11 PM
To: Omar A. Karim
Cc: Meister, Mark K.; Doggett, Rosalyn
Subject: RE: Shaw Howard Sites

So we can complete the appraisal under a 20% affordable housing scenario can you please provide details on the tax credits you mentioned. 4%? 9%? Have the tax credits have been awarded, by what agency, date of agency and Council action, if known, etc. Thanks - Malcolm

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Subject: RE: Shaw Howard Sites
Importance: High

Nat,

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Again, thank you for reaching out. I look forward to hearing from you and Mark.

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Doggett, Rosalyn

From: Meister, Mark K.
Sent: Thursday, September 03, 2009 1:05 PM
To: Marshall, Malcolm
Cc: Bottigheimer, Nat; Doggett, Rosalyn
Subject: FW: Shaw Howard Sites

Importance: High

Malcolm,

I spoke to Nat about this. Let's not worry about the tax credits now. We'll attempt to address them in the Term Sheet. Let's get the number to Omar today. Thanks.

Mark

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Sent: Thursday, September 03, 2009 1:01 PM
To: Marshall, Malcolm
Cc: 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance S. Fuller; Meister, Mark K.; Moneme, Emeka; Bottigheimer, Nat; Doggett, Rosalyn
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Best wishes,

Nat

From: Omar A. Karim
To: Marshall, Malcolm
Cc: 'Tiwana Hicks' ; Neil.Albert@dc.gov; Yohance S. Fuller; Bottigheimer, Nat; Moneme, Emeka; Meister, Mark K.; Doggett, Rosalyn
Sent: Wed Sep 02 17:01:17 2009
Subject: RE: Shaw Howard Sites
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729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: Marshall, Malcolm [mailto:MMarshall@wmata.com]
Sent: Wednesday, September 02, 2009 3:58 PM
To: OKarim@BannekerVentures.com
Cc: Doggett, Rosalyn; Meister, Mark K.; Bottigheimer, Nat
Subject: Shaw Howard Sites

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124,000 SF of density to be used for the combined sites and made downward rental adjustments for additional costs associated with building over the WMATA tunnel and for mandatory IZ requirements.

Doggett, Rosalyn

From: Omar Karim [okarim@bannekerventures.com]
Sent: Thursday, September 03, 2009 11:06 AM
To: Meister, Mark K.
Cc: Tiwana Hicks; Malcolm Marshall; Neil.Albert@dc.gov; Yohance S. Fuller; Doggett, Rosalyn; Lawson, Arturo V.; Bottigheimer@wmata.com; Moneme, Emeka
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In addition, by tomorrow you will receive our full comments to the JDA. By next week, you will our full comments to the Lease.

Finally, as discussed, we are hoping to get all terms of the JDA and Lease agreed to by WMATA and BV/BACDC in the coming weeks so as to get these docs approved by the committee and Board at the October Board meeting. As discussed earlier this morning, if we don't go to the Board in October, we risk loosing our tax credits as the project has to be put into service w/n 24 months of award. Thus, any further delay would certainly put our ability to deliver this project in jeopardy.

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okarim@bannekerventures.com

From: "Bottigheimer, Nat"
Date: Wed, 2 Sep 2009 17:50:35 -0400
To: 'okarim@bannekerventures.com' <okarim@bannekerventures.com>; Marshall, Malcolm <MMarshall@wmata.com>
Subject: Re: Shaw Howard Sites

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From: Omar Karim [okarim@bannekerventures.com]
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To: Meister, Mark K.
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From: noreply+feedproxy@google.com on behalf of Greater Greater Washington
[alpert@gmail.com]
Sent: Thursday, September 03, 2009 5:10 AM
To: Doggett, Rosalyn
Subject: Greater Greater Washington

Greater Greater Washington

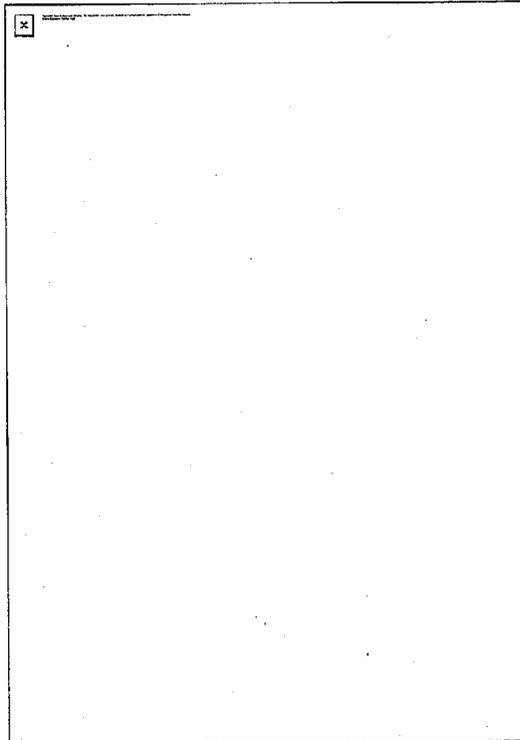


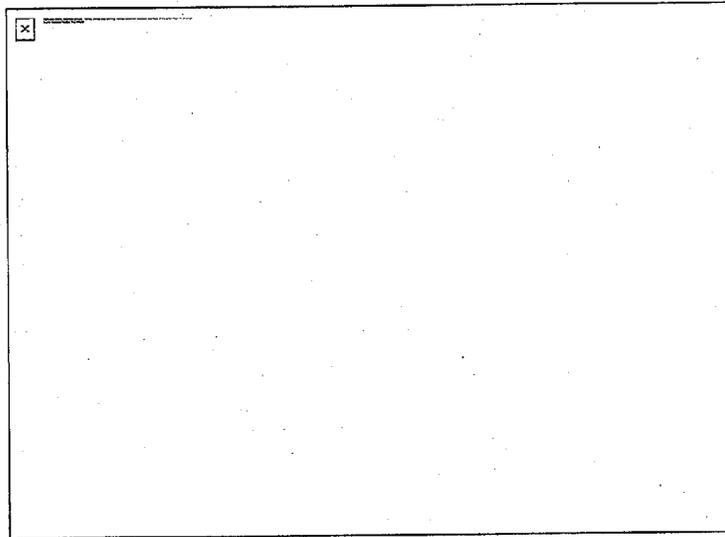
- [Lost Washington: Engine Company No. 2](#)
- [Howard Town Center racing to hit the low bar](#)
- [The highway isn't the only way](#)
- [Washington's rails, part 2: CSX's "National Gateway" for freight](#)
- [Breakfast links: Arlington to Canada to Japan](#)

Lost Washington: Engine Company No. 2

Posted: 02 Sep 2009 01:26 PM PDT

By **Kent Boese**





Once located at 719 12th Street, NW, the Italian Renaissance firehouse that became the home of Engine Company No. 2 in 1910 was designed at a cost of \$1,200 by architect Leon E. Dessez. A third floor behind the frieze housed a gymnasium. The original plans called for twin towers on the size of the building, but could not be built and still have the structure remain in its \$40,000 budget.

Metro construction severely damaged the foundation in 1975. As a result, the building was razed in 1986.

(1 comment · share or email)

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Lost Washington: Crandall's Joy Theater (May 12, 2009)

Howard Town Center racing to hit the low bar

Posted: 02 Sep 2009 11:57 AM PDT



Conceptual floor plans. Images from the developer.

By Stephen Miller

On Monday evening, **CastleRock Partners**, the development team selected by Howard University after a **decades-long back-story** for its Howard Town Center project on Georgia Avenue at V Street, presented its concept for the site at a meeting hosted by the Pleasant Plains Civic Association. As part of its long-term ground lease agreement with the university, which the developers said should be signed within a week, the project must include a grocery store and the developers were looking to include approximately 450 apartment units. Otherwise, the developers stressed that their proposal was in its initial phases and things like design and **potential tenants** were subject to change.

That's good, because the Howard Town Center proposal as it stands needs some work. Here are the areas of contention:



Duke plan proposal for W Street.

Connecting W Street: In 2005, the City Council adopted the **Duke plan**, a small area plan for Shaw and U Street. One of the

key components of the Duke plan was guidance for public realm improvements in the neighborhood, including knitting together the superblocks into a better grid. Tim Kissler of CastleRock told the at-capacity room Monday evening that "what we have is basically what's drawn in [the Duke] plan." Except it's not. The Duke plan connects W Street between Georgia and Florida Avenues. This project as proposed would prevent that from happening, instead using that area as an underground parking ramp.

Howard University needs to better connect with surrounding neighborhoods. There are few better ways to do that than to stitch together the missing street grid that separates the university from the neighborhoods to the west. As it stands, this proposal fails to achieve this community goal. The Town Center proposal includes a mid-block pedestrian cut-through, but it's located closer to V Street. Perhaps it would be more effective closer to W Street, where the connection is actually missing.

Parking: Since the exact amount of retail is not yet determined (the number floated Monday was up to 125,000 square feet, including the grocery store), the developers wouldn't put a number to the amount of parking they plan to include. They acknowledged the forces competing over parking, with the DC Office of Planning pushing for fewer spaces than required and potential retail tenants (on whom project financing depends) interested in more suburban amounts of parking. It looks like OP has learned the lesson of DC USA, even if retailers have not. When a neighbor raised the issue of the water table hampering underground construction, Tim Kissler told her that it just costs a lot of money to build deep. Since all of this project's parking will be underground, there is a big opportunity cost to building as much parking as retailers demand. That money could be used for a lot of other things that actually make the project better.

Affordable housing: The project is participating in DC's Inclusionary Zoning program, but the developers are only meeting the IZ minimums, proposing that 8 percent of the residential units be priced below market value. This was a big concern for many residents at the meeting, who were dissatisfied with such a low number.

Sidewalks: A DDOT representative at the meeting noted that Georgia Avenue's sidewalks are their narrowest at this project's location. Despite the high-traffic retail proposed for this project, the developer didn't provide for wider sidewalks in this draft plan and seemed reluctant to do so when asked about it by a neighbor. DDOT's representative said that this is something DDOT will be negotiating with the developer. This project is also within Georgia Avenue's Great Streets plan, and the timeline for streetscape improvements on lower Georgia Avenue coincides with the construction timeline for this project.

8th Street streetscape: One neighbor raised her concern that 8th Street, NW would become a de facto alley for this project, with loading docks and insensitive design not unlike DC USA's treatment of Hiatt Place. While there will be loading docks, residential units will also be located on the upper floors of the project along 8th Street. The devil will be in the details for 8th Street - loading docks may move or become larger or smaller, drastically affecting the quality of the streetscape.



Conceptual rendering of Howard Town Center. Photo from the developers.

Although the developers stressed that their \$150 million proposal shown Monday was preliminary, they also laid out an aggressive timeline for development despite the sluggish economy, with groundbreaking in one year and another 18 months until the project's completion. The developers said that they decided not to go through the **Planned Unit Development** process because it would have taken too much time, and the project is not seeking any zoning variances. PUDs give the public, through the Zoning Commission, an opportunity to improve the design and push for benefits for the community.

While an improvement for Georgia Avenue, the project as it stands barely meets the minimums for responsible development. Because the developer isn't planning a PUD, citizens will need to work hard to ensure the developer improves the product.

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The highway isn't the only way

Posted: 02 Sep 2009 10:28 AM PDT



Image by Neil Flanagan.

In the 1950s, repeated freeway building and widening appeared to be the obvious, logical direction for public policy. Planners, elected officials, and newspaper editorial writers were united around the goal of pushing the population into ever-newer, ever-more distant subdivisions while older small towns were bypassed or razed and inner cities crumbled. Zoning laws and parking requirements ensured that newly settled areas looked like the prototypical suburban development. It was an era when "progress" meant replacing all that was old with something new. Energy was virtually free, land seemingly limitless, and there was no problem engineers couldn't solve within a decade.

Now, after we almost irrevocably damaged our planet, read Jane Jacobs, and witnessed mounting obesity, most people realize that GM's Futurama isn't the right vision for all of our new communities. Low-density suburbs have their place, but aren't the only place. Empty nesters and young people want to live in walkable places, either in condos in denser districts or in houses close to centers with transit, as in Arlington. Two-hour commutes are common, and families where both parents work, often in places many tens of miles apart, are fed up with all the driving. The more freeways we build, the worse traffic becomes. Transit, transit-oriented development, and Smart Growth have become phrases that almost every planner and politician utters, no matter what their plan.

There are people, however, who spent decades lobbying for the endless extension of 1950s suburbia, who simply don't recognize that there can be any other way. To them, economic prosperity means more of the same. Rich Parsons is one of these people. He used to head the Montgomery County Chamber of Commerce, and headed government relations for the Greater Washington Board of Trade. He's now lobbying hard for the \$4 billion "Sprawlway" project to widen I-270, and wrote to **Montgomery County state Senators**, trying to stop them from signing on to Brian Frosh's letter recommending Maryland study a transit alternative. From his exasperated letters, it's apparent that he just can't conceive why anyone wouldn't want more roads leading to more distant houses and more strip malls covering more of the state of Maryland. Further, he apparently can't believe that economic vitality could actually come from a different pattern of growth.

Parsons' central argument boils down to this: Since we've always grown by highways and sprawl, we have no choice but to continue. Most people drive today in the area; therefore, we need to keep developing so that new people drive.

[Frosh] is incorrect in asserting that the expansion of I-270 is anything new in this corridor study. ... In fact, widening I-270 north of Shady Grove Road is already part of Montgomery County's officially adopted 10-year transportation plan (and has been for many years, since around 2002, I believe). ... Besides, last time I looked at the current MARC ridership, it was underperforming estimates and the current rush hour service was underutilized.

He's saying that Maryland should build the project because it's on some map from a long time ago. Since planners a decade ago were thinking about freeways, so must we. And since not many people use MARC, we shouldn't fix it. Actually, not many people take MARC because it's not very good. Trains don't run often, and only one way in the peak direction. That's a good reason to improve it, but Parsons uses this as an argument to build more freeway lanes instead.

What about the freight rail that shares tracks with passenger rail?

There continue to be significant issues with competing freight traffic on the CSX lines (which may require adding a third track through a big part of the County, taking out homes and businesses in places like Kensington, Garrett Park Silver Spring, Rockville and Gaithersburg). ... Adding managed toll lanes between lower I-270 and the Western end of the Beltway at the American Legion Bridge (to connect with Virginia's HOT lanes already in construction) ... ought to be among your top priorities over the next decade.

This is another odd combination of opinions. We can't widen railroad rights-of-way, but it's absolutely essential to widen freeway rights-of-way? MARC, by the way, believes they can improve service while coexisting with the freight railroads. They have a plan for expansion that's only waiting for funds, not tracks. Plus, because trains run fewer vehicles that carry more people than cars, more capacity could come from adding passing tracks in key areas instead of the whole way. On the other hand, the Montgomery Planning Board's recommended Sprawlway alternative would displace **251 families**, and adding more lanes from Rockville down to the Beltway and over to the American Legion Bridge would surely condemn many more.

Parsons' letter also contains some assertions which are either false, or based on information which nobody possesses except him. For example,

The highway portion of this project is likely to be paid for largely with the added toll revenues that the new managed toll lanes will generate. This is "new money" that would not be there if the lanes are not added. In the

case of the ICC, tolls provided well more than half the total project cost and 270 could be even more.

The SHA's analysis doesn't bear out Parsons' claims. Based on the data so far, the toll lanes won't move appreciably faster than the non-toll lanes, meaning the toll will have to be very low to entice anyone into the toll lanes. Ben Ross argued that the tolls won't even recoup the cost of collecting the tolls. Perhaps ACT's data is wrong. If so, SHA needs to release some actual revenue estimates. The Montgomery County Council sent them a letter before the recess asking for this information, along with other questions. When SHA responds, we can better judge whether this project will actually pay for itself as Parsons claims.

The cost alone should not be any reason to kill this project. The dramatic traffic relief it provides -- 61% reduction in congestion, 60% reduction in travel times, and up to 84% improvement in peak-hour speeds ... are among the other reasons we cannot afford to kill it.

Parsons must not have read the 1999 article in the Washington Post, which pointed out the effects of the last I-270 widening. People said the same about congestion then, and the road filled right up with new drivers from new developments in Germantown, Clarksburg, and Frederick County.

This project isn't for the existing residents, or the existing truck traffic to Ohio which Parsons argues is so important. No, this project is for the new residents, the ones who will fill up the lanes after they're built. The question is not what existing people need, because new infrastructure won't generate more economic growth from them or relieve their congestion. New infrastructure will bring in new residents and new jobs. The only question is where those residents and jobs should be. Parsons doesn't give any good reason why they should live on I-270 in Frederick County and drive through Montgomery to DC, except that it's the logical extension of the public policy of the past. That's not a good reason.

There's a lot of room around Shady Grove and Glenmont Metro stations. Montgomery County wants to create a dense urban neighborhood at White Flint. Silver Spring still has numerous lots still undeveloped, and coffee-shop owners dying for the new residents and businesses to patronize them. There's a big bioscience research facility at White Oak with plenty of room for more jobs, and the County has already looked into a Purple Line spur to reach it.

And none of this considers Prince George's County, with its many underutilized Metro stations, Baltimore, or the rest of the state. Maryland Politics Watch has been hammering at the idea that Montgomery County, and the I-270 corridor in particular, is the economic engine of the state. But this also reflects the past infrastructure investment decisions. There are more jobs on 270 because East County fought new jobs for many years. There is more housing than jobs on the east side; if Maryland put some investment into that area, it could become more of an economic engine. So could Prince George's County and Baltimore.

This project definitely would detract from infrastructure investment and job growth in other areas. Parsons even reveals that he'd like the state to dump multiple years' worth of transportation funding into this project. He writes, "I would expect the project would be broken up into smaller segments that would be manageable within any given capital budget cycle for whatever public funding may be needed." To him, that's actually an argument for the project. It's not too expensive to build, as long as the state dedicates a period of time — say, a decade — during which they don't do anything else.

Parsons further argues that it's not appropriate for elected officials to weigh in on the best ways to spend \$4 billion of public money. Doing so would be "blatant political interference in the study process," as happened with the ICC, delaying it 20 years. That assumes, of course, that the ICC was appropriate to build. Parsons thinks so, we know, but most of the Maryland state legislature now wishes there had been a little more political interference.

Why take so much ink to rebut Parsons' letters? Because changing the way we look at public policy is hard and takes time. Just look at President Obama's major initiatives, which are slogging through a very difficult process in Congress. We've thought about energy and health care in a particular way for decades if not longer, and there are many people committed to the status quo. Likewise, once-influential business leaders come out of the woodwork to fight for more sprawl because they see it as the only way, as a choice between more of it or stagnation. That's a false choice. Senators Jennie Forehand, Rob Garagiola, Nancy King, Rona Kramer, Mike Lennett, Richard Madaleno, and Jamie Raskin are smart enough to see through Parsons' "the only way is the highway" rhetoric that is more appropriate to 1939 GM executives than Maryland's leaders of 2009.

(12 comments · share or email)

Related posts:

[Montgomery groups attack 270 widening, criticize "false choice" \(Jul 20, 2009\)](#)

[Floreen, Berliner vote to continue the cycle of sprawl and pollution \(Jul 17, 2009\)](#)

[On Tuesday, Montgomery Council can avoid "ICC 2.0" \(Jul 16, 2009\)](#)

Gaithersbungle, part 3: What else can you get for \$3.8 billion? (Jul 6, 2009)

Gaithersbungle, part 2: Old, tired formulas generate old, disastrous solutions (Jul 1, 2009)

Washington's rails, part 2: CSX's "National Gateway" for freight

Posted: 02 Sep 2009 07:52 AM PDT



Photo by the author.

By **Matt Johnson**

In the last installment, I described the Washington and Baltimore rail networks and their limitations. CSX hopes to surmount some of those limitations with their "National Gateway" initiative, which would upgrade freight rail infrastructure to accommodate double-stack container cars.

In May 2008, CSX announced a new initiative to improve the efficiency of America's freight network. Their project, known as the "National Gateway" purports to decrease truck traffic on our crowded Interstates, create new jobs, and increase capacity for carrying freight between Mid-Atlantic Ports and the Midwest.

With an ever-increasing reliance on international shipping, standard shipping containers have become more commonplace. These containers can easily be placed on ships, trucks, and trains for transportation. Intermodal containers greatly improve the flexibility of our rail network and improve efficiency in the transportation system as a whole.

In 1984, the well car was introduced to American railroading. These cars allow for double-stacked shipping containers, increasing the amount of goods a train can haul. However on the east coast, double-stack intermodal trains are much rarer. The railroad infrastructure here is America's oldest, and tunnels and bridges are not high enough to permit double-stack trains to connect ports like Baltimore and Hampton Roads with markets in the Midwest.



A CN Double-Stack near Kamloops, BC.

CSX's main competitor is Norfolk Southern (NS). In 2006, NS embarked on its own double-stack proposal, known as the "Heartland Corridor." This route is currently being improved to handle the taller trains, and will link the ports in the Hampton Roads area of Virginia to the Midwest. The Heartland Corridor, when complete, will shave 200 miles and a half-day off of the current route for NS double-stacks.

The Heartland Corridor, like the National Gateway, will involve raising the roofs of tunnels — even blasting them off entirely, if necessary — along with replacing bridges. But also important to enabling increased capacity for double-stack trains is the construction of new facilities to transfer shipping containers between ships and trains and between trains and trucks.

Norfolk Southern's Heartland Corridor got a helping hand from state governments and the US Department of Transportation. Of the estimated \$151 million cost of the main line between Norfolk and Chicago, US DOT paid \$95 million in addition to Virginia's \$9.75 million and Ohio's \$800 thousand. Overall, the project's cost was \$311 million, including projects in several places to build or improve intermodal terminals.

In order to keep competing, CSX is working on getting public funding for the National Gateway. This proposal will involve raising the clearance of 61 bridges and tunnels in six states and the District of Columbia. The National Gateway proposal also calls for six new or improved intermodal terminals along the way, including one near Baltimore.

To fund this public-private partnership, CSX is calling for \$194 million (25%) from the federal government and \$193 million (25%) from the states involved to add to their own commitment of \$387 million (50%). CSX claims that the benefits will be manifold, including adding jobs through the construction and operation of the new terminals, a reduction in highway congestion and accidents, a savings of more than \$500 million in highway maintenance costs, and a reduction in greenhouse gas emissions.

And commuters on other modes have much to gain as well. By eliminating track bottlenecks like the Virginia Avenue tunnel in Southeast DC, commuters on MARC's Camden and Brunswick Lines will experience less freight congestion.

The route for freight trains from the Mid-Atlantic to the Midwest passes through Washington. In order to allow for double-stack trains, a clearance of 21 feet is needed. In order to achieve that, CSX needs to conduct 13 clearance projects in the region. Of these, six are in Maryland, one is in Virginia, and six are in the District of Columbia.



Left: CSX trains rumbling under the L'Enfant Promenade.
Right: 12th Street ramp and 10th Street from the front of a VRE train.

Last Month, the Metropolitan Washington Council of Governments introduced a draft letter confirming their support of the National Gateway project to CSX. Because these projects fall within the jurisdiction of MWCOG, their support is vital, as is the support of Maryland and Virginia's governors, both of whom have already pledged their support.

Here are the Washington area projects in the National Gateway. Click on each link for an image of the project area:

- Germantown: Replace **Germantown Road bridge**
- Washington Grove: Replace **Deer Park Drive bridge**
- Bladensburg: Lower track under **Baltimore-Washington Parkway**
- Bladensburg: Lower track under **Kenilworth Avenue**
- Catocctin: Improve **Catocctin Tunnel**
- Point of Rocks: Improve **Point of Rocks Tunnel**
- Woodbridge: Replace **Railroad Avenue bridge**
- District of Columbia: Double track and raise roof of **Virginia Avenue Tunnel**
- District of Columbia: Lower track under **New Jersey Avenue**
- District of Columbia: Lower track under the **L'Enfant Promenade**
- District of Columbia: Lower track under **ramp from I-395 to/from 12th Street**
- District of Columbia: Lower track under **12th Street**
- District of Columbia: Modify **Long Bridge swing span**

All photos by *Matt Johnson*

(26 comments · share or email)

Related posts:

[Washington's rails, part 1: The network \(Sep 1, 2009\)](#)

[Lost Washington: Steamer District of Columbia \(Aug 25, 2009\)](#)

[Lost Washington: The Southland \(Jul 14, 2009\)](#)

[Greater Baltimore & Washington Transit Future version 2 \(Feb 25, 2008\)](#)

[Greater Washington Transit Future: a multimodal fantasy map \(Feb 21, 2008\)](#)

Breakfast links: Arlington to Canada to Japan

Posted: 02 Sep 2009 05:18 AM PDT



Photo by *purprin*.

Metro down (this weekend): Metro is closing National Airport, Crystal City, and Pentagon City stations over Labor Day.

They needed three days for the track work, and it's better than closing during the week, despite inconveniencing flyers.

However, while the work was "long-planned," Metro doesn't seem to have announced it until today. (Post, Bianchi)

Recycling, bike racks up: The latest issue of Arlington County's newsletter, the Arlington Citizen, mentions that recycling has increased about 13% over 2008 levels, which it attributes to a switch to single-stream recycling and new wheeled carts. Also,

BikeArlington is installing 60 U racks in the Rosslyn-Ballston corridor, as well as new and replacement racks along Stuart Street near the Ballston Metro. That issue is **not posted online yet**. (Gavin Baker)

Counting coming: Arlington is getting ready for another round of bike and pedestrian counting, on Thursday, September 10 and Saturday, September 12. If you can help, email bikepedcounts@arlingtonva.us. There's also a kickoff party on September 9th, 6 pm at 2100 Clarendon Blvd. (Michael P)

Why "pedestrians"?: Tom Vanderbilt asks an interesting question: Why do we call someone a "pedestrian" when they're on the street, but not if they're walking down a hallway in the office or hiking in the woods? Also, does Costco intentionally underbuild parking to encourage people to make fewer trips but buy more each time? (How We Drive)

Photos okay at USDOT, assuming guards get the memo: Security guards at the US Department of Transportation have been hassling photographers, including **Stephen Miller** who try to take pictures of their architecture or public art. After three months, they **responded to the ACLU's letter** questioning this practice. They agree photography is legal, but don't say anything about reminding guards of the law, and mention a Federal Protective Service memo that urges agency security to question photographers despite no evidence that any terrorists have ever taken photos for reconnaissance. (Erin, Flickr)

Transit smart cards, improved: Tokyo's transit smart card, the Suica also lets users **pay for goods** in vending machines and stores. Users can also swipe near poster advertisements to get more details emailed to them, and can connect to Web services to download or visualize their movements. Some of these uses and the agency's ability to use the data raise privacy concerns. (ReadWriteWeb, Rob P) ... Transport Canada highlights the **huge gains in transit ridership** that resulted from joint student IDs and transit smart cards at three universities.

Not so bike friendly: Michael James Bryant, Ontario's former attorney general, killed a cyclist in what appears to be a road rage incident. After some sort of "altercation," according to witnesses, Bryant was driving down the street with the cyclist holding on to the side of the car, and Bryant brushing against trees and mailboxes to knock the cyclist off. Police are still investigating. (CBC, Kevin)

Have a tip for the links? **Submit it here**.

(30 comments · share or email)

Related posts:

Inauguration every day? Metro studying bike/ped access (Aug 11, 2009)

A greater city is unafraid of citizens with point-and-shoot cameras (Jun 11, 2009)

US DOT HQ security: No photos allowed, because I said so (Apr 16, 2009)

Metro "punts": Will release transit schedule data for Google and others (Mar 11, 2009)

Union Station latest photo flashpoint (Jun 3, 2008)

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Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Wednesday, September 02, 2009 6:26 PM
To: Marshall, Malcolm; Bottigheimer, Nat
Cc: 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance S. Fuller; Doggett, Rosalyn; Lawson, Arthur V.; Moneme, Emeka; Meister, Mark K.
Subject: RE: Shaw Howard Sites
Importance: High

Nat,

Thank you for your email. I look forward to hearing from Mark. My office # is 202-393-5460 and my cell # is 301-523-1810. I am still unclear whether the appraisal includes 20% affordable housing in it or not; can you or Mark clarify this for us.

As for the affordability in the project, for more than a year, we have been working with 20% affordable housing as the requirement in the project which the DUKE Plan requires as a minimum. As you may know, tax credit guidelines require a minimum of 20% affordable housing requirement at 50% Area Median Income. Thus, if you all are changing the affordable housing requirement, or want to change the requirement (although I don't think a project can get approved by the Office of Planning w/o this 20% in the DUKE area), please advise AS SOON AS POSSIBLE as our financing would be adversely affected by this as we would automatically lose any tax credits that we were expecting.

Also, we would welcome getting together in the coming days with you and your team to hash out details of the deal. If we do this, I am confident that we can hammer out what's needed to get the Joint Development Agreement and Lease to the Board at the October meeting, as oppose to simply asking the Board to approve another Term Sheet, in which case, this would certainly further delay the project, and most certainly expose us to the risk of losing any tax credits that we may get as the tax credit guidelines require that any project that receive tax credits be put into service within 24 months of award of such credits.

Again, thank you for reaching out. I look forward to hearing from you and Mark.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: Bottigheimer, Nat [mailto:NBottigheimer@wmata.com]
Sent: Wednesday, September 02, 2009 5:51 PM
To: 'okarim@bannekerventures.com'; Marshall, Malcolm
Cc: 'thicks@bannekerventures.com'; Neil.Albert@dc.gov; Yohance S. Fuller; Moneme, Emeka; Meister, Mark K.; Doggett, Rosalyn; Lawson, Arthur V.
Subject: Re: Shaw Howard Sites

Omar-

I'm asking Mark Meister to reach out to you to address your questions about the appraisal parameters. I believe Mark is out of the office now, but he can call you first thing tomorrow morning.

I've already spoken with Mark about the 8 percent / 20 percent issue. We need to take to the Board an agreement that's based on the Duke Plan goals as you point out, but if ultimately the project has lower affordable housing requirements than that, we need to be able to reflect that in our final agreement. For these immediate purposes, we will modify the lease payments accordingly, but subject to Board approval of course and also subject to the final affordable housing requirement.

We may need to meet all together in the coming days to hash out details for an October Board committee item. I will participate in such a meeting as needed to make sure Metro provides information needed to hit the October target.

Best wishes,

Nat

From: Omar A. Karim
To: Marshall, Malcolm
Cc: 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance S. Fuller; Bottigheimer, Nat; Moneme, Emeka; Meister, Mark K.; Doggett, Rosalyn
Sent: Wed Sep 02 17:01:17 2009
Subject: RE: Shaw Howard Sites
Mr. Marshall,

This is very confusing. Is the \$375,000 lease payment exclusive of (1) rent participation and (2) share of proceeds or is the appraiser saying that if the 1% rent participation and 2% net proceeds was included, the estimated flat lease payment would be \$375,000?

Also, your email does not state that the appraisal includes the 20% affordable housing at 50% of AMI. Since zoning for the site (which is governed by the DUKE Plan) requires a minimum of 20% affordable housing, coupled with the WMATA Board requirement that 20% affordable housing be included in the project per the amendment to the Board approval of our Term Sheet back in July 2008 and subsequent meeting with Chairman Graham, please have the appraiser provide you with what a lease payment would be with this 20% affordable housing requirement and forward the results to us. We cannot begin to provide WMATA with a pro forma until we get the results of the appraisal which includes 20% affordable housing at 50% AMI. We are at a loss of why more than 90 days after WMATA stated that it needed a new appraisal to justify our lease payments that you all still do not have the results of a comprehensive appraisal in hand.

Moreover, since we are proposing to capitalize our lease payments, please also ask the appraiser what a capitalized lease payment would be under the above assumptions.

Finally, as you may know, it is 1 1/2 years after we negotiated a Term Sheet with WMATA and we seem to be no closer today than where we were back in March 2008. This is extremely discouraging as we have been working in good faith to get this deal done expending more than \$600,000 in legal, design and other fees to date. As a local, small, minority-owned development firm, these delays have severely increased the risk that our financing and JV partner might walk should the delays continue.

Please let us know when we might expect to receive this information.

Omar

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Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: Marshall, Malcolm [mailto:MMarshall@wmata.com]
Sent: Wednesday, September 02, 2009 3:58 PM
To: OKarim@BannekerVentures.com
Cc: Doggett, Rosalyn; Meister, Mark K.; Bottigheimer, Nat
Subject: Shaw Howard Sites

We have not as yet received a draft of the appraisal of the above property. However, based on discussions with the appraiser, the base market rental for the lease of the above property, assuming a lease structure with a fixed rental for 60 years plus rent participation equal to 1% of gross revenue per year and 2% of the net proceeds from refinancing or sales, is estimated at \$375,000 per year. In his evaluation the appraiser assumed 124,000 SF of density to be used for the combined sites and made downward rental adjustments for additional costs associated with building over the WMATA tunnel and for mandatory IZ requirements.

Doggett, Rosalyn

From: Bottigheimer, Nat
Sent: Wednesday, September 02, 2009 5:51 PM
To: 'okarim@bannekerventures.com'; Marshall, Malcolm
Cc: 'thicks@bannekerventures.com'; Neil.Albert@dc.gov; Yohance S. Fuller; Moneme, Emeka; Meister, Mark K.; Doggett, Rosalyn; Lawson, Arturo V.
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okarim@bannekerventures.com

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To: Marshall, Malcolm
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Importance: High

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Doggett, Rosalyn

From: Wyner, Jonathan S.
Sent: Wednesday, September 02, 2009 3:52 PM
To: Wyner, Jonathan S.; Malasky, Gary; Doggett, Rosalyn; Burns, Bob; McElhenny-Smith, Robin; Goldin, Steven; Mohsberg, Sid
Cc: Meister, Mark K.; Bottigheimer, Nat
Subject: RE: TOD Web Page...Today's meeting
Attachments: ACTIVE JD Assignments 8-27 incl COUNAB.docx

Importance: High

Attached is a copy of the Active projects for which we need write-ups for the first phase of the web page.

We will need to develop a schedule/time-table for the write-ups for those projects.

Please review the chart for accuracy and develop a timetable for your write-ups, Sid will review them as you complete them.

We will need to gather the appropriate photos and demographics for each property. I have access to extensive demographic information for these properties – please provide me with an address and I can obtain the information. – I can also tailor the request and alter the shape or radius of the demographic search.

Of course, any comments, corrections and/or additions would be appreciated.

I will set up a meeting for next week.

Much thanks,

jonathan

Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development
600 Fifth Street, NW
Washington, DC 20001
202/962-1577

Doggett, Rosalyn

From: Yohance (EOM) Fuller [yohance.fuller@dc.gov]
Sent: Wednesday, September 02, 2009 2:48 PM
To: Marshall, Malcolm
Cc: Doggett, Rosalyn; Meister, Mark K.; Bottigheimer, Nat
Subject: RE: Shaw Howard Site

Marshall --

Thanks for the information. I need you or Roz to also communicate this information to Banneker Ventures so that they can begin their financial modeling and turn the pro formas around for you. I am jumping on a call with Omar in 15 minutes to communicate what they need to provide in order to make the October agenda. I'd like for him to know this before we talk at 3pm.

Yohance

From: Marshall, Malcolm [<mailto:MMarshall@wmata.com>]
Sent: Wednesday, September 02, 2009 2:42 PM
To: Fuller, Yohance (EOM)
Cc: Bottigheimer, Nat; Meister, Mark K.; Doggett, Rosalyn
Subject: Shaw Howard Site

As discussed this morning, we have not as yet received a draft of the appraisal of the subject property. However, based on discussions with the appraiser, the base market rental for the lease of the above property, assuming a lease structure with a fixed rental for 60 years plus rent participation equal to 1% of gross revenue per year and 2% of the net proceeds from refinancing or sales, is estimated at \$375,000 per year.

Doggett, Rosalyn

From: Marshall, Malcolm
Sent: Wednesday, September 02, 2009 2:42 PM
To: Yohance S. Fuller
Cc: Bottigheimer, Nat; Meister, Mark K.; Doggett, Rosalyn
Subject: Shaw Howard Site

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Doggett, Rosalyn

From: Doggett Mimi [Doggett.Mimi@bcg.com]
Sent: Wednesday, September 02, 2009 8:13 AM
To: thedoggettgroup@cs.com; Doggett, Rosalyn
Subject: Wedding list rsvp
Attachments: Wedding RSVP list.xls

Hi mom -

Attached is the RSVP file for the wedding. It has all the guests names and some columns for you to fill in as we get response cards back (the columns are marked in blue).

For responses for the wedding there are 3 possible types

- Yes
- No
- Half (for people who were invited with guest but only 1 person can come)

For the brunch, you can just write yes or no as the calculation will account for anyone coming alone.

For meals, there is a choice of Filet, Salmon or Vegetarian. We have asked people to fill in their name next to their choice but we will see if they actually do!

Thanks
Mimi

<<Wedding RSVP list.xls>>

Mimi Doggett

THE BOSTON CONSULTING GROUP
20 Manchester Square
London
W1U 3AN
United Kingdom

Tel. +44 207 753 6226
Fax +44 207 753 5750
Mobile +44 750 764 5799
doggett.mimi@bcg.com

The Boston Consulting Group Limited
Registered in England 958970
20 Manchester Square, London, W1U 3AN

This e-mail message may contain confidential and/or privileged information. If you are not an addressee or otherwise authorized to receive this message, you should not use, copy, disclose or take any action based on this e-mail or any information contained in the message. If you have received this material in error, please advise the sender immediately by reply e-mail and delete this message. Thank you.

Doggett, Rosalyn

From: Bellamy, Michelle A.
Sent: Thursday, August 27, 2009 7:57 AM
To: Mohsberg, Sid
Cc: Hershorn, Julie G.; Bottigheimer, Nat; Meister, Mark K.; Doggett, Rosalyn
Subject: RE: BAR Update for 12/3/09 PDRE Cmte Mtg

The BAR has been updated to include these items.

From: Mohsberg, Sid
Sent: Wednesday, August 26, 2009 2:31 PM
To: Bellamy, Michelle A.
Cc: Hershorn, Julie G.; Bottigheimer, Nat; Meister, Mark K.; Doggett, Rosalyn
Subject: BAR Update for 12/3/09 PDRE Cmte Mtg

Michelle,

Please add the following three items to the agenda of the 12/3/09 PDRE Committee meeting:

DECEMBER 03

Executive Session

Information Agenda:

Planning, Development and Real Estate Committee

- | | |
|------|---|
| PLJD | Approve term sheet, joint development agreement, and lease for Shaw-Howard/Florida Avenue joint development site (These documents support the development of Metro owned land). (N. Bottigheimer) |
| PLJD | Approve joint development agreement and lease for Navy Yard chiller joint development site (These documents support the development of Metro owned land). (N. Bottigheimer) |
| PLJD | Approve amended joint development master leasing agreement and amended retail lease for Prince George's Plaza joint development site (These documents support the development of Metro owned land). (N. Bottigheimer) |

Thanks.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, August 26, 2009 2:31 PM
To: Bellamy, Michelle A.
Cc: Hershorn, Julie G.; Bottigheimer, Nat; Meister, Mark K.; Doggett, Rosalyn
Subject: BAR Update for 12/3/09 PDRE Cmte Mtg

Michelle,

Please add the following three items to the agenda of the 12/3/09 PDRE Committee meeting:

DECEMBER 03

Executive Session

Information Agenda:

Planning, Development and Real Estate Committee

- | | |
|------|---|
| PLJD | Approve term sheet, joint development agreement, and lease for Shaw-Howard/Florida Avenue joint development site (These documents support the development of Metro owned land). (N. Bottigheimer) |
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| PLJD | Approve amended joint development master leasing agreement and amended retail lease for Prince George's Plaza joint development site (These documents support the development of Metro owned land). (N. Bottigheimer) |

Thanks.

Sid

Doggett, Rosalyn

From: Marshall, Malcolm
Sent: Wednesday, August 26, 2009 11:13 AM
To: richard harps
Cc: Doggett, Rosalyn
Subject: Shaw Howard Appraisal

WMATA's estimate of the extra costs associated with building over and next to the tunnel (hard cost only) is an estimated \$1,770,000.

The ground lease for the property is likely to be structured based on a 60-year term with the tenant paying a one-time base rent payment on lease commencement, annual participating rent equal to 1% of gross revenues, and a participation equal to 2% of the net proceeds of sale or refinancing.

For the market rental estimate in your appraisal, please include the following:

1. The market rent/terms for a longterm ground lease
2. The annual market rent assuming a 60-year lease at a fixed rental rate with participation outlined above
3. The market rent assuming the payment of one-time base rent with participation outlined above

Doggett, Rosalyn

From: Bellamy, Michelle A.
Sent: Wednesday, August 26, 2009 8:08 AM
To: Doggett, Rosalyn
Subject: Shaw Howard presentation item
Attachments: Shaw.Howard_MEAD 426.pdf

Good morning Roz,

Can you take care of the minor changes? There were no changes to the presentation.

Thank you.
Michelle

Michelle A. Bellamy
Budget/Funding Program Assist.
Washington Metropolitan Area Transit Authority
OPRS
600 Fifth St., NW
Washington, DC 20001
202-962-2779
202-962-2410 Fax

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Tuesday, August 25, 2009 2:25 PM
To: Doggett, Rosalyn
Subject: RE: board schedule

Have I just been snookered once again into doing SAAM's staff work on which I was then complimented? I do appreciate the second part.

From: Doggett, Rosalyn
Sent: Tuesday, August 25, 2009 2:23 PM
To: Mohsberg, Sid
Subject: RE: board schedule

excellent

From: Mohsberg, Sid
Sent: Tuesday, August 25, 2009 2:22 PM
To: Doggett, Rosalyn
Subject: RE: board schedule

How about for each "These documents support the development of Metro owned land."

From: Doggett, Rosalyn
Sent: Tuesday, August 25, 2009 2:20 PM
To: Mohsberg, Sid
Cc: Meister, Mark K.
Subject: RE: board schedule

They are all PD&RE, executive (then, I guess, to open session), action.
I am hard pressed to think what to say to amplify the first two. They seem pretty self explanatory, so point me in the right direction.

The third involves a change of use for the third phase of the project, revised rental terms for the third phase ground lease, and amended replacement parking terms.

From: Mohsberg, Sid
Sent: Tuesday, August 25, 2009 2:16 PM
To: Doggett, Rosalyn
Subject: RE: board schedule

Roz,

For each, I need to know:

1. Which committee.
2. open or executive session.
3. action or information.
4. one or two sentences amplifying the information provided in the title.

Thanks.

Sid

From: Doggett, Rosalyn
Sent: Tuesday, August 25, 2009 1:03 PM
To: Mohsberg, Sid
Cc: Meister, Mark K.; Montague, Joshua W.; Chu, Mable; Bushnaq, Tariq
Subject: RE: board schedule

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1. Approve term sheet, joint development agreement, and lease for Shaw-Howard/Florida Avenue jd site.
2. Approve joint development agreement and lease for Navy Yard chiller jd site.
3. Approve amended joint development master leasing agreement and amended retail lease for Prince George's Plaza jd site.

From: Mohsberg, Sid

Sent: Friday, August 21, 2009 5:50 PM

To: Ackerman, Heidi; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Haldeman, Kristin M.; Harrington, Thomas; Hendren, Patricia; Jachles, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Johnston, Kasondra; Jones, Catherine; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Mohsberg, Sid; Peterson, Scott; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S.

Subject:

All,

The latest status is attached.

BAR: http://p590a3.wmata.com:7778/pls/bar/p_bar_public

Please let me know if there are any errors or omissions.

Thanks.

Sid

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Please let me know if there are any errors or omissions.

Thanks.

Sid

Doggett, Rosalyn

From: noreply+feedproxy@google.com on behalf of Greater Greater Washington [alpert@gmail.com]
Sent: Tuesday, August 25, 2009 5:08 AM
To: Doggett, Rosalyn
Subject: Greater Greater Washington

Greater Greater Washington



- [DDOT teasing blogs with five-year-old signs](#)
- [Metro motifs, part 1: Underground stations](#)
- [Live chat: Ron Carlee, Wednesday at noon](#)
- [Expand the sales tax to selected services instead of raising rates](#)
- [Google: We don't pay MTA for data](#)
- [Breakfast links: Highway robbery](#)

DDOT teasing blogs with five-year-old signs

Posted: 24 Aug 2009 02:05 PM PDT

DDOT's public information office sent out a [tweet](#) linking to this picture of a mysterious sign reading "Notice: District Department of Transportation Research Program Demonstration Project on Signage." DCist [asked readers about it](#). What is this? A strange experiment in posting very verbose, meaningless signs?

Not quite. This sign appears on New Hampshire Avenue between T and U. It's right above another sign, one which tries to combine the multiple, often confusing column of parking regulation signs into a single one.



Left: DDOT experimental sign for parking rules. Right: Current signs across the street.

Simplifying these signs is a noble goal. This sign clarifies that permit holders don't get an exemption from street cleaning, but do from the time limit. DC residents know that, but it's not completely obvious from the current signs. And some streets have even more confusing signs, like one whose signs say "No Parking Except Sundays 9:00 am-1:00 pm" and then, immediately below, there's another sign that says, "Except 7am-7pm Monday." No parking except Sundays except Monday?

However, this single sign seems to be just about as confusing as the two signs. Moreover, it's hard to quickly find the days and times by glancing at the sign. If a driver is looking for parking, he or she needs to be able to quickly determine whether a particular block is a legal place to park or not. At least with the current signs, it's easy to get used to looking at the red sign to find the street cleaning day, or the green sign to find the zone number. The black-and-white sign doesn't make that easier.

Perhaps that's why DDOT hasn't expanded these signs citywide. These were part of a [2004 pilot program](#). A few DDOT employees I asked didn't know if there were any news about the program, though I haven't tried very hard to make inquiries.

An alternate sign could work very well, however. A good sign would make the times and days of the restriction very easy to spot for a passing driver, possibly by making them big or set off in boxes. At the same time, clearer and more concise directions could help visitors to DC decide the parking rules without having to figure out how multiple signs interact.

(11 comments · share or email)

Related posts:

[Day pass program helps residents, protects businesses \(May 11, 2009\)](#)

[DDOT releases TDM recommendations for new development \(Feb 17, 2009\)](#)

[Performance parking crawling toward implementation in Columbia Heights \(Nov 5, 2008\)](#)

Agencies still confused about Ward Court parking (Aug 14, 2008)

The ridiculous world of Emergency No Parking signs (Jul 16, 2008)

Metro motifs, part 1: Underground stations

Posted: 24 Aug 2009 12:00 PM PDT



Photo by the author.

By **Matt Johnson**

Hundreds of thousands daily pass through the hallowed halls that are our Metro. The public spaces of our city's subway platforms are unique in the world, and are associated with Washington wherever one goes.

Metro's stations are the public spaces that link the rest of the region together. Here, similarity of design means that places as far flung as Alexandria and New Carrollton are linked by common architectural elements. There are certain design motifs that weave themselves throughout the Metro system. Many of these elements repeat themselves hundreds of times over within Metro's 86 stations.

Metro is widely known for its soaring, brutalist vaults, but they aren't all the same. In fact, there are 8 main station types, although many designs vary based on location. A few stations are unique and do not fit any of the station types. The stations can be divided into two main categories: underground and at grade/elevated. Let's start with the underground stations.

Metro's architect was a Chicagoan named **Harry Weese**. His vision has shaped the experience of transit riders for over three decades, and will continue to do so for many more. His plans for stations mainly centered on creating an awe-inspiring space. Even though patrons may be well below the surface in many places, they will almost always find a cavernous train room. These vaulted stations echo the Great Hall of **Daniel Burnham's Union Station** and provide the perfect conditions for the light show that occurs with each train's arrival.

Waffle: The "Waffle" design consists of the coffered vault that Weese originally envisioned for all of Washington's subterranean stations. The surface of the vault resembles that of a waffle, hence the name. These stations were constructed using cast-in-place concrete and proved to be more expensive than other methods. For that reason, designs were later changed. Nevertheless, the Waffle architecture dominates in the downtown stations.

Waffle architecture was constructed during Metro's early years. The first Waffle-style stations opened with the first segment of Metro in 1976. The final stations to include Waffle architecture were Waterfront and Navy Yard, opening in 1991. By this time, other styles were already present in the system, including Arch II at Mount Vernon Square, which had opened earlier that year.

Waffle stations can have either island platforms or side platforms. They are the only underground station type to have side platforms. Arch I, II, and III stations only have island platforms, where the platform is between two tracks.

Waffle architecture is present in 32 stations:

- 1976 - Union Station, Judiciary Square, Gallery Place*, Metro Center*, Farragut North
- 1977 - Dupont Circle, Stadium-Armory, Potomac Avenue, Eastern Market, Capitol South, Federal Center SW, L'Enfant Plaza*, Smithsonian, Federal Triangle, McPherson Square, Farragut West, Foggy Bottom, Rosslyn*, Pentagon*, Pentagon City, Crystal City
- 1979 - Court House, Clarendon, Virginia Square, Ballston
- 1980 - Benning Road, Capitol Heights
- 1983 - Archives
- 1991 - U Street, Shaw-Howard University, Waterfront, Navy Yard



Pentagon City



Stadium-Armory



Court House

The three downtown transfer stations, Metro Center, Gallery Place, and L'Enfant Plaza, all feature modified designs. They're

all still waffle architecture, but they feature the distinctive cross-vault where one line passes over the other. Additionally, Rosslyn and Pentagon are modified to feature a bi-level design, with the inbound track higher than the outbound track.



Metro Center



L'Enfant Plaza



Rosslyn

Arch I: The second major design in the Metro system is Arch I. The Arch types (there are three) are all created from precast concrete sections, making construction cheaper. For this reason, WMATA chose to use them on its later phases of subway construction. Arch I architecture is characterized by a series of arches rising from the tracks to the ceiling. Crossbeams connect each arch, running parallel to the tracks. These crossbeams divide the vault into sections, which is how the Arch designs can be differentiated. Arch I vaults have three crossbeams running the length of the platform, dividing the ceiling into four parts.

Arch I stations were introduced in 1981 with the opening of the Red Line between Dupont Circle and Van Ness. The last of the Arch I stations opened with the Red Line extension to Medical Center in 1984. All of these stations are located fairly deep underground.

Arch I architecture is present at 7 stations:

- 1981 - Woodley Park, Cleveland Park, Van Ness
- 1984 - ~~Grosvenor, White Flint, Rockville~~ Tenleytown, Friendship Heights, Bethesda, Medical Center



Cleveland Park

Arch II: The Arch II style became the preferred method of subway construction with later stations. These stations are very similar in design and appearance to the Arch I stations. They are also constructed using the same method--precast concrete sections. This design is defined by 5 crossbeams and 6 vault sections.

This style was introduced in 1991 with Mount Vernon Square and has been the preferred method of subway construction since. The most recent station to open with Arch II was Congress Heights in 2001.

Arch II designs are found at 6 stations:

- 1991 - Mount Vernon Square
- 1993 - Fort Totten* (lower level) - modified design
- 1998 - Glenmont
- 1999 - Columbia Heights, Georgia Avenue/Petworth
- 2001 - Congress Heights



Columbia Heights



Mount Vernon Square

Arch III: This design is a modified version of the Arch II design. It is found at only 2 stations, both on the Red Line, Forest Glen and Wheaton. This design was made necessary because these stations are very deep and each track is in its own single-bore tube. These vaults have 4 sections divided by 3 crossbeams.

Arch III was introduced in 1990 with Forest Glen and Wheaton. None have been constructed since. These stations are unique in the metro system because the platforms are each in their own train rooms, with a corridor connecting them with each other and the escalators/elevators to the mezzanine.



Forest Glen



Wheaton

Next: Above-ground stations, including Gull-Wing I and II, Peaked Roof I and II, and more.

(25 comments · share or email)

Related posts:

[A cheaper route to Metro core capacity, part 2: Virginia service patterns \(Jun 30, 2009\)](#)

[Takoma tiles a success for Metro \(Jun 2, 2009\)](#)

[TPB approves \\$230 million of stimulus project for Metro \(Feb 18, 2009\)](#)

[1990s Metro fantasy map \(Aug 11, 2008\)](#)

[Tweaked Rosslyn station on Metro 2030 map \(Apr 28, 2008\)](#)

Live chat: Ron Carlee, Wednesday at noon

Posted: 24 Aug 2009 10:56 AM PDT



Ron Carlee. Photo from Arlington County.

Join us on Wednesday at noon for our next live chat. Our guest is Ron Carlee, the Arlington County Manager since 2001. Recently, Ron announced he was **leaving Arlington** to work for ICMA, the association of local government leaders.

Feel free to ask Ron anything about Arlington County. On topics we cover, there's Arlington's lawsuit against HOT lanes and their ongoing I-66 advocacy, talk of bringing bike sharing to Arlington, and many local improvements. We can ask about historic preservation, growth, redevelopment of Crystal City, other debates within Arlington, and how they handled them in the "Arlington Way." Or, bring up any other topics about Arlington's management you're interested in.

Post your questions in the comments. We'll queue them up ahead of time for the chat.

(5 comments · share or email)

Related posts:

[Live chat: ATU's Craig Simpson, Wednesday at 1 pm \(Aug 10, 2009\)](#)

[Live chat: Tommy Wells, today at 3 pm \(Jul 22, 2009\)](#)

[Live chat: Chris Zimmerman, Thursday at 1 pm \(Apr 14, 2009\)](#)

[Live chat: Jim Graham, Wednesday at noon \(Mar 23, 2009\)](#)

[Join Greater Greater Washington contributors for a live chat Thursday \(Mar 3, 2009\)](#)

Expand the sales tax to selected services instead of raising rates

Posted: 24 Aug 2009 09:47 AM PDT



Photo by richardmasoner.

By **Jenny Reed**

When you buy a brush to groom your dog, you pay DC sales tax. But if you take your dog to get groomed, you pay...

No sales tax.

When you buy a pack of diapers, you pay DC sales tax. But if you call a diaper service to bring you clean diapers, you pay...

That's right: no sales tax.

It's a pattern that shows up over and over again. When you do the work yourself, you pay sales tax. But when you pay someone else to do it, you don't. What's the deal?

The District just recently voted to raise the sales tax by $\frac{1}{4}$ of a percent to help close its **budget shortfall**. But a more sound approach would have been to keep the rate steady and instead expand the sales tax to cover more services.

Why would DC want to expand the sales tax to cover more services? A new **report** by Michael Mazerov from the Center on Budget and Policy Priorities explains why many states are expanding their sales tax to cover services like auto repair and dry cleaning.

For one, we no longer spend as much of our total income on goods — like shoes and refrigerators. The share of household purchases going for goods declined from 39 to 32 percent over the past 30 years, according to the report, while consumption of services rose from 31 to 45 percent of household purchases over the same period.

Second, expanding the sales tax to more services would make the sales tax more equitable. Taxing only certain businesses' goods can put them at a disadvantage over other businesses that solely provide services. Also, it isn't fair to require someone to pay sales tax when they buy a good but not tax others when they pay for essentially the same thing as a service.

Third, expanding the sales tax to more services can limit the need for rate increases. The sales tax is regressive, meaning low-income residents pay a higher share of their income in the tax than higher-income households. Applying the sales tax to services — which are more likely to be used by higher-income households — is less regressive than increasing the sales tax rate while leaving services exempt.

So what would this mean for DC? DC already taxes some services, such as landscaping, dry cleaning and electricity. But they don't tax pet grooming, investment counseling and diaper services. Expanding the sales tax to cover more services could help maintain the adequacy of the sales tax and improve its equity. It could also help DC raise some much needed revenue, without increasing the sales tax rate, at a time when DC — and virtually every other state — are scrambling to close revenue shortfalls.

(24 comments · share or email)

Related posts:

[Revenue increases should also internalize environmental externalities \(Jul 27, 2009\)](#)

[Mayor Fenty's proposed cuts fall too heavily on the poor \(Jul 27, 2009\)](#)

[Tune up DC's tax system: Theater tickets \(Jul 10, 2009\)](#)

[What's a tax, what's a fee, and what's just a shell game \(Apr 28, 2009\)](#)

[Equalize online and offline sales taxes \(Apr 8, 2009\)](#)

Google: We don't pay MTA for data

Posted: 24 Aug 2009 08:10 AM PDT



Photo by yoz.

By Michael Perkins

After last week's article about Google's contract with New York's and Chicago's transit agencies, Google got back to me by email. I'd contacted them before running the article, but their spokesperson was on vacation. After checking with their business development manager and MTA, Google's Elaine Filadelfo confirmed for the record that Google does not pay MTA any fees under their agreement.

In addition to the specific denial about the MTA, Google Business Development Manager Tom Sly said, "I personally worked on many of our agreement with our transit partners over the last three years (including the MTA), and I am not aware of any instance of Google paying a transit agency for data."

When asked about whether Google would consider using data that was made freely available, as Arlington has proposed, Filadelfo stated that Google would prefer to work with transit agencies as partners under written agreements, but would not

rule out using freely available data without an agreement.

This leaves Metro with essentially no hope of negotiating any sort of fee from Google. If the MTA wasn't able to obtain compensation for access to the largest transit ridership in the country (and it's clear that in other cases they wanted to get that compensation), then it's a really remote chance that Metro will be able to.

(10 comments · share or email)

Related posts:

[Google paid for NYC data; Chicago removed indemnification \(Aug 20, 2009\)](#)

[Should Metro agree to Google's license terms? \(Jul 28, 2009\)](#)

[Google Transit: What's in Metro's terms? \(Jul 24, 2009\)](#)

[Metro "punts": Will release transit schedule data for Google and others \(Mar 11, 2009\)](#)

[Metro refuses to participate in Google Transit \(Dec 13, 2008\)](#)

Breakfast links: Highway robbery

Posted: 24 Aug 2009 06:19 AM PDT



Good spot for a freeway? Photo by M.V Jantzen.

Moran: Widen 14th Street: Congressman Jim Moran (Arlington, Alexandria, Fairfax) thinks DC ought to widen the 14th Street Bridge and 14th Street to add HOT lanes linking up to the potential Virginia ones. He told WTOP, "What D.C. should do is widen 14th Street Bridge, widen 14th Street and get some of the revenue that's coming from these HOT lanes." The "widen 14th Street" part must have been a verbal repetition or something, right? Surely Moran realizes that there are buildings on both sides of 14th Street in the way of widening it. (WTOP)

MPD would rather white people didn't file police reports in Trinidad?: The Capital City Diner guys just can't get a break. Last night, they were robbed on Bladensburg Road. MPD officers seemed uninterested, and once a detective showed up, he tried to talk them out of reporting the crime, partly because they're white, according to their post.

Stop the Sprawlway: Today's Michael Dresser column in the Baltimore Sun lists the many reasons that the \$4 billion I-270 widening, which he dubs the "Sprawlway," is really bad. He also mentions ACT's transit alternative.

Developers not interested in Purple Line, except those that are: Sunday's Post has a "news" story about how most developers aren't interested in building around the Purple Line. But upon reading, it appears that developers mainly aren't because the line is many years away and the economy is bad, not because the line lacks economic development opportunities. Plus, on the second page, they start quoting developers who actually are interested in building around the line.

DC can complete Georgia Avenue: DC will probably get to take over most of the Walter Reed campus when the hospital closes in 2011. The State Department initially said it wanted to use 79 acres, but then changed its mind and only needs 18. DC wanted to build a fire station on the eastern edge along Georgia Avenue. If the current plans go through, they can fill in the rest of the dead zone and connect communities along Georgia. (Current)

Not even safe on the sidewalk in Glen Burnie: A 59-year-old woman was on her way to church Saturday just before 7:00 pm, standing on a sidewalk preparing to cross Route 648 in Glen Burnie, when a driver struck and killed her before fleeing the scene. The driver was apprehended shortly thereafter. (Eye On Annapolis, Stephen Miller)

Be glad you don't live in the OC: An Orange County (California) Transit Agency board member suggested ending bus service entirely, and one local paper thinks that's a good idea. Governor Schwarzenegger ended all state operating assistance to transit agencies, and the sales taxes that fund OCTA, like other agencies, are way down. Tipster Stephen T. points out that the OC is evaluating options for the congested I-405, and widening the road without adding transit the only option on the table. (Orange County Register)

Chicago parking deal illegal or just bad?: Some Chicagoans are suing to try to block the city's deal to privatize its parking meters. The deal was indeed lousy for Chicago and poorly thought through, like the penalties Chicago has to pay if they remove parking spaces in the future. However, that doesn't necessarily mean it's illegal. (Consumerist)

Have a tip for the links? Submit it here.

(26 comments · share or email)

Related posts:

Maryland SHA pushing stupid growth on Connecticut Avenue (Jul 20, 2009)

The other Purple Line fight: Wayne Avenue (Jun 8, 2009)

Prince George's and the Post back light rail Purple Line (Nov 17, 2008)

Less parking at 14th and U would solve many problems (Feb 15, 2008)

Purple Line (Jul 16, 2005)

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Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Friday, August 21, 2009 5:50 PM
To: Ackerman, Heidi; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Haldeman, Kristin M.; Harrington, Thomas; Hendren, Patricia; Jachles, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Johnston, Kasondra; Jones, Catherine; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Mohsberg, Sid; Peterson, Scott; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S.
Attachments: Board Items Preparation Milestones - 2009.xls

All,

The latest status is attached.

BAR: http://p590a3.wmata.com:7778/pls/bar/p_bar_public

Please let me know if there are any errors or omissions.

Thanks.

Sid

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Friday, August 21, 2009 3:56 PM
To: Omar A. Karim
Cc: 'Maurice' Perry'; 'Tiwana Hicks'; Doggett, Rosalyn; Heppen, Bruce P.
Subject: Florida Ave - CCRs
Attachments: Florida Ave CCR - WMATA Draft 082009.doc

Omar,

Please find attached the draft of the CCRs for the Florida Avenue project.

Please let me know if you have any questions or comments.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

The information contained in this email may be confidential and/or legally privileged. It has been sent for the sole use of the intended recipient(s). If the reader of this message is not an intended recipient, you are hereby notified that any unauthorized review, use, disclosure, dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please contact the sender by reply email and destroy all copies of the original message.

Doggett, Rosalyn

From: Bellamy, Michelle A.
Sent: Thursday, August 20, 2009 2:44 PM
To: Wyner, Jonathan S.; Doggett, Rosalyn; Mohsberg, Sid; Williams, Ronald; Harrington, Thomas; Mehta, Purnanshu; Thomas, John D. .
Cc: Hershorn, Julie G.; Bottigheimer, Nat; Myers, Colin A.
Subject: PDRE 9.10.09 materials
Attachments: Agenda.pdf

Good afternoon everyone,

Thank you all for meeting the deadline for today's pre-brief.

If there were suggested changes from the meeting, please make those changes send electronic copies of the materials to jhershorn@wmata.com and mabellamy@wmata.com by 10am on Monday, August 24th.

Thank you in advance.
Michelle

Michelle A. Bellamy
Budget/Funding Program Assist.
Washington Metropolitan Area Transit Authority
OPRS
600 Fifth St., NW
Washington, DC 20001
202-962-2779
202-962-2410 Fax

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, August 19, 2009 2:26 PM
To: Doggett, Rosalyn
Cc: Wyner, Jonathan S.; Meister, Mark K.
Subject: RE: MEAD 100426 Extend Negotiating Period for Shaw-Howard U/FL Ave

Roz

Thanks to Jonathan and you for your appropriately aggressive ownership of the approval of your respective September 2009 MEAD's. Grrrr.....

Reminds me of a salesman who once came to our kitchen door. My mother said, "I'm cooking dinner. Will this take long?" "Not if you say "Yes" right away," he replied.

Sid

From: Doggett, Rosalyn
Sent: Tuesday, August 18, 2009 1:55 PM
To: Mohsberg, Sid; Meister, Mark K.
Subject: FW: MEAD 100426 Extend Negotiating Period for Shaw-Howard U/FL Ave

She must have done it at the same time as Jonathan. It had not been done when Jonathan sent his message, and I checked. All's well that ends well.

From: Stoffregen, Linda
Sent: Tuesday, August 18, 2009 1:53 PM
To: Doggett, Rosalyn
Subject: RE: MEAD 100426 Extend Negotiating Period for Shaw-Howard U/FL Ave

It was approved

From: Doggett, Rosalyn
Sent: Tuesday, August 18, 2009 1:47 PM
To: Stoffregen, Linda
Subject: MEAD 100426 Extend Negotiating Period for Shaw-Howard U/FL Ave

Good afternoon, Linda

If I can ride on Jonathan's coat tails....
The MEAD above is also waiting to be approved.
Please do what you can to see that it is approved as well.
I have attached a BAIS and Presentation for convenience..

Thanks, Rosalyn

From: Stoffregen, Linda
Sent: Tuesday, August 18, 2009 1:38 PM
To: Wyner, Jonathan S.
Cc: Doggett, Rosalyn; Dickerson, Tracie S.; Meister, Mark K.; Mohsberg, Sid
Subject: RE: MEAD #100408 Arlington Bus Garage

approved

From: Wyner, Jonathan S.
Sent: Tuesday, August 18, 2009 1:20 PM
To: Stoffregen, Linda
Cc: Doggett, Rosalyn; Dickerson, Tracie S.; Meister, Mark K.; Mohsberg, Sid
Subject: RE: MEAD #100408 Arlington Bus Garage
Importance: High

Linda:

This MEAD is in process for Mr. Francis's approval.

Greatly appreciate his approval for this MEAD #100408.

I have attached the BAIS, MEAD, Confidential Statement and Presentation for convenience.

We would like the MEAD concurrence prior to this Thursday's GM Sep 2009 Cmte & Admin Items Briefing.

Any questions, please contact me at x1577.

Much thanks,

jonathan

5	FRANCIS, GERALD	Approver	08/18/2009 12:47 pm		Awaiting approval...	Jonathan Wyner 06/29/2009 03:34 pm
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Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development
600 Fifth Street, NW
Washington, DC 20001
202/962-1577

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Tuesday, August 18, 2009 5:53 PM
To: Bushnaq, Tariq; Doggett, Rosalyn
Subject: CCR Draft
Attachments: Florida Ave CCR - Draft (2).doc

Here is the draft of the CCRs for Florida Avenue.

I am still fixing the Table of Contents.

Roz -- Tariq and I are scheduled to meet tomorrow at 4pm if you want to join us.

Thanks,

Josh

Doggett, Rosalyn

From: Sequeira, Loyda
Sent: Tuesday, August 18, 2009 2:24 PM
To: Doggett, Rosalyn; Pant, Shiva K.
Cc: Mohsberg, Sid; Meister, Mark K.
Subject: RE: MEAD 100426, Extend Negotiation Period for Shaw-Howard U/FL Ave

I have already approved. Thanks,

Loyda

From: Doggett, Rosalyn
Sent: Tuesday, August 18, 2009 2:21 PM
To: Sequeira, Loyda; Pant, Shiva K.
Cc: Mohsberg, Sid; Meister, Mark K.
Subject: MEAD 100426, Extend Negotiation Period for Shaw-Howard U/FL Ave

Loyda and Shiva,

Please review and approve this MEAD which was very recently routed to you.
I have attached a BAIS and Presentation for your convenience.

Thanks very much,
Rosalyn

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

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Subject: RE: MEAD 100426 Extend Negotiating Period for Shaw-Howard U/FL Ave

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To: Wyner, Jonathan S.
Cc: Doggett, Rosalyn; Dickerson, Tracie S.; Meister, Mark K.; Mohsberg, Sid
Subject: RE: MEAD #100408 Arlington Bus Garage

approved

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Subject: RE: MEAD #100408 Arlington Bus Garage
Importance: High

Linda:

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Greatly appreciate his approval for this MEAD #100408.

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Any questions, please contact me at x1577.

Much thanks,

jonathan

5	FRANCIS, GERALD	Approver	08/18/2009 12:47 pm		Awaiting approval...	Jonathan Wyner 06/29/2009 03:34 pm
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600 Fifth Street, NW
Washington, DC 20001
202/962-1577

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Monday, August 17, 2009 3:57 PM
To: Wyner, Jonathan S.; Doggett, Rosalyn
Cc: Mohsberg, Sid
Subject: RE: 9/10/09 PDRE Cmte Mtg - Cover Sheet Comments from Lisa Farbstein

Nope.

From: Wyner, Jonathan S.
Sent: Monday, August 17, 2009 3:56 PM
To: Meister, Mark K.; Doggett, Rosalyn
Cc: Mohsberg, Sid
Subject: RE: 9/10/09 PDRE Cmte Mtg - Cover Sheet Comments from Lisa Farbstein
Importance: High

Works for me....

Do we need to do anything?

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Washington, DC 20001
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From: Meister, Mark K.
Sent: Monday, August 17, 2009 3:54 PM
To: Doggett, Rosalyn; Wyner, Jonathan S.
Subject: FW: 9/10/09 PDRE Cmte Mtg - Cover Sheet Comments from Lisa Farbstein

FYI.

From: Mohsberg, Sid
Sent: Monday, August 17, 2009 3:48 PM
To: Hershorn, Julie G.; Bellamy, Michelle A.
Cc: Meister, Mark K.; Farbstein, Lisa
Subject: 9/10/09 PDRE Cmte Mtg - Cover Sheet Comments from Lisa Farbstein

Julie and Michelle,

Please see the attached proposed edits from Lisa Farbstein.

PLJD agrees: let's just use the titles of A1 and A2:

VI. Action Items

A. Action on Matters Arising from Executive Session

A1. Amended Sale of Arlington Bus Garage Property

A2. Extension of Negotiating Period for Shaw-Howard University Station/Florida Avenue Parcels

Thanks.

Sid

Doggett, Rosalyn

From: Wyner, Jonathan S.
Sent: Friday, August 14, 2009 2:06 PM
To: Wyner, Jonathan S.; Bottigheimer, Nat
Cc: Meister, Mark K.; Mohsberg, Sid; Malasky, Gary; Doggett, Rosalyn; Burns, Bob; McElhenny-Smith, Robin
Subject: RE: TOD WEB PAGE - Active Projects
Importance: High



JD Assignments
8-09 incl COUNA...

A quick revision and up-date...

Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development
600 Fifth Street, NW
Washington, DC 20001
202/962-1577

From: Wyner, Jonathan S.
Sent: Friday, August 14, 2009 11:42 AM
To: Bottigheimer, Nat
Cc: Meister, Mark K.; Mohsberg, Sid; Malasky, Gary; Doggett, Rosalyn; Burns, Bob; McElhenny-Smith, Robin
Subject: TOD WEB PAGE - Active Projects
Importance: High

Nat:

We have used and up-dated an existing matrix of JD Projects to show, in bold, the active projects (A) that the team proposes to do write-ups for the initial web page.

Would appreciate if you would review the bolded projects and confirm that these are the projects that should be written up for the first part of the web page development.

Of course, add or subtract any other locations.

We will develop a schedule and priority for the write ups so we may make the deadlines for review by CSVC and implementation by IT for the draft web page (November and December 2009).

Thank you,

jonathan

<< File: JD Assignments 8-08 incl COUNA.wpd >> << File: JD Assignments 8-08 incl COUNA.docx >>

Ps. It was an original Corel .wpd document – but I have also attached as .docx in case you prefer Microsoft.....

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Doggett, Rosalyn

From: Wyner, Jonathan S.
Sent: Friday, August 14, 2009 2:03 PM
To: Doggett, Rosalyn
Subject: RE: TOD WEB PAGE - Active Projects

Importance: High



JD Assignments
8-09 incl COUNA...

Done – Much thanks....

jonathan

Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
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Office of Station Area Planning & Asset Management
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From: Doggett, Rosalyn
Sent: Friday, August 14, 2009 1:35 PM
To: Wyner, Jonathan S.
Subject: RE: TOD WEB PAGE - Active Projects

Twinbrook and Prince George's Plaza remainder of site should be bolded. Perhaps, also, 1101 Conn (they came in but did not send in a proposal for restructuring the lease as promised)

From: Wyner, Jonathan S.
Sent: Friday, August 14, 2009 11:42 AM
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-----Original Appointment-----

From: Wyner, Jonathan S.

Sent: Tuesday, August 11, 2009 1:09 PM

To: Wyner, Jonathan S.; Malasky, Gary; Doggett, Rosalyn; Burns, Bob; McElhenny-Smith, Robin

Cc: Meister, Mark K.; Mohsberg, Sid; Bottigheimer, Nat

Subject: TOD Web Page...

When: Thursday, August 13, 2009 9:00 AM-10:00 AM (GMT-05:00) Eastern Time (US & Canada).

Where: Room JGB 5B Land Conference

<< File: TOD MEETING NOTES 2009 08 07.doc >> Follow-up << File: Available.JD.Sites April 2008.wpd >> and assignment (!) meeting....

We had a very good meeting with Nat on Friday. He was pleased with our progress and offered suggestion and guidance, see below notes, for continuation of the project.

At this meeting, we need to:

- 1) Discuss notes, as below.
- 2) Identify Projects in Progress
- 3) Assign write-ups for Project Managers and due dates

See attached list of potential Projects in Progress....Feel free to add or subtract from this list.....this was from a year ago....

I have asked Robin to attend as we will need input from her area for these web pages, as well.

TOD MEETING NOTES August 7, 2009

1. First Photo should be a Regional Photo, then a Site Photo or Neighborhood Photo
2. First Sentence should be a "Vision Sentence" i.e. What is it...then a Where is it such as Metro has a 25 acre parcel or Metro has 5 acres of a possible 20 acre assemblage...etc. Second Sentence should be location - not first sentence - Overall project comes first - then location - example would be Glenmont - Strategic View of the Area - Coordination with Municipality e.g. dates and contacts for meetings - Transit Access Improvements, etc.
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 - iv. Etc.
6. Projects in Progress to be done by March 31, 2010
 - a. Any Project with future potential
 - i. Example
7. Projects Completed to be done by June 30, 2010
 - a. Completed Projects

i. Example

8. Establish by August 14 Responsibility List for Project Write-ups for 5 (a)
9. Establish Internal Schedule for Project Write-ups, review by CSVC, and IT web page placement.
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**AVAILABLE JOINT DEVELOPMENT SITES
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- XXV. Shady Grove
- XXVI. Southern Avenue
- XXVII. Suitland
- XXVIII. Van Dorn
- XXIX. West Falls Church
- XXX. Woodley Park-Zoo

Doggett, Rosalyn

From: McElhenny-Smith, Robin
Sent: Friday, August 14, 2009 1:22 PM
To: Wyner, Jonathan S.; Bottigheimer, Nat
Cc: Meister, Mark K.; Mohsberg, Sid; Malasky, Gary; Doggett, Rosalyn; Burns, Bob
Subject: RE: TOD WEB PAGE - Active Projects



JD Assignments
8-08 incl COUNA...

I have made some additions to the matrix regarding station planning staff assignments.

From: Wyner, Jonathan S.
Sent: Friday, August 14, 2009 11:42 AM
To: Bottigheimer, Nat
Cc: Meister, Mark K.; Mohsberg, Sid; Malasky, Gary; Doggett, Rosalyn; Burns, Bob; McElhenny-Smith, Robin
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Doggett, Rosalyn

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Doggett, Rosalyn

From: Hershorn, Julie G.
Sent: Friday, August 14, 2009 10:47 AM
To: Doggett, Rosalyn
Subject: RE: Extend Negotiation Period for Shaw-Howard U./Florida Ave.....

Thank you.

For your future planning, the titles on each slide should be left justified and in the "impact" font.

I have changed this presentation.

From: Doggett, Rosalyn
Sent: Friday, August 14, 2009 9:58 AM
To: Hershorn, Julie G.
Cc: Wyner, Jonathan S.; Mohsberg, Sid; Meister, Mark K.
Subject: Extend Negotiation Period for Shaw-Howard U./Florida Ave.....

Jonathan pointed out a couple of glitches on the cover of this presentation so I have corrected them and am sending again.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, August 12, 2009 4:48 PM
To: Ackerman, Heidi; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Haldeman, Kristin M.; Harrington, Thomas; Hendren, Patricia; Jachles, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Johnston, Kasondra; Jones, Catherine; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Mohsberg, Sid; Peterson, Scott; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S.
Attachments: Board Items Preparation Milestones - 2009.xls

All,

FYI and action. Please note that updated materials for the 9/10/09 PDRE Cmte meeting are due to Julie Hershorn by noon this Friday, 8//14/09.

BAR: http://p590a3.wmata.com:7778/pls/bar/p_bar_public

Please let me know of any errors or omissions.

Thanks.

Sid

Doggett, Rosalyn

From: Stedman, Robert E.
Sent: Tuesday, August 11, 2009 2:20 PM
To: Doggett, Rosalyn
Subject: Rail ridership
Attachments: DC Weekday Ridership FY09.xls

See Monthly tabs at bottom of pg for ridership for all stations.

Doggett, Rosalyn

From: Wyner, Jonathan S.
Sent: Tuesday, August 11, 2009 8:31 AM
To: Mohsberg, Sid; Doggett, Rosalyn
Subject: RE: MEAD Approval Status: 100408 and 100426

Ok..

Ps. We are all very busy...



Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development
600 Fifth Street, NW
Washington, DC 20001
202/962-1577

From: Mohsberg, Sid
Sent: Monday, August 10, 2009 5:37 PM
To: Doggett, Rosalyn; Wyner, Jonathan S.
Subject: MEAD Approval Status: 100408 and 100426

Jonathan,

MEAD 100408 "Amended Sale of Arlington Bus Garage Property" has been awaiting CFO approval at Level 3 since 7/31/09. That's over a week. What is being done to gain her approval? Visit her? Phone her? Talk with Millie Allen and give her a hard copy for Carol? To get Carol's approval, you will need to repeatedly bring this MEAD to her attention – in a friendly way, of course. She's very busy.

Roz,

MEAD 100426 "Extension of Negotiating Period for Shaw-Howard University Station Site" has been awaiting OMBS (KRUKOWSKI) and PRMT (OBORA) approval at Level 3 since 8/10/09 at 3:25 PM. Gosh, that's over two hours ago! Since this not a procurement matter, you can readdress this MEAD from Obora to yourself (explaining that this is not a procurement issue) and then approve it. That will obviate the need for PRMT approval. Unfortunately, you can't do the same for Krukowski, since CFO won't approve this MEAD at Level 3 without seeing that Krukowski had approved it at Level 2.

Thanks.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Monday, August 10, 2009 5:41 PM
To: Ackerman, Heidi; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Haldeman, Kristin M.; Harrington, Thomas; Hendren, Patricia; Jachles, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Sharyka; Johnston, Kasondra; Jones, Catherine; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Mohsberg, Sid; Peterson, Scott; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S.
Attachments: Board Items Preparation Milestones - 2009.xls

All,

Per SECT's earlier e-mail, which I forwarded, several of the August 2009 milestones leading up to the September 2009 committees and the Board have changed. Please take note.

Thanks.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Monday, August 10, 2009 5:37 PM
To: Doggett, Rosalyn; Wyner, Jonathan S.
Subject: MEAD Approval Status: 100408 and 100426

Jonathan,

MEAD 100408 "Amended Sale of Arlington Bus Garage Property" has been awaiting CFO approval at Level 3 since 7/31/09. That's over a week. What is being done to gain her approval? Visit her? Phone her? Talk with Millie Allen and give her a hard copy for Carol? To get Carol's approval, you will need to repeatedly bring this MEAD to her attention - in a friendly way, of course. She's very busy.

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Thanks.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Monday, August 10, 2009 5:15 PM
To: Doggett, Rosalyn
Subject: RE: MEAD 100426: Extend Negotiating Period for Shaw-Howard U/FL Ave

Roz,

Emeka approved this MEAD at 3:25 PM.

Sid

From: Doggett, Rosalyn
Sent: Monday, August 10, 2009 3:21 PM
To: Terry, Billy
Cc: Mohsberg, Sid
Subject: RE: MEAD 100426: Extend Negotiating Period for Shaw-Howard U/FL Ave

Thanks, Billy. However, Emeka has not yet signed off. Can you remind him?
Rosalyn

From: Terry, Billy
Sent: Monday, August 10, 2009 9:47 AM
To: Doggett, Rosalyn
Subject: RE: MEAD 100426: Extend Negotiating Period for Shaw-Howard U/FL Ave

Just talked to Emeka. He had some questions and just talked to Nat. He will approve later this morning....

From: Doggett, Rosalyn
Sent: Monday, August 10, 2009 9:45 AM
To: Terry, Billy
Subject: FW: MEAD 100426: Extend Negotiating Period for Shaw-Howard U/FL Ave

Billy, it appears that nothing happened on Friday when I was out. Could you please approve this MEAD so that it can advance? Thanks very much.
Roz

From: Mohsberg, Sid
Sent: Friday, August 07, 2009 9:09 AM
To: Doggett, Rosalyn
Subject: MEAD 100426: Extend Negotiating Period for Shaw-Howard U/FL Ave

Roz,

I notice your MEAD 100426 has been languishing in Emeka's in-box since 8/4/09 at 4:00 PM.

Please contact Billy Terry and ask him to move it along. He can approve it for Emeka. He did so for Jonathan's MEAD after Jonathan contacted him.

Thanks.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Monday, August 10, 2009 12:56 PM
To: Doggett, Rosalyn
Subject: FW: PDRE items

Roz,

What is the status of the materials supporting this item?

Thanks.

Sid

From: Bellamy, Michelle A.
Sent: Monday, August 10, 2009 9:51 AM
To: Mohsberg, Sid
Subject: PDRE items

Good morning Sid,

The only item that I have not received is the Extension of Negotiating Period for Shaw-Howard University Station/Florida Avenue Parcels. Can you let me know the status?

Thanks,
Michelle

Michelle A. Bellamy
Budget/Funding Program Assist.
Washington Metropolitan Area Transit Authority
OPRS
600 Fifth St., NW
Washington, DC 20001
202-962-2779
202-962-2410 Fax

Doggett, Rosalyn

From: Terry, Billy
Sent: Monday, August 10, 2009 9:47 AM
To: Doggett, Rosalyn
Subject: RE: MEAD 100426: Extend Negotiating Period for Shaw-Howard U/FL Ave

Just talked to Emeka. He had some questions and just talked to Nat. He will approve later this morning....

From: Doggett, Rosalyn
Sent: Monday, August 10, 2009 9:45 AM
To: Terry, Billy
Subject: FW: MEAD 100426: Extend Negotiating Period for Shaw-Howard U/FL Ave

Billy, it appears that nothing happened on Friday when I was out. Could you please approve this MEAD so that it can advance? Thanks very much.
Roz

From: Mohsberg, Sid
Sent: Friday, August 07, 2009 9:09 AM
To: Doggett, Rosalyn
Subject: MEAD 100426: Extend Negotiating Period for Shaw-Howard U/FL Ave

Roz,

I notice your MEAD 100426 has been languishing in Emeka's in-box since 8/4/09 at 4:00 PM.

Please contact Billy Terry and ask him to move it along. He can approve it for Emeka. He did so for Jonathan's MEAD after Jonathan contacted him.

Thanks.

Sid

Doggett, Rosalyn

From: Bottigheimer, Nat
Sent: Friday, August 07, 2009 9:15 AM
To: Moneme, Emeka
Cc: Meister, Mark K.; Doggett, Rosalyn
Subject: RE: MEAD Routing - MEAD(100426) Extend Negotiating Period for Shaw-Howard U/FL Ave

A key issue is we're preparing both revised terms AND ALSO a joint development agreement. Both would be on the agenda, as separate items, in sequence.

FYI, initial information from the appraisal we've received indicates a full market rate value of \$6.3 million, i.e., without any affordable housing requirement factored in.

Our proposed going forward approach is to agree to a base value reflective of the most stringent affordable housing requirements possible being imposed, but to establish a schedule the increases the value to us proportional to the affordable housing requirements eventually imposed.

The key is that we just don't know what the eventual affordable housing requirements will be, and we will need to have an agreement that allows us to go forward in light of that ambiguity.

FYI, the 6.3 million value is obviously a lot lower than the 14 million value Banneker bid originally, and with affordable housing requirements imposed would be lower still.

-----Original Message-----

From: Moneme, Emeka
Sent: Thursday, August 06, 2009 5:47 PM
To: Bottigheimer, Nat
Subject: FW: MEAD Routing - MEAD(100426) Extend Negotiating Period for Shaw-Howard U/FL Ave

120 days??? Do we really need that much time?

Emeka

-----Original Message-----

From: ProcAdmin@wmata.com [<mailto:ProcAdmin@wmata.com>]
Sent: Tuesday, August 04, 2009 4:06 PM
To: Moneme, Emeka
Subject: MEAD Routing - MEAD(100426) Extend Negotiating Period for Shaw-Howard U/FL Ave

TO: EMEKA MONEME
FROM: JOHN BOTTIGHEIMER (nbottigheimer@wmata.com)
INIT. ROUTER: ROSALYN DOGGETT (rdoggett@wmata.com)
DOCUMENT: MEAD(100426) Extend Negotiating Period for Shaw-Howard U/FL Ave

SUBJECT: A document from MEAD has been routed to you and requires your approval at the MEAD web site.

Please go to the MEAD site by clicking on the link below:
http://mead.wmata.com/prod/pimsApprove/approval.cfm?q_route_id=129321&q_empid=008002

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Friday, August 07, 2009 9:09 AM
To: Doggett, Rosalyn
Subject: MEAD 100426: Extend Negotiating Period for Shaw-Howard U/FL Ave

Roz,

I notice your MEAD 100426 has been languishing in Emeka's in-box since 8/4/09 at 4:00 PM.

Please contact Billy Terry and ask him to move it along. He can approve it for Emeka. He did so for Jonathan's MEAD after Jonathan contacted him.

Thanks.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Tuesday, August 04, 2009 5:43 PM
To: Ackerman, Heidi; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Haldeman, Kristin M.; Harrington, Thomas; Hendren, Patricia; Jachles, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Johnston, Kasondra; Jones, Catherine; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Mohsberg, Sid; Peterson, Scott; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S.
Subject: Board Items Preparation Milestones - Updated
Attachments: Board Items Preparation Milestones - 2009.xls

All,

Please let me know if there are any errors or omissions.

BAR: http://p590a3.wmata.com:7778/pls/bar/p_bar_public

Thanks.

Sid

Doggett, Rosalyn

From: Bottigheimer, Nat
Sent: Tuesday, August 04, 2009 4:19 PM
To: Moneme, Emeka
Cc: Scott, Charlie; Doggett, Rosalyn; Meister, Mark K.
Subject: FW: SAAM FTA Quarterly Report
Attachments: FTA Quarterly REV 4 Status of Current Projects 7-22-09.doc; FTA Quarterly Meeting Template 7-22-09.doc

Emeka--

The developer is significantly in arrears on a number of commitments to us. The mayor wants us to permit the developer to go forward with next phase development with no assurance that the developer would meet the commitments on which he has presently defaulted. We don't feel we can allow or support this. By rights, we could terminate the relationship entirely, which we have not done, and we have worked to try to find resolution to the problems.

For the Mayor to go to the GM without letting me know he's doing this is b.s., since he knows me perfectly well and could have contacted us on this. We've been very helpful and worked together on the West Hyattsville project well, and I've known him since 2002.

Anyhow, the information you've asked for is attached, and Roz Doggett has more details for you if you feel you need them.

Thanks,

Nat

From: Meister, Mark K.
Sent: Tuesday, July 28, 2009 12:32 PM
To: Bottigheimer, Nat
Cc: Mohsberg, Sid
Subject: SAAM FTA Quarterly Report

Nat,

Attached is the SAAM FTA Quarterly Update Report for the meeting on August 5th. The document entitled "FTA Quarterly Meeting Template" lists the two properties on the meeting agenda as requested by FTA - Takoma and Arlington Bus Garage. The Status Report was forwarded to Brian Glenn on 7/10/09. I will also leave you a hard copy of both documents.

Mark

Doggett, Rosalyn

From: noreply+feedproxy@google.com on behalf of Greater Greater Washington
[alpert@gmail.com]
Sent: Tuesday, August 04, 2009 5:03 AM
To: Doggett, Rosalyn
Subject: Greater Greater Washington

Greater Greater Washington



- Scene on the street: DC Bike Ambassador
- Next stop: Metro funding
- Compare mode share across Metro stations
- Lt. Gov. Brown open to new ideas, needs to hear them
- Breakfast links: My way for the highway

Scene on the street: DC Bike Ambassador

Posted: 03 Aug 2009 12:11 PM PDT

By Stephen Miller



WABA's DC Bike Ambassador, Ben West, on 14th Street, NW. West wears a reflective vest with a billboard trailer in tow, informing motorists of bike lane and passing laws. It's an innovative way of letting motorists – and cyclists – know the laws.

(14 comments · share or email)

Related posts:

[Make your own laser bike lane \(Jan 12, 2009\)](#)

[Support the Bicycle Safety Enhancement Act \(Nov 13, 2008\)](#)

[WABA reports progress with MPD \(Oct 30, 2008\)](#)

[WABA letter and Graham bill for bike safety \(Oct 7, 2008\)](#)

[Swanson tragedy almost repeated \(Sep 5, 2008\)](#)

Next stop: Metro funding

Posted: 03 Aug 2009 10:49 AM PDT



Photo by Millerustad.

Metro's \$300 million in dedicated annual funding is moving quickly toward becoming a reality. Last week, both houses of Congress approved the WMATA Compact Amendments, and according to Councilmember Jim Graham, DC has included its \$50 million contribution in the revised budget they approved on Friday. The House and Senate's transportation appropriations bills both contain funding for Metro, meaning the conference committee in September shouldn't affect this, and the Obama administration is expected to approve the bills.

Last year, Congress authorized \$150 million a year for ten years for Metro, provided DC, Maryland, and Virginia each match it with \$50 million each. The three jurisdictions also had to amend the WMATA Compact to add federal voting representatives and some other changes. They made the change, but the Obama Administration's original budget did not include the money. Immediately after last month's Red Line crash, however, Maryland and Virginia Congressional representatives introduced

measures to add the funding.

Assuming the budget passes with the \$150 million, Maryland and Virginia will have to each find \$50 million in their already-tight budgets to match. And then we'll need to lobby Congress and the jurisdictions to maintain that funding into future years.

Metro needs this funding to maintain even our current levels of service. The system is aging, and Metro needs to replace many of its rail cars. While Metro managed to stave off service cuts during the last budget cycle, we've felt the effects of their staff cuts. After the Red Line crash, in particular, many riders have complained of poor communication. Some readers wrote in asking why Metro doesn't deploy platform conductors to help move people down the platform now that trains are pulling all the way to the ends of platforms. One part of the answer: there aren't enough staff left to do that. Even \$300 million a year won't keep up with all of Metro's maintenance needs, but it's a big start.

Senator Barbara Mikulski (MD) also added a provision to the Senate bill asking USDOT to "submit legislative recommendations to Congress" on ways to increase their "role in regulating the safety of transit agencies operating heavy rail on fixed guideway." Currently, the FTA cannot regulate transit agencies' safety procedures. Some oversight is appropriate, as long as the FTA doesn't go overboard and require so many safeguards that they impede transit systems' performance. Metro is still many times safer than driving; it can be safer, but if, in our zeal to make it as safe as possible, we make it less useful, more people will just drive, cutting down total safety and hurting transit systems.

Meanwhile, advocates are reporting that Governor O'Malley is expected to announce tomorrow morning the State of Maryland's support for a light rail Purple Line. Fresh from securing money for Metro, the region's Congresspeople can next start pushing for the federal portion of funding for this project. Or, better yet, they should support a better allocation scheme that ends the double standard whereby transit projects must prove their value while highway projects don't, and which gives a higher percentage of federal funding to highway projects than transit projects.

(2 comments · share or email)

Related posts:

[Metro restores almost all service cuts \(Apr 30, 2009\)](#)

[Metro will hold hearings on service cuts, not fare increases \(Mar 26, 2009\)](#)

[Proposed Metro service cuts take more from DC \(Feb 25, 2009\)](#)

[How good is Congress' word on Metro funding? \(Feb 18, 2009\)](#)

[The federally tilted playing field on transportation \(Sep 10, 2007\)](#)

Compare mode share across Metro stations

Posted: 03 Aug 2009 09:34 AM PDT

Metro has posted some fascinating charts from their bicycle and pedestrian study. Here's their chart showing the relative mode share for riders at each station:



[Click to enlarge \(PDF\).](#)

The most evident pattern is the variation between walking-oriented stations (mostly blue) and auto-oriented (mostly orange). DC, Arlington, and Alexandria stations have the most walkers, but the stations along the Red Line in Montgomery County have very high shares of walkers as well, except at Grosvenor and the ends of the lines. Rockville's walk share is much lower than it ought to be given the station's presence in the center of a significant city, though the environment around the station is not as pedestrian-friendly as it should be. Fairfax and Prince George's stations, meanwhile, have few walkers.

The highest percentage of cyclists appear to be at West Hyattsville; bus riders, Anacostia; and drivers, Branch Avenue. If nothing else, the Green Line is a line of extremes when it comes to mode share.

There are large segments of "Other" at West Falls Church (almost half) and Morgan Boulevard (about 15%). Perhaps WFC's is the Washington Flyer? Union Station also has a large share of "Other" for MARC and VRE (about 35%) and National Airport for airplane riders. National Airport's stats only show about 20% of riders arriving via plane, with over half by foot. Is that really residents of the area walking to the station, or just airport patrons who replied "walk" to a survey?

What else do you notice?

Update: Metro officials confirm what we suspected: Many flyers at National Airport put down "walk." In fact, "other" wasn't an explicit option; the survey team coded "other" when people didn't give a mode or put down two different modes. As for West Falls Church, they suspect that's a coding error, and that Fairfax Connector buses were mistakenly categorized as "other" instead of "bus." Therefore, most of the gray in the WFC circle probably should be yellow.

(25 comments · share or email)

Related posts:

Where the Metro riders are, and aren't (Jul 28, 2009)

Looks pretty, but try walking there (Jul 27, 2009)

More people walking, biking, riding the bus to Metro stations (Jun 5, 2009)

Getting more out of Metro with "skip-stop" (Mar 4, 2009)

Alexandria wants new Metro stations (Feb 5, 2008)

Lt. Gov. Brown open to new ideas, needs to hear them

Posted: 03 Aug 2009 08:05 AM PDT



Maryland State House. Photo by bcostin

By Cavan Wilk

On Thursday, July 23rd, I joined other Montgomery County-based bloggers for a conversation with Maryland Lieutenant Governor Anthony Brown. Adam Pagnucco of [Maryland Politics Watch](#) organized the forum, and MPW contributor [Marc Korman](#) also attended. Many thanks to Adam for inviting me. Overall, I found Mr. Brown to be a competent and capable person. He clearly had a lot of experience communicating with people. He was open to new ideas, but still perceives traffic through the "Level of Service" lens and traffic solutions from the standpoint of moving cars.

Mr. Brown's duties include heading up the BRAC subcabinet. I argued that planning for Bethesda Naval Hospital needs to be completely different than for a place like Fort Meade. Bethesda Naval is adjacent to downtown Bethesda, one of the flagship examples of post-war Smart Growth in the United States. It has its own Metro station. It's nothing like Fort Meade, which is located in a low-density exurban area.

When I asked why the vast majority of the BRAC infrastructure improvement funds are planned to go towards road widenings, Mr. Brown responded, "The intersections that we plan to improve are already at failing Levels of Service. We're using the BRAC funds to improve already failing intersections." I replied, "Level of Service is an antiquated, rigged metric. Cars won't do those new jobs. People will." Antiquated Level of Service metrics generate bad ideas like a new reversible lane on Connecticut Avenue, despite their poor track record in Silver Spring.

Mr. Brown conceptually supports a twin strategy of auto infrastructure and transit for BRAC. However, I don't think that he fully understands what that means. Most people automatically assume that traffic flow is like water: widen the path and the water flows faster. They, like Mr. Brown, aren't familiar with induced demand, where a new road's very existence actually creates more demand for new roads.

To his credit, he does view additional bus service as a key tool to accommodate BRAC. But once again, he didn't seem to know what that would mean at a detailed level. Most people, including hardcore transit users like myself, dislike riding a bus stuck in heavy automobile traffic. If you want to make a bus more attractive, take it out of mixed automobile traffic by giving it its own right-of-way. Give it a time savings over the private automobile. Mr. Brown's sub-cabinet needs to revise their BRAC-oriented plans. If they're going to add asphalt to our roads and intersections in Montgomery County, they should build bus-only lanes, separated by a curb from the regular lanes.

Mr. Brown supports Representative Chris Van Hollen's efforts to secure funding for improved access to the Medical Center Metro from the eastern side of Rockville Pike. He was not familiar with the various proposals, including the pedestrian tunnel that doesn't connect directly to the Metro station. Mr. Brown said that he had not seen the engineering proposals and didn't really have an opinion, leaving the decisions up to the county and the engineers.

Maryland isn't raising its gas tax anytime soon. Mr. Brown said that both the O'Malley/Brown Administration and the legislature oppose raising any taxes while the state and nation are experiencing current crippling job losses. While it would be a good idea, such a proposal would be politically infeasible at this time, he said.

What about I-270? Brown reiterated the Administration's support for both the Baltimore Red Line and the Purple Line. He was also shocked to hear about the \$4 billion price tag for the I-270 proposal. This issue does not directly involve his office, but Mr. Brown is now aware of this study and its potentially harmful implications.

Marc asked about MARC, which he rides regularly to commute to Baltimore from Bethesda. The Lt. Governor described long-term plans for MARC such as opening more stations and increasing parking at rural and car-dependent suburban station. He also mentioned that the funding currently isn't in the pipeline. I also praised the state for employing a "fix-it-first" policy to transportation stimulus money. It is a much better use of funds than covering more land in asphalt.

After meeting Lieutenant Governor Brown I came away with a positive impression of the second ranking executive in Maryland. While I was disappointed with some of the details of his sub-cabinet's BRAC plans, I understand that he is not an engineer or an expert in urban planning. I was very impressed with his ability to sit, listen, and absorb new ideas. Meeting with him gives me hope that our county and state can improve our plans so we can absorb all the new BRAC-related jobs in a sustainable manner.

(2 comments · share or email)

Related posts:

[Gaithersbungle, part 6: What else \\$3.8 billion could buy, more specifically \(Jul 29, 2009\)](#)

[Maryland SHA pushing stupid growth on Connecticut Avenue \(Jul 20, 2009\)](#)

[Madaleno opposes Jones Bridge BRT in public, supports it in private \(Jun 17, 2009\)](#)

[The Metro Express \(Feb 19, 2009\)](#)

[cArmy Base: Fort Meade \(Nov 6, 2008\)](#)

Breakfast links: My way for the highway

Posted: 03 Aug 2009 05:53 AM PDT



Photo by dolanh.

We'd be sad if we hit you, so get out of the road: Some lowans started a petition to ban bicycles on "farm-to-market roadways," because a few drivers hit cyclists and then they feel bad afterward. In response, a new petition calls for banning cars, which "spook horses and raise clouds of dust." (MinusCar, It's Just A Ride, JLH)

Think parking debates are rough here?: In Jerusalem, parking garage plans triggered "mass protests, turning violent at times." Public transport and parking garages in Jerusalem's Old City shut down on Saturdays to conform to the beliefs of Orthodox Jews, so Jerusalem's mayor opened a free municipal garage outside the Old City. Religious extremists rioted nonetheless. (How We Drive)

Foot traffic on Ninth Street, or just under?: Many Shaw residents hope the \$550 million Convention Center hotel will spark revitalization in the ailing Ninth Street retail corridor. Boosters promise that the hotel will create foot traffic on Ninth thanks to street-level retail and restaurants. But at the same time, the hotel includes an underground walkway and garage so convention-goers can arrive, sleep, and convene without ever leaving the convention center complex and braving the scary streets of DC. (Post, JTS)

A Homeric tragedy: As Maryland nears a decision on the Purple Line, Virginia is close to another decision, for an agreement with HOT lane builder Fluor-Transurban to build even more HOT lanes. The Beltway lanes have cost much more than originally proposed, and the contract penalizes Virginia if more people carpool. (WTOP)

When no free spaces are free: Ellicott City is considering starting to charge for parking on the main street. Contrary to the typical reaction, local storeowners generally support the idea. Not so exceptionally, some are pushing for the city to pay for a new garage instead, even though the study found surplus capacity at nearby garages. (Howard County Times)

Car clips: A letter writer has the solution to traffic frustration: leave enough time to get there (Post) ... DC cab rides can now go above \$19 (WTOP) ... Congress's extended "cash for clunkers" program is really, really bad. (Discovering Urbanism)

Transit tidbits: Investing in public transit could save consumers \$112 billion in gas and car-related payments and also reduce greenhouse gases by 24 percent, says APTA (Apollo Alliance, dano) ... Virginia is applying for stimulus funds to speed up trains between DC and Petersburg (Post) ... The House has approved changes in the Metro compact, one necessary but not

sufficient step for the \$150 million appropriation. (Moran)
Have a tip for the links? [Submit it here.](#)

(12 comments · [share or email](#))

Related posts:

[Living within our means](#) (Jun 26, 2009)

[Making upper Georgia Avenue a great street](#) (Jun 10, 2008)

[Oops, we forgot the transit](#) (Jun 4, 2008)

[Convention center plans nice except for skybridges](#) (Mar 17, 2008)

[Can NYC build me a personal garage too?](#) (Jan 2, 2008)

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Google Inc., 20 West Kinzie, Chicago IL USA 60610

Doggett, Rosalyn

From: Talaia, Anabela
Sent: Friday, July 31, 2009 3:28 PM
To: Doggett, Rosalyn
Subject: RE: power point
Attachments: Shaw Howard Fl Ave new template extend negotiation 2 period.pptx

From: Doggett, Rosalyn
Sent: Friday, July 31, 2009 3:02 PM
To: Talaia, Anabela
Subject: power point

Doggett, Rosalyn

From: Tiwana Hicks [thicks@bannekerventures.com]
Sent: Thursday, July 30, 2009 12:45 PM
To: Doggett, Rosalyn
Cc: Maurice L. Perry; okarim@bannekerventures.com; Moneme, Emeka; Meister, Mark K.
Subject: Shaw-Howard/Florida Avenue Parcels

Importance: High

Mrs. Doggett,

Please confirm the lot and square numbers and the square footages of each of the WMATA parcels included in the Leased Premises. Please also provide us with a copy of Exhibit A to the WMATA Joint Development Term Sheet Shaw-Howard/Florida Avenue Sites, executed July 17, 2008, which outlines the Leased Premises. The total square footage of the Leased Premises, 28,892 SF, as noted in the Term Sheet, JDA and Lease, differs from the total square footage attained after adding up each of the parcels sited in the Term Sheet (i.e., Square 393, Lot 44; Square 393, Lot 45; and Square 416, Lots 18 and 31). Additionally, is the new appraisal complete? If so, can you please provide us with a copy for our records? Thanks in advance for your assistance.

Tiwana

Tiwana Z. Hicks
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, D.C. 20005
T: (202) 393-5460
F: (202) 393-5462
C: (202) 486-1863
thicks@bannekerventures.com

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Tuesday, July 28, 2009 9:03 AM
To: Doggett, Rosalyn; Wyner, Jonathan S.
Subject: FW: AGM-PLJD 9/10 PD&RE Committee Pre-Brief
Attachments: AGM-PLJD 9/10 PD&RE Committee Pre-Brief

Roz, Jonathan:

I will be out of the office the week of August 3rd, so please attend Nat's pre-brief for your respective items. Check with Sid on how many copies of the BAIS and PowerPoint presentation to bring. Thanks.

Mark

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Friday, July 24, 2009 3:15 PM
To: Ackerman, Heidi; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Haldeman, Kristin M.; Hamre, James; Harrington, Thomas; Hendren, Patricia; Hughes, James; Jachles, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Johnston, Kasondra; Jones, Catherine; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marrow, Gwen B.; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Meseret, Girum; Mohsberg, Sid; Peterson, Scott; Roberson, Jerry; Stallworth, Douglas; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S.
Subject: Board Items Preparation Milestones
Attachments: Board Items Preparation Milestones - 2009.xls

Latest update is attached.

Please let me know of any errors or omissions.

BAR: http://p590a3.wmata.com:7778/pls/bar/p_bar_public

Thanks.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Friday, July 24, 2009 3:04 PM
To: Doggett, Rosalyn
Subject: RE: Fl Ave power point
Attachments: Shaw-Howard Fl Ave further extend jda negotiation period 7-09.ppt

Roz,

Didn't we already give this same presentation to the Board in Executive Session in March 2009? The only thing that looks changed is the date on the cover. We can't give the same presentation again.

This presentation doesn't say why we need a 120 extension from August 2009 until December 2009.

This presentation talks about issues, but the issues it describes aren't the ones that are causing us to come back to the Board.

There's no correlation between the BAIS and the presentation.

The flow should be from you to Mark, and after Mark's review and approval, from Mark to me.

Thanks.

Sid

From: Doggett, Rosalyn
Sent: Friday, July 24, 2009 1:59 PM
To: Mohsberg, Sid
Subject: Fl Ave power point

See attached. Bringing BAIS in hard copy now.

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Friday, July 24, 2009 12:22 PM
To: Omar A. Karim
Cc: Maurice' Perry; thicks@bannekerventures.com; Doggett, Rosalyn
Subject: Florida Avenue Document Drafts
Attachments: Florida Avenue Joint Development Agreement - Draft 072409.docx; Florida Avenue JDA Definitions 072409.doc; Florida Avenue Lease - DRAFT 072409.docx; Florida Avenue Lease Definitions Draft 072409.doc

Please find attached the updated drafts of the Lease and Joint Development Agreement for the Florida Avenue project.

Please do not hesitate to contact me with any questions/comments.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

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Doggett, Rosalyn

From: Bushnaq, Tariq
Sent: Thursday, July 23, 2009 5:19 PM
To: Doggett, Rosalyn; Montague, Joshua W.
Subject: FW: WMATA-BCP Lease Terms
Attachments: Ground Lease - WMATA - 2009 07-20.docx

fyi

From: Welch, Kermit A.
Sent: Monday, July 20, 2009 3:20 PM
To: Meister, Mark K.; Burns, Bob
Cc: Bushnaq, Tariq
Subject: RE: WMATA-BCP Lease Terms

Mark,

Attached is the latest draft that we have. The TOC still needs a bit of work, but I think we should send it out anyway (b/c the TOC will need further revisions after BCP gets a hold of the agreement).

Kermit

From: Meister, Mark K.
Sent: Monday, July 20, 2009 9:50 AM
To: Welch, Kermit A.; Burns, Bob
Subject: FW: WMATA-BCP Lease Terms

Kermit,

Is the draft lease ready to go?

Mark

From: Steven Cassell [mailto:scassell@fourpointsllc.com]
Sent: Monday, July 20, 2009 9:46 AM
To: Meister, Mark K.
Subject: RE: WMATA-BCP Lease Terms

Hello Mark,

Where are we on the lease agreement?

Thanks,
Steve

Steven C. Cassell
Four Points, LLC
202-521-2529 (O)
202-250-1709 (C)
scassell@fourpointsllc.com

From: Meister, Mark K. [mailto:MMeister@wmata.com]
Sent: Friday, June 26, 2009 12:16 PM
To: Ketan (EOM) Gada; Cassell, Steven; Voudrie, Stan; John Gerber; O'Keefe, Carol B.; Moneme, Emeka; Welch, Kermit A.; Bottigheimer, Nat; Doggett, Rosalyn; Burns, Bob
Cc: Neil.Albert@dc.gov; Valerie (EOM) SantosYoung
Subject: RE: WMATA-BCP Lease Terms

Ketan,

At its meeting on June 25, 2008, the WMATA Board of Directors approved the lease with Broadcast Center Partners, LLC. At this time, we need the executed Confirmatory Deed for the property, with the correct lot number, so it can be recorded prior to execution of the lease. Please advise as to when we can expect to receive the deed.

Your prompt response is appreciated.

Mark

From: Ketan (EOM) Gada [mailto:Ketan.Gada@dc.gov]
Sent: Tuesday, May 26, 2009 1:04 PM
To: scassell@fourpointsllc.com; Stan Vodrie; Meister, Mark K.; John Gerber; O'Keeffe, Carol B.; Moneme, Emeka; Welch, Kermit A.; Bottigheimer, Nat; Doggett, Rosalyn; Burns, Bob
Cc: Neil.Albert@dc.gov; Valerie (EOM) SantosYoung
Subject: RE: WMATA-BCP Lease Terms

Mark,

Thanks for your response. Just to clear the air on the WMATA ownership issue - WMATA has "equitable title" to the property already. There as a Deed granted to WMATA back in the day only problem is it was not recorded. As stated number of times in our prior conversation, we will have the Deed ready to be record prior to you guys executing any legal document with the Developer. It entails creating new Lot numbers so it can be subdivided and recorded. we are working on the same and will have it ready soon.

So as for the June Board approval is concerned WMATA staff should not have a problem since there is equitable title to the property already and we will make sure to further clean the title by recording the same prior to WMATA entering into any legal agreement with the Developer.

Let me know if this helps satisfy your concern as it relates to WMATA Board approval.

Thanks,
Ketan

-----Original Message-----

From: Meister, Mark K. [mailto:MMeister@wmata.com]
Sent: Tue 5/26/2009 12:22 PM
To: Gada, Ketan (EOM); scassell@fourpointsllc.com; Stan Vodrie; John Gerber; O'Keeffe, Carol B.; Moneme, Emeka; Welch, Kermit A.; Bottigheimer, Nat; Doggett, Rosalyn; Burns, Bob
Cc: Albert, Neil (EOM); SantosYoung, Valerie (EOM)
Subject: RE: WMATA-BCP Lease Terms

Ketan,

Ketan,

Hopefully we can go forward with the 99-year lease. I'm waiting to hear back from Steve on that issue as well as the revised Lease Proposal Terms which I sent him on Friday. The plan is still to obtain Board approval in June.

We understand the urgency of this matter but there is still the issue of WMATA ownership of the two parcels to be leased. As of today, the property is still owned by the District of Columbia. I cannot take a lease action to the Board on property WMATA does not own. When can we expect the signed Deed from the District?

Mark

From: Ketan (EOM) Gada [mailto:Ketan.Gada@dc.gov]
Sent: Tuesday, May 26, 2009 12:15 PM
To: scassell@fourpointsllc.com; Stan Vodrie; Meister, Mark K.; John Gerber; O'Keeffe, Carol B.; Moneme, Emeka; Welch, Kermit A.; Bottigheimer, Nat; Doggett, Rosalyn; Burns, Bob
Cc: Neil.Albert@dc.gov; Valerie (EOM) SantosYoung
Subject: RE: WMATA-BCP Lease Terms

Mark and Steve,

So where do things stand now between BCP and WMATA? I have a few questions:

- 1) Are we still seeking WMATA Board approval in June (Emeka had promised that was the intent about a week or so ago)?
- 2) So what needs to happen in next week or so before June 3rd (I believe that is when the WMATA Board agenda is being finalized with Neil)?

As you know District has significant stake in the project and ground breaking for the project is contingent on getting WMATA Board approval. This has been one of the main challenge which is pushing the ground breaking further and further out. Please let us know the answers to the above questions. Neil is quite keen on getting the Board approval on the project.

Thanks,
Ketan

-----Original Message-----

From: O'Keefe, Carol B. [mailto:cokeeffe@wmata.com]
Sent: Tue 5/26/2009 10:33 AM
To: scassell@fourpointslc.com; Gada, Ketan (EOM); Stan Vodrie; John Gerber; Moneme, Emeka; Welch, Kermit A.; Meister, Mark K.; Bottigheimer, Nat; Doggett, Rosalyn; Burns, Bob
Subject: RE: WMATA-BCP Lease Terms

I have not signed off on the option for the second 99 year lease for legal sufficiency purposes and I will not; that makes it a fee for tax and other purposes. in which case we should get all the money up front.

Carol B. O'Keefe

General Counsel

Washington Metropolitan Area

Transit Authority

600 5th Street, NW

Washington, DC 20001

P: 202-962-2531

F: 202-962-2550

THIS E-MAIL MESSAGE IS PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE RECIPIENT NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE NAMED RECIPIENT, OR THE AGENT RESPONSIBLE TO DELIVER IT TO THE NAMED RECIPIENT, YOU ARE NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, COPYING OR OTHER USE OF THIS INFORMATION/COMMUNICATION IS STRICTLY PROHIBITED AND NO PRIVILEGE IS WAIVED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY THE ABOVE-NAMED INDIVIDUAL IMMEDIATELY.

From: scassell@fourpointslc.com [mailto:scassell@fourpointslc.com]
Sent: Friday, May 22, 2009 3:15 PM
To: Ketan (EOM)Gada; Neil.Albert@dc.gov; Stan Vodrie; O'Keefe, Carol B.; John Gerber; Moneme, Emeka; Catoe, John B.; Welch, Kermit A.; Meister, Mark K.; Bottigheimer, Nat; Doggett, Rosalyn; Burns, Bob
Subject: Re: WMATA-BCP Lease Terms

Thanks Mark. We will review and respond ASAP.

Best regards,
Steve

Sent via BlackBerry by AT&T

From: "Meister, Mark K."
Date: Fri, 22 May 2009 14:57:01 -0400
To: scassell@fourpointslc.com<scassell@fourpointslc.com>; Ketan (EOM)Gada<Ketan.Gada@dc.gov>; Neil.Albert@dc.gov<Neil.Albert@dc.gov>; StanVodrie<svoudrie@fourpointslc.com>; John Gerber<JGerber@west-group.com>; O'Keefe, Carol B.<cokeeffe@wmata.com>; Moneme, Emeka<EMoneme@wmata.com>; Catoe, John B.<jbcatoe@wmata.com>; Welch, Kermit A.<KWelch@wmata.com>; Bottigheimer, Nat<NBottigheimer@wmata.com>; Doggett,Rosalyn<RDoggett@wmata.com>; Burns, Bob<rburns@wmata.com>
Subject: RE: WMATA-BCP Lease Terms

Steve,

See revised WMATA-BCP Proposed Lease Terms.

Mark

From: scassell@fourpointslc.com [mailto:scassell@fourpointslc.com]
Sent: Friday, May 22, 2009 1:08 PM
To: Ketan (EOM) Gada; Neil.Albert@dc.gov; Stan Vodrie; Meister, Mark K.; John Gerber; O'Keeffe, Carol B.; Moneme, Emeka; Catoe, John B.; Welch, Kermit A.; Bottigheimer, Nat; Doggett, Rosalyn; Burns, Bob
Subject: Re: WMATA-BCP Lease Terms

Mark,

Will you have the revised term sheet to us today?

Thanks
Steve

Sent via BlackBerry by AT&T

From: "Meister, Mark K."
Date: Wed, 20 May 2009 19:33:18 -0400
To: Steven Cassell<scassell@fourpointslc.com>; Ketan (EOM) Gada<Ketan.Gada@dc.gov>; Neil.Albert@dc.gov<Neil.Albert@dc.gov>; Stan Voudrie<svoudrie@fourpointslc.com>; John Gerber<JGerber@west-group.com>; O'Keeffe, Carol B.<cokeeffe@wmata.com>; Moneme, Emeka<EMoneme@wmata.com>; Catoe, John B.<jbcatoe@wmata.com>; Welch, Kermit A.<KWelch@wmata.com>; Bottigheimer, Nat<NBottigheimer@wmata.com>; Burns, Bob<rlburns@wmata.com>; Bottigheimer, Nat<NBottigheimer@wmata.com>; Doggett, Rosalyn<RDoggett@wmata.com>
Subject: RE: WMATA-BCP Lease Terms

Steve,

You have accurately captured the basic terms of the proposed lease. I will call you tomorrow to confirm our understanding and discuss next steps in the lease approval process.

Mark

From: Steven Cassell [scassell@fourpointslc.com]
Sent: Wednesday, May 20, 2009 5:43 PM
To: Ketan (EOM) Gada; Neil.Albert@dc.gov; Stan Voudrie; Meister, Mark K.; John Gerber; O'Keeffe, Carol B.; Moneme, Emeka; Catoe, John B.; Welch, Kermit A.; Bottigheimer, Nat; Burns, Bob
Subject: RE: WMATA-BCP Lease Terms

Mark,

In our discussions with our lenders, they could be comfortable if the following accommodations were made:

* An option to extend for an additional 99 year term on the lease. You struck this provision in a prior draft, but we don't understand the challenge associated with an extension option.

* An option to buy out the lease anytime up to seven years. In other words, we structure 99 years of payments on a PV of \$1.2MM and anytime during that seven year period, we can make a lump sum payment equal to the PV of \$1.2MM minus PV of payments to date.

We are receptive to the concept of lease payments being spread over the 99 year term.

Please give me a call at your earliest convenience to discuss these options.

Thanks,

Steve

Steven C. Cassell

Four Points, LLC

202-521-2529 (O)

202-250-1709 (C)

scassell@fourpointslc.com

From: Meister, Mark K. [mailto:MMeister@wmata.com]

Sent: Tuesday, May 19, 2009 8:41 PM

To: Cassell, Steven; Ketan (EOM) Gada; Neil.Albert@dc.gov; Voudrie, Stan; John Gerber; Moneme, Emeka; Catoe, John B.; Welch, Kermit A.; Burns, Bob; Bottigheimer, Nat; O'Keeffe, Carol B.

Subject: RE: WMATA-BCP Lease Terms

Steve,

WMATA has legal restrictions governing financial arrangements in which WMATA functions as a lender or partner in deferring compensation for conveyance of real estate interests in WMATA property for development projects. Because of this, the only way WMATA can convey a perpetual easement for the air rights is for BCP to pay the entire \$1.2 million at closing.

If the issue is the lump sum payments in the early part of the lease term, WMATA is willing to offer a long-term lease arrangement with smaller payments spread over 99-years. The net present value of the lease payments would have to equal \$1.2 million at a discount rate of 7.1%

Please let me know if these terms are acceptable.

Mark

From: Steven Cassell [scassell@fourpointslc.com]

Sent: Monday, May 18, 2009 3:23 PM

To: Ketan (EOM) Gada; Neil.Albert@dc.gov; Stan Voudrie; Meister, Mark K.; John Gerber; Moneme, Emeka; Catoe, John B.;

Welch, Kermit A.; Burns, Bob

Subject: RE: WMATA-BCP Lease Terms

Gentlemen,

After consultations with several lenders, we are unable to support a Lease Structure to this transaction. We understand that WMATA's desire to pursue a Lease so late in the process was a function of our request to be able to pay the \$864,000 balance as late as seven years after substantial completion. In exchange for a return to the prior structure of a "perpetual easement", we are willing to forego the option to pay later than at the first capital event and/or refinancing to occur at or after substantial completion. In other words, we will pay the balance upon the placement of permanent financing on the Office.

The message we are hearing consistently is that the complexity of this particular financing makes the addition of a ground lease very problematic. In this climate, with the many strings and requirements associated with the LDDA, grants, tax credit financing, etc., it was simply ill advised to add the ground lease to the equation.

Please note the following:

- * Your changes to Sections 3 and 9 are accepted.
- * We made some modifications to the language in Section 8 to make sure the approval rights were not overly burdensome.
- * We also need to revisit #11 with you. We do not understand your objective. The easement transaction by definition will have to be subordinate to construction financing.

Please confirm that you are willing to go back to the fee-transaction approach and make the appropriate modifications to the agreement. We hope to wrap this all up early this week.

Thanks,

Steve

Steven C. Cassell

Four Points, LLC

202-521-2529 (O)

202-250-1709 (C)

scassell@fourpointsllc.com

From: Meister, Mark K. [mailto:MMeister@wmata.com]
Sent: Friday, May 15, 2009 4:30 PM
To: Cassell, Steven
Cc: Welch, Kermit A.; Burns, Bob; Bottigheimer, Nat; Moneme, Emeka
Subject: WMATA-BCP Lease Terms

Steve,

Attached please find the redline and clean copies of our proposed revisions to the WMATA-BCP Proposed Lease Terms. Please call me next week if you need to discuss. I think we're pretty close.

Mark

Doggett, Rosalyn

From: Bushnaq, Tariq
Sent: Tuesday, July 21, 2009 11:10 AM
To: Meister, Mark K.
Cc: Doggett, Rosalyn; Burns, Bob; Ghanta, Venkata
Subject: FW: SAAM FTA Quarterly Report
Attachments: FTA Quarterly REV 4 Status of Current Projects 7-17-09.doc; FTA Quarterly REV 4 Status of Current Projects 7-17-09.doc

Mark,

I have made minor edits for Prince George's Plaza, Georgia Ave-Petworth and Wheaton.

Tariq

From: Meister, Mark K.
Sent: Tuesday, July 21, 2009 9:32 AM
To: Bushnaq, Tariq
Subject: SAAM FTA Quarterly Report

Tariq,

Roz asked me to send you the latest version of the SAAM FTA Quarterly Report. Please let me know if you want to make any revisions as the Pre-Brief is tomorrow at 2:00. Thanks.

Mark

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Tuesday, July 21, 2009 9:15 AM
To: Doggett, Rosalyn; Wyner, Jonathan S.
Subject: FW: Board Items Preparation Milestones
Attachments: Board Items Preparation Milestones - 2009.xls

Roz, Jonathan:

Please note that the Pre-Brief for Nat and Jack Requa is August 5th and August 10th respectively. We need to have the MEADs in circulation and draft PowerPoint presentations completed before August 5th. I need to review the drafts of these documents before I go on leave starting July 29th. Thanks.

Mark

From: Mohsberg, Sid
Sent: Monday, July 20, 2009 5:27 PM
To: Ackerman, Heidi; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Haldeman, Kristin M.; Hamre, James; Harrington, Thomas; Hendren, Patricia; Hughes, James; Jachles, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Johnston, Kasondra; Jones, Catherine; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marrow, Gwen B.; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Meseret, Girum; Mohsberg, Sid; Peterson, Scott; Roberson, Jerry; Stallworth, Douglas; Talaja, Anabela; Wallace, Maria A; Wyner, Jonathan S.
Subject: Board Items Preparation Milestones

All,

Attached is the latest update. Please let me know if there are any errors or omissions.

BAR: http://p590a3.wmata.com:7778/pls/bar/p_bar_public

Please note the upcoming milestones for the September 2009 items. They start on 8/5/09.

Thanks.

Sid

Doggett, Rosalyn

From: Ketan (EOM) Gada [Ketan.Gada@dc.gov]
Sent: Monday, July 20, 2009 8:08 PM
To: Meister, Mark K.
Cc: Emily (OAG) Morris; Doggett, Rosalyn; John Gerber; O'Keeffe, Carol B.; Moneme, Emeka; Welch, Kermit A.; Bottigheimer, Nat; Burns, Bob
Subject: RE: WMATA-BCP Lease Terms
Attachments: A&T LOT 857 858 859.pdf; Confirmatory Deed Square Square 441 --WMATA (OAG Draft 07_20_09 Redline Against WMATA last Draft).doc; Confirmatory Deed Square Square 441 --WMATA (OAG Draft 07_20_09)(Clean).doc

Mark,

Please find attached revised WMATA Replacement Deed along with the PLAT. Please have your attorney review the same and provide feedback. Also I will be out of country for 5 weeks starting this Friday so please make sure to get in touch with Emily Morris District attorney working on this Replacement Deed should have any questions (after July 24, 2009). Let me know if you have any questions.

Thanks,
Ketan

Ketan Gada
Office of the Deputy Mayor for Planning and Economic Development
Development Manager
1350 Pennsylvania Avenue, NW, Suite 317,
Washington, DC 20004
Tel: 202-727-6778
Cell: 202-538-1259
Email: ketan.gada@dc.gov

From: Meister, Mark K. [mailto:MMeister@wmata.com]
Sent: Monday, June 29, 2009 11:18 AM
To: Gada, Ketan (EOM); scassell@fourpointslc.com; Stan Vodrie; John Gerber; O'Keeffe, Carol B.; Moneme, Emeka; Welch, Kermit A.; Bottigheimer, Nat; Doggett, Rosalyn; Burns, Bob
Cc: Albert, Neil (EOM); Santos, Valerie (EOM)
Subject: RE: WMATA-BCP Lease Terms

Thanks Ketan.

From: Ketan (EOM) Gada [mailto:Ketan.Gada@dc.gov]
Sent: Monday, June 29, 2009 10:36 AM
To: scassell@fourpointslc.com; Stan Vodrie; Meister, Mark K.; John Gerber; O'Keeffe, Carol B.; Moneme, Emeka; Welch, Kermit A.; Bottigheimer, Nat; Doggett, Rosalyn; Burns, Bob
Cc: Neil.Albert@dc.gov; Valerie (EOM) Santos
Subject: RE: WMATA-BCP Lease Terms

Mark,

Thanks for the update, I will check with the attorneys to see what's the status on this and will try to get you the same soon.

Ketan

Ketan Gada
Office of the Deputy Mayor for Planning and Economic Development
Development Manager
1350 Pennsylvania Avenue, NW, Suite 317,
Washington, DC 20004
Tel: 202-727-6778
Cell: 202-538-1259
Email: ketan.gada@dc.gov

From: Meister, Mark K. [mailto:MMeister@wmata.com]
Sent: Friday, June 26, 2009 12:15 PM
To: Gada, Ketan (EOM); scassell@fourpointslc.com; Stan Vodrie; John Gerber; O'Keeffe, Carol B.; Moneme, Emeka; Welch, Kermit A.; Bottigheimer, Nat; Doggett, Rosalyn; Burns, Bob

Cc: Albert, Neil (EOM); Santos, Valerie (EOM)
Subject: RE: WMATA-BCP Lease Terms

Ketan,

At its meeting on June 25, 2008, the WMATA Board of Directors approved the lease with Broadcast Center Partners, LLC. At this time, we need the executed Confirmatory Deed for the property, with the correct lot number, so it can be recorded prior to execution of the lease. Please advise as to when we can expect to receive the deed.

Your prompt response is appreciated.

Mark

From: Ketan (EOM) Gada [mailto:Ketan.Gada@dc.gov]
Sent: Tuesday, May 26, 2009 1:04 PM
To: scassell@fourpointslc.com; Stan Vodrie; Meister, Mark K.; John Gerber; O'Keeffe, Carol B.; Moneme, Emeka; Welch, Kermit A.; Bottigheimer, Nat; Doggett, Rosalyn; Burns, Bob
Cc: Neil.Albert@dc.gov; Valerie (EOM) SantosYoung
Subject: RE: WMATA-BCP Lease Terms

Mark,

Thanks for your response. Just to clear the air on the WMATA ownership issue - WMATA has "equitable title" to the property already. There as a Deed granted to WMATA back in the day only problem is it was not recorded. As stated number of times in our prior conversation, we will have the Deed ready to be record prior to you guys executing any legal document with the Developer. It entails creating new Lot numbers so it can be subdivided and recorded, we are working on the same and will have it ready soon.

So as for the June Board approval is concerned WMATA staff should not have a problem since there is equitable title to the property already and we will make sure to further clean the title by recording the same prior to WMATA entering into any legal agreement with the Developer.

Let me know if this helps satisfy your concern as it relates to WMATA Board approval.

Thanks,
Ketan

-----Original Message-----

From: Meister, Mark K. [mailto:MMeister@wmata.com]
Sent: Tue 5/26/2009 12:22 PM
To: Gada, Ketan (EOM); scassell@fourpointslc.com; Stan Vodrie; John Gerber; O'Keeffe, Carol B.; Moneme, Emeka; Welch, Kermit A.; Bottigheimer, Nat; Doggett, Rosalyn; Burns, Bob
Cc: Albert, Neil (EOM); SantosYoung, Valerie (EOM)
Subject: RE: WMATA-BCP Lease Terms

Ketan,

Ketan,

Hopefully we can go forward with the 99-year lease. I'm waiting to hear back from Steve on that issue as well as the revised Lease Proposal Terms which I sent him on Friday. The plan is still to obtain Board approval in June.

We understand the urgency of this matter but there is still the issue of WMATA ownership of the two parcels to be leased. As of today, the property is still owned by the District of Columbia. I cannot take a lease action to the Board on property WMATA does not own. When can we expect the signed Deed from the District?

Mark

From: Ketan (EOM) Gada [mailto:Ketan.Gada@dc.gov]
Sent: Tuesday, May 26, 2009 12:15 PM
To: scassell@fourpointslc.com; Stan Vodrie; Meister, Mark K.; John Gerber; O'Keeffe, Carol B.; Moneme, Emeka; Welch, Kermit A.; Bottigheimer, Nat; Doggett, Rosalyn; Burns, Bob
Cc: Neil.Albert@dc.gov; Valerie (EOM) SantosYoung
Subject: RE: WMATA-BCP Lease Terms

Mark and Steve,

So where do things stand now between BCP and WMATA? I have a few questions:

- 1) Are we still seeking WMATA Board approval in June (Emeka had promised that was the intent about a week or so ago)?
- 2) So what needs to happen in next week or so before June 3rd (I believe that is when the WMATA Board agenda is being finalized with Neil)?

As you know District has significant stake in the project and ground breaking for the project is contingent on getting WMATA Board approval. This has been one of the main challenge which is pushing the ground breaking further and further out. Please let us know the answers to the above questions. Neil is quite keen on getting the Board approval on the project.

Thanks,
Ketan

-----Original Message-----

From: O'Keeffe, Carol B. [mailto:cokeeffe@wmata.com]

Sent: Tue 5/26/2009 10:33 AM

To: scassell@fourpointsllc.com; Gada, Ketan (EOM); Stan Vodrie; John Gerber; Moneme, Emeka; Welch, Kermit A.; Meister, Mark K.; Bottigheimer, Nat; Doggett, Rosalyn; Burns, Bob

Subject: RE: WMATA-BCP Lease Terms

I have not signed off on the option for the second 99 year lease for legal sufficiency purposes and I will not; that makes it a fee for tax and other purposes. in which case we should get all the money up front.

Carol B. O'Keeffe

General Counsel

Washington Metropolitan Area

Transit Authority

600 5th Street, NW

Washington, DC 20001

P: 202-962-2531

F: 202-962-2550

THIS E-MAIL MESSAGE IS PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE RECIPIENT NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE NAMED RECIPIENT, OR THE AGENT RESPONSIBLE TO DELIVER IT TO THE NAMED RECIPIENT, YOU ARE NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, COPYING OR OTHER USE OF THIS INFORMATION/COMMUNICATION IS STRICTLY PROHIBITED AND NO PRIVILEGE IS WAIVED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY THE ABOVE-NAMED INDIVIDUAL IMMEDIATELY.

From: scassell@fourpointsllc.com [mailto:scassell@fourpointsllc.com]

Sent: Friday, May 22, 2009 3:15 PM

To: Ketan (EOM)Gada; Neil.Albert@dc.gov; Stan Vodrie; O'Keeffe, Carol B.; John Gerber; Moneme, Emeka; Catoe, John B.; Welch, Kermit A.; Meister, Mark K.; Bottigheimer, Nat; Doggett, Rosalyn; Burns, Bob

Subject: Re: WMATA-BCP Lease Terms

Thanks Mark. We will review and respond ASAP.

Best regards,
Steve

Sent via BlackBerry by AT&T

From: "Meister, Mark K."
Date: Fri, 22 May 2009 14:57:01 -0400
To: scassell@fourpointslc.com<scassell@fourpointslc.com>; Ketan (EOM)Gada<Ketan.Gada@dc.gov>;
Neil.Albert@dc.gov<Neil.Albert@dc.gov>; Stan Voudrie<svoudrie@fourpointslc.com>; John Gerber<JGerber@west-group.com>;
O'Keeffe, Carol B.<cokeeffe@wmata.com>; Moneme, Emeka<EMoneme@wmata.com>; Catoe, John B.<jbcatoe@wmata.com>;
Welch, Kermit A.<KWelch@wmata.com>; Bottigheimer, Nat<NBottigheimer@wmata.com>;
Doggett,Rosalyn<RDoggett@wmata.com>; Burns, Bob<rlburns@wmata.com>
Subject: RE: WMATA-BCP Lease Terms

Steve,

See revised WMATA-BCP Proposed Lease Terms.

Mark

From: scassell@fourpointslc.com [mailto:scassell@fourpointslc.com]
Sent: Friday, May 22, 2009 1:08 PM
To: Ketan (EOM) Gada; Neil.Albert@dc.gov; Stan Voudrie; Meister, Mark K.; John Gerber; O'Keeffe, Carol B.; Moneme, Emeka;
Catoe, John B.; Welch, Kermit A.; Bottigheimer, Nat; Doggett, Rosalyn; Burns, Bob
Subject: Re: WMATA-BCP Lease Terms

Mark,

Will you have the revised term sheet to us today?

Thanks
Steve

Sent via BlackBerry by AT&T

From: "Meister, Mark K."
Date: Wed, 20 May 2009 19:33:18 -0400
To: Steven Cassell<scassell@fourpointslc.com>; Ketan (EOM) Gada<Ketan.Gada@dc.gov>;
Neil.Albert@dc.gov<Neil.Albert@dc.gov>; Stan Voudrie<svoudrie@fourpointslc.com>; John Gerber<JGerber@west-group.com>;
O'Keeffe, Carol B.<cokeeffe@wmata.com>; Moneme, Emeka<EMoneme@wmata.com>; Catoe, John B.<jbcatoe@wmata.com>;
Welch, Kermit A.<KWelch@wmata.com>; Bottigheimer, Nat<NBottigheimer@wmata.com>; Burns,Bob<rlburns@wmata.com>;
Bottigheimer, Nat<NBottigheimer@wmata.com>; Doggett, Rosalyn<RDoggett@wmata.com>
Subject: RE: WMATA-BCP Lease Terms

Steve,

You have accurately captured the basic terms of the proposed lease. I will call you tomorrow to confirm our understanding and discuss next steps in the lease approval process.

Mark

From: Steven Cassell [scassell@fourpointslc.com]
Sent: Wednesday, May 20, 2009 5:43 PM
To: Ketan (EOM) Gada; Neil.Albert@dc.gov; Stan Voudrie; Meister, Mark K.; John Gerber; O'Keeffe, Carol B.; Moneme, Emeka;
Catoe, John B.; Welch, Kermit A.; Bottigheimer, Nat; Burns, Bob
Subject: RE: WMATA-BCP Lease Terms

Mark,

In our discussions with our lenders, they could be comfortable if the following accommodations were made:

* An option to extend for an additional 99 year term on the lease. You struck this provision in a prior draft, but we don't understand the challenge associated with an extension option.

* An option to buy out the lease anytime up to seven years. In other words, we structure 99 years of payments on a PV of \$1.2MM and anytime during that seven year period, we can make a lump sum payment equal to the PV of \$1.2MM minus PV of payments to date.

We are receptive to the concept of lease payments being spread over the 99 year term.

Please give me a call at your earliest convenience to discuss these options.

Thanks,

Steve

Steven C. Cassell

Four Points, LLC

202-521-2529 (O)

202-250-1709 (C)

scassell@fourpointslc.com

From: Meister, Mark K. [<mailto:MMeister@wmata.com>]

Sent: Tuesday, May 19, 2009 8:41 PM

To: Cassell, Steven; Ketan (EOM) Gada; Neil.Albert@dc.gov; Voudrie, Stan; John Gerber; Moneme, Emeka; Catoe, John B.; Welch, Kermit A.; Burns, Bob; Bottigheimer, Nat; O'Keeffe, Carol B.

Subject: RE: WMATA-BCP Lease Terms

Steve,

WMATA has legal restrictions governing financial arrangements in which WMATA functions as a lender or partner in deferring compensation for conveyance of real estate interests in WMATA property for development projects. Because of this, the only way WMATA can convey a perpetual easement for the air rights is for BCP to pay the entire \$1.2 million at closing.

If the issue is the lump sum payments in the early part of the lease term, WMATA is willing to offer a long-term lease arrangement with smaller payments spread over 99-years. The net present value of the lease payments would have to equal \$1.2 million at a discount rate of 7.1%

Please let me know if these terms are acceptable.

Mark

From: Steven Cassell [scassell@fourpointslc.com]

Sent: Monday, May 18, 2009 3:23 PM

To: Ketan (EOM) Gada; Neil.Albert@dc.gov; Stan Voudrie; Meister, Mark K.; John Gerber; Moneme, Emeka; Catoe, John B.;

Welch, Kermit A.; Burns, Bob
Subject: RE: WMATA-BCP Lease Terms

Gentlemen,

After consultations with several lenders, we are unable to support a Lease Structure to this transaction. We understand that WMATA's desire to pursue a Lease so late in the process was a function of our request to be able to pay the \$864,000 balance as late as seven years after substantial completion. In exchange for a return to the prior structure of a "perpetual easement", we are willing to forego the option to pay later than at the first capital event and/or refinancing to occur at or after substantial completion. In other words, we will pay the balance upon the placement of permanent financing on the Office.

The message we are hearing consistently is that the complexity of this particular financing makes the addition of a ground lease very problematic. In this climate, with the many strings and requirements associated with the LDDA, grants, tax credit financing, etc., it was simply ill advised to add the ground lease to the equation.

Please note the following:

- * Your changes to Sections 3 and 9 are accepted.
- * We made some modifications to the language in Section 8 to make sure the approval rights were not overly burdensome.
- * We also need to revisit #11 with you. We do not understand your objective. The easement transaction by definition will have to be subordinate to construction financing.

Please confirm that you are willing to go back to the fee-transaction approach and make the appropriate modifications to the agreement. We hope to wrap this all up early this week.

Thanks,

Steve

Steven C. Cassell

Four Points, LLC

202-521-2529 (O)

202-250-1709 (C)

scassell@fourpointsllc.com

From: Meister, Mark K. [mailto:MMeister@wmata.com]
Sent: Friday, May 15, 2009 4:30 PM
To: Cassell, Steven
Cc: Welch, Kermit A.; Burns, Bob; Döttigheimer, Nat; Moneme, Emeka
Subject: WMATA-BCP Lease Terms

Steve,

Attached please find the redline and clean copies of our proposed revisions to the WMATA-BCP Proposed Lease Terms. Please call me next week if you need to discuss. I think we're pretty close.

Mark

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Monday, July 20, 2009 6:00 PM
To: Doggett, Rosalyn
Subject: Updated definitions
Attachments: Florida Avenue Definitions Draft 071709.doc; JD Definitions.doc

Here are updated drafts of the definitions.

I am free all day tomorrow to discuss our docs and the guaranty. Let me know when you are free.

Josh

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Monday, July 20, 2009 5:27 PM
To: Ackerman, Heidi; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Haldeman, Kristin M.; Hamre, James; Harrington, Thomas; Hendren, Patricia; Hughes, James; Jachies, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Sharyka; Johnston, Kasondra; Jones, Catherine; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marrow, Gwen B.; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Meseret, Girum; Mohsberg, Sid; Peterson, Scott; Roberson, Jerry; Stallworth, Douglas; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S.
Subject: Board Items Preparation Milestones
Attachments: Board Items Preparation Milestones - 2009.xls

All,

Attached is the latest update. Please let me know if there are any errors or omissions.

BAR: http://p590a3.wmata.com:7778/pls/bar/p_bar_public

Please note the upcoming milestones for the September 2009 items. They start on **8/5/09**.

Thanks.

Sid

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Friday, July 17, 2009 1:36 PM
To: Doggett, Rosalyn
Subject: Florida Avenue Documents
Attachments: Florida Avenue Definitions Draft 071709.doc; Florida Avenue Lease - DRAFT 071309.doc;
Florida Avenue Joint Development Agreement - Draft 071609.doc

Hi Roz,

Here are the updated drafts of the Florida Avenue JDA and Lease.

I am still reviewing these documents, so I may have minor changes. Also, I am trying to arrange for the definitions to be one list that applies to both documents as an attachment. As you will see, it is still a work in progress. I will send you updates of the definitions as soon as I have a better copy.

In the interest of time, I was hoping that you could review these documents and then I will bring updated documents/definition to our subsequent meeting to go over the attached.

Please let me know if you have any questions.

Thanks,

Josh

Doggett, Rosalyn

From: Bellamy, Michelle A.
Sent: Friday, July 17, 2009 1:05 PM
To: Mohsberg, Sid
Cc: Bottigheimer, Nat; Meister, Mark K.; Doggett, Rosalyn
Subject: RE: BAR Update: 9/10/09 PDRE Cmte: Extension of Negotiating Period for Shaw-Howard University Station/Florida Avenue Parcels

BAR updated

From: Mohsberg, Sid
Sent: Friday, July 17, 2009 12:59 PM
To: Bellamy, Michelle A.
Cc: Bottigheimer, Nat; Meister, Mark K.; Doggett, Rosalyn
Subject: BAR Update: 9/10/09 PDRE Cmte: Extension of Negotiating Period for Shaw-Howard University Station/Florida Avenue Parcels

Michelle,

Would you please add the following action item to the Executive Session agenda for the 9/10/09 PDRE Cmte meeting:

Executive Session
Information Agenda

PLJD Extension of Negotiating Period for Shaw-Howard University Station/Florida Avenue Parcels (Obtain 120 day extension of negotiating period) (N. Bottigheimer)

Thanks very much.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Friday, July 17, 2009 12:59 PM
To: Bellamy, Michelle A.
Cc: Bottigheimer, Nat; Meister, Mark K.; Doggett, Rosalyn
Subject: BAR Update: 9/10/09 PDRE Cmte: Extension of Negotiating Period for Shaw-Howard University Station/Florida Avenue Parcels

Michelle,

Would you please add the following action item to the Executive Session agenda for the 9/10/09 PDRE Cmte meeting:

Executive Session
Information Agenda

PLJD Extension of Negotiating Period for Shaw-Howard University Station/Florida Avenue Parcels (Obtain 120 day extension of negotiating period) (N. Bottigheimer)

Thanks very much.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Friday, July 17, 2009 12:52 PM
To: Sequeira, Loyda
Cc: Bottigheimer, Nat; O'Keeffe, Carol B.; Meister, Mark K.; Doggett, Rosalyn
Subject: RE: 9/24/09 Board Meeting: Proposed Admin action item: Extension of Negotiating Period for Shaw-Howard University Station/Florida Avenue Parcels

Loyda,

Upon reflection, we agree this should go to the Executive Session of the PDRE Cmte as was done on 4/9/09.

We'll contact Michelle Bellamy.

Thanks.

Sid

From: Sequeira, Loyda
Sent: Tuesday, July 14, 2009 12:05 PM
To: Mohsberg, Sid
Cc: Bottigheimer, Nat; O'Keeffe, Carol B.
Subject: FW: 9/24/09 Board Meeting: Proposed Admin action item: Extension of Negotiating Period for Shaw-Howard University Station/Florida Avenue Parcels

Hi Sid,

Why would this not go to a Committee? Thanks,

Loyda

From: Mohsberg, Sid
Sent: Monday, July 13, 2009 4:44 PM
To: Sequeira, Loyda
Cc: Bottigheimer, Nat; Meister, Mark K.; Doggett, Rosalyn
Subject: 9/24/09 Board Meeting: Proposed Admin action item: Extension of Negotiating Period for Shaw-Howard University Station/Florida Avenue Parcels

Loyda,

Would you please add the following action item to the administrative agenda for the 9/24/09 Board meeting:

"Extension of Negotiating Period for Shaw-Howard University Station/Florida Avenue Parcels"

On 4/23/09, the Board approved the recommendation of MEAD 100284: "Approval of a 120-day extension for negotiating a revised term sheet for the Shaw-Howard University/Florida Avenue parcels. A negotiated agreement will be brought to the Board for approval."

More time has proven necessary to negotiate and execute the Term Sheet and Joint Development Agreement. The 4/23/09 extension gave us until the end of 8/09. Another 120 day extension will give us until the end of 12/09. Our goal is to negotiate the documents by 12/31/09.

Thanks very much.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Thursday, July 16, 2009 11:30 AM
To: Meister, Mark K.
Cc: Doggett, Rosalyn
Subject: FW: 9/24/09 Board Meeting: Proposed Admin action item: Extension of Negotiating Period for Shaw-Howard University Station/Florida Avenue Parcels
Attachments: Shaw-Howard Florida Avenue 2009 Time Line.doc

Mark,

Roz said it was your idea to take this item directly to the Board as an Admin item on 9/24/09 rather than to an Executive Session of the PDRE Cmte on 9/10/09, which would parallel what we did on 4/9/09.

Before I expend effort crafting a persuasive argument for Loyda, do we really feel strongly one way or the other about this? If we're agnostic, again taking it to the PDRE Cmte would be from a broader perspective the easier course.

Although on the surface we're simply asking for another 120 day (9/1/09 to 12/31/09) extension of the negotiation period on top of the 120 day such extension (5/1/09 to 8/31/09) the Board approved on 4/23/09, Roz says this item is more complex than a simple negotiation time period extension would indicate. Attached is the 2009 timeline so far. There may be some fireworks.

If so, perhaps the Executive Session of the PDRE Cmte route would be the surer venue.

Please let me know your druthers, and then I'll respond supportively to Loyda.

Thanks.

Sid

From: Sequeira, Loyda
Sent: Tuesday, July 14, 2009 12:05 PM
To: Mohsberg, Sid
Cc: Bottigheimer, Nat; O'Keeffe, Carol B.
Subject: FW: 9/24/09 Board Meeting: Proposed Admin action item: Extension of Negotiating Period for Shaw-Howard University Station/Florida Avenue Parcels

Hi Sid,

Why would this not go to a Committee? Thanks,

Loyda

From: Mohsberg, Sid
Sent: Monday, July 13, 2009 4:44 PM
To: Sequeira, Loyda
Cc: Bottigheimer, Nat; Meister, Mark K.; Doggett, Rosalyn
Subject: 9/24/09 Board Meeting: Proposed Admin action item: Extension of Negotiating Period for Shaw-Howard University Station/Florida Avenue Parcels

Loyda,

Would you please add the following action item to the administrative agenda for the 9/24/09 Board meeting:

"Extension of Negotiating Period for Shaw-Howard University Station/Florida Avenue Parcels"

On 4/23/09, the Board approved the recommendation of MEAD 100284: "Approval of a 120-day extension for negotiating a revised term sheet for the Shaw-Howard University/Florida Avenue parcels. A negotiated agreement will be brought to the Board for approval."

More time has proven necessary to negotiate and execute the Term Sheet and Joint Development Agreement. The 4/23/09 extension gave us until the end of 8/09. Another 120 day extension will give us until the end of 12/09. Our goal is to negotiate the documents by 12/31/09.

Thanks very much.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, July 15, 2009 5:18 PM
To: Ackerman, Heidi; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Haldeman, Kristin M.; Hamre, James; Harrington, Thomas; Hendren, Patricia; Hughes, James; Jachles, Cynthia; Jia, Wendy; Jideani, Oryinye; Johnson, Sharyka; Johnston, Kasondra; Jones, Catherine; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marrow, Gwen B.; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Meseret, Girum; Mohsberg, Sid; Peterson, Scott; Roberson, Jerry; Stallworth, Douglas; Talala, Anabela; Wallace, Maria A; Wyner, Jonathan S.
Subject: Board Items Preparation Milestones - 2009
Attachments: Board Items Preparation Milestones - 2009.xls

All,

Attached is the latest list of upcoming Board issues. Please let me know if there are any errors or omissions.

Please note that the pre-brief for Nat for the September 2009 Committee and Administrative items is on 8/5/09 – three weeks from now.

Please show up with a smooth version of the Board Action/Information Summary (BAIS), PowerPoint presentation, and resolution (if applicable).

Remember: the BAIS emphasizes words, while the PowerPoint presentation emphasizes images. Pictures, charts, graphs, and so on are good. Long, wordy bullets are bad. Honest.

Thanks.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Monday, July 13, 2009 4:44 PM
To: Sequeira, Loyda
Cc: Bottigheimer, Nat; Meister, Mark K.; Doggett, Rosalyn
Subject: 9/24/09 Board Meeting: Proposed Admin action item: Extension of Negotiating Period for Shaw-Howard University Station/Florida Avenue Parcels

Loyda,

Would you please add the following action item to the administrative agenda for the 9/24/09 Board meeting:

"Extension of Negotiating Period for Shaw-Howard University Station/Florida Avenue Parcels"

On 4/23/09, the Board approved the recommendation of MEAD 100284: "Approval of a 120-day extension for negotiating a revised term sheet for the Shaw-Howard University/Florida Avenue parcels. A negotiated agreement will be brought to the Board for approval."

More time has proven necessary to negotiate and execute the Term Sheet and Joint Development Agreement. The 4/23/09 extension gave us until the end of 8/09. Another 120 day extension will give us until the end of 12/09. Our goal is to negotiate the documents by 12/31/09.

Thanks very much.

Sid

Doggett, Rosalyn

From: Marshall, Malcolm
Sent: Monday, July 13, 2009 11:52 AM
To: Doggett, Rosalyn; Meister, Mark K.
Subject: FW: What WMATA
Attachments: ProposalShawHowardMetro.pdf

-----Original Message-----

From: richard harps [<mailto:rharp@earthlink.net>]
Sent: Monday, July 13, 2009 11:48 AM
To: Marshall, Malcolm
Subject: What WMATA

Proposal attached - please note the dates - we really need to know that we're doing this ASAP if we're to have a chance to meet the deadline.

Thanks

Richard

Harps & Harps Inc
1111 14th Street, NW Suite 600
Washington, DC 20005
202-682-2194
202-682-1579 (fax)
rharp@earthlink.net

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Monday, July 13, 2009 10:58 AM
To: Bottigheimer, Nat
Cc: Mohsberg, Sid; Doggett, Rosalyn
Subject: RE: Shaw-Howard University Station (Florida Avenue, N.W.)

We hope to have both the Term Sheet and the JDA completed by NLT December 31, 2009.

Sid – Please add this as an Administrative Agenda Item for the 9/24 Board meeting. Thanks.

From: Bottigheimer, Nat
Sent: Monday, July 13, 2009 10:52 AM
To: Meister, Mark K.
Cc: Mohsberg, Sid; Doggett, Rosalyn
Subject: Re: Shaw-Howard University Station (Florida Avenue, N.W.)

Good suggestion, please proceed on that basis. When can we envision an agreement do you think?

From: Meister, Mark K.
To: Bottigheimer, Nat
Cc: Mohsberg, Sid; Doggett, Rosalyn
Sent: Mon Jul 13 10:04:40 2009
Subject: Shaw-Howard University Station (Florida Avenue, N.W.)
Nat,

The deadline for completing the Term Sheet and obtaining Board Approval for the Shaw-Howard University (Florida Avenue, N.W.) site is September 30, 2009. As we are procuring a new appraisal for the property which incorporates the District's recently enacted Inclusionary Zoning requirements and the Duke Plan, we will need an extension of time. Recommend we add the following as an Administrative Item to the 9/24 Board Agenda:

"Extension of Negotiating Period for Shaw-Howard University Station (Florida Avenue, N.W.)"

To allow additional time to negotiate and execute a Term Sheet and Joint Development Agreement for the Shaw-Howard University Station (Florida Avenue, N.W.) joint development site.

Mark

Doggett, Rosalyn

From: Bottigheimer, Nat
Sent: Monday, July 13, 2009 10:52 AM
To: Meister, Mark K.
Cc: Mohsberg, Sid; Doggett, Rosalyn
Subject: Re: Shaw-Howard University Station (Florida Avenue, N.W.)

Good suggestion, please proceed on that basis. When can we envision an agreement do you think?

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To: Bottigheimer, Nat
Cc: Mohsberg, Sid; Doggett, Rosalyn
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To allow additional time to negotiate and execute a Term Sheet and Joint Development Agreement for the Shaw-Howard University Station (Florida Avenue, N.W.) joint development site.

Mark

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Monday, July 13, 2009 10:05 AM
To: Bottigheimer, Nat
Cc: Mohsberg, Sid; Doggett, Rosalyn
Subject: Shaw-Howard University Station (Florida Avenue, N.W.)

Nat,

The deadline for completing the Term Sheet and obtaining Board Approval for the Shaw-Howard University (Florida Avenue, N.W.) site is September 30, 2009. As we are procuring a new appraisal for the property which incorporates the District's recently enacted Inclusionary Zoning requirements and the Duke Plan, we will need an extension of time. Recommend we add the following as an Administrative Item to the 9/24 Board Agenda:

"Extension of Negotiating Period for Shaw-Howard University Station (Florida Avenue, N.W.)"

To allow additional time to negotiate and execute a Term Sheet and Joint Development Agreement for the Shaw-Howard University Station (Florida Avenue, N.W.) joint development site.

Mark

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Monday, July 13, 2009 10:04 AM
To: Doggett, Rosalyn
Subject: RE: Extension of Negotiating Period for Shaw-Howard University Station (Florida Avenue, N.W.)

Thanks.

From: Doggett, Rosalyn
Sent: Monday, July 13, 2009 10:01 AM
To: Meister, Mark K.
Subject: RE: Extension of Negotiating Period for Shaw-Howard University Station (Florida Avenue, N.W.)

We should be able to

From: Meister, Mark K.
Sent: Monday, July 13, 2009 9:57 AM
To: Doggett, Rosalyn
Subject: RE: Extension of Negotiating Period for Shaw-Howard University Station (Florida Avenue, N.W.)

So, can we do both by the end of the year?

From: Doggett, Rosalyn
Sent: Monday, July 13, 2009 9:43 AM
To: Meister, Mark K.
Subject: RE: Extension of Negotiating Period for Shaw-Howard University Station (Florida Avenue, N.W.)

1. The 120 day deadline to Sept was for a term sheet only
2. Give time extension- for a term sheet only I think we should ask for an additional 60 days at tops and I would try to do an agreement in that time frame

From: Meister, Mark K.
Sent: Monday, July 13, 2009 9:39 AM
To: Doggett, Rosalyn
Subject: Extension of Negotiating Period for Shaw-Howard University Station (Florida Avenue, N.W.)

Roz,

I propose to send the following to Nat. Please review for accuracy before I push the button. Thanks.

Mark

Nat,

The deadline for negotiating the Term Sheet and JDA and obtaining Board Approval for the Shaw-Howard University (Florida Avenue, N.W.) site is September 30, 2009. As we are procuring a new appraisal for the property which incorporates the District's recently enacted Inclusionary Zoning requirements and the Duke Plan, we will need an extension of time to complete negotiations. Recommend we add the following Administrative Item to the 9/24 Board Agenda:

"Extend Negotiating Period for Shaw-Howard University Station (Florida Avenue, N.W.) Joint Development Site"

To allow additional time to negotiate and execute a Term Sheet and Joint Development Agreement for the Shaw-Howard University Station (Florida Avenue, N.W.) joint development site.

Mark

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Monday, July 13, 2009 9:57 AM
To: Doggett, Rosalyn
Subject: RE: Extension of Negotiating Period for Shaw-Howard University Station (Florida Avenue, N.W.)

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From: Doggett, Rosalyn
Sent: Monday, July 13, 2009 9:43 AM
To: Meister, Mark K.
Subject: RE: Extension of Negotiating Period for Shaw-Howard University Station (Florida Avenue, N.W.)

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From: Meister, Mark K.
Sent: Monday, July 13, 2009 9:39 AM
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Subject: Extension of Negotiating Period for Shaw-Howard University Station (Florida Avenue, N.W.)

Roz,

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Mark

Nat,

The deadline for negotiating the Term Sheet and JDA and obtaining Board Approval for the Shaw-Howard University (Florida Avenue, N.W.) site is September 30, 2009. As we are procuring a new appraisal for the property which incorporates the District's recently enacted Inclusionary Zoning requirements and the Duke Plan, we will need an extension of time to complete negotiations. Recommend we add the following Administrative Item to the 9/24 Board Agenda:

"Extend Negotiating Period for Shaw-Howard University Station (Florida Avenue, N.W.) Joint Development Site"

To allow additional time to negotiate and execute a Term Sheet and Joint Development Agreement for the Shaw-Howard University Station (Florida Avenue, N.W.) joint development site.

Mark

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Monday, July 13, 2009 9:39 AM
To: Doggett, Rosalyn
Subject: Extension of Negotiating Period for Shaw-Howard University Station (Florida Avenue, N.W.)

Roz,

I propose to send the following to Nat. Please review for accuracy before I push the button. Thanks.

Mark

Nat,

The deadline for negotiating the Term Sheet and JDA and obtaining Board Approval for the Shaw-Howard University (Florida Avenue, N.W.) site is September 30, 2009. As we are procuring a new appraisal for the property which incorporates the District's recently enacted Inclusionary Zoning requirements and the Duke Plan, we will need an extension of time to complete negotiations. Recommend we add the following Administrative Item to the 9/24 Board Agenda:

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Mark

Doggett, Rosalyn

From: Marshall, Malcolm
Sent: Friday, July 10, 2009 11:15 AM
To: Doggett, Rosalyn
Subject: Shaw Howard

Rick Harps must be out of town. If he can't meet the deadline I have 1 or 2 possible alternative appraisers lined up but could use the names of some possible architects. The only people I know, besides Colbert, is Lessard & I don't know that this is the right job for them.

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Wednesday, July 01, 2009 11:44 AM
To: Malasky, Gary; Burns, Bob; Doggett, Rosalyn; Scales, Phillip; Wyner, Jonathan S.
Subject: FTA Quarterly Report
Attachments: FTA Quarterly REV 4 Status of Current Projects 4_17_09.doc

Gary, Bob, Roz, Jonathan, Phil:

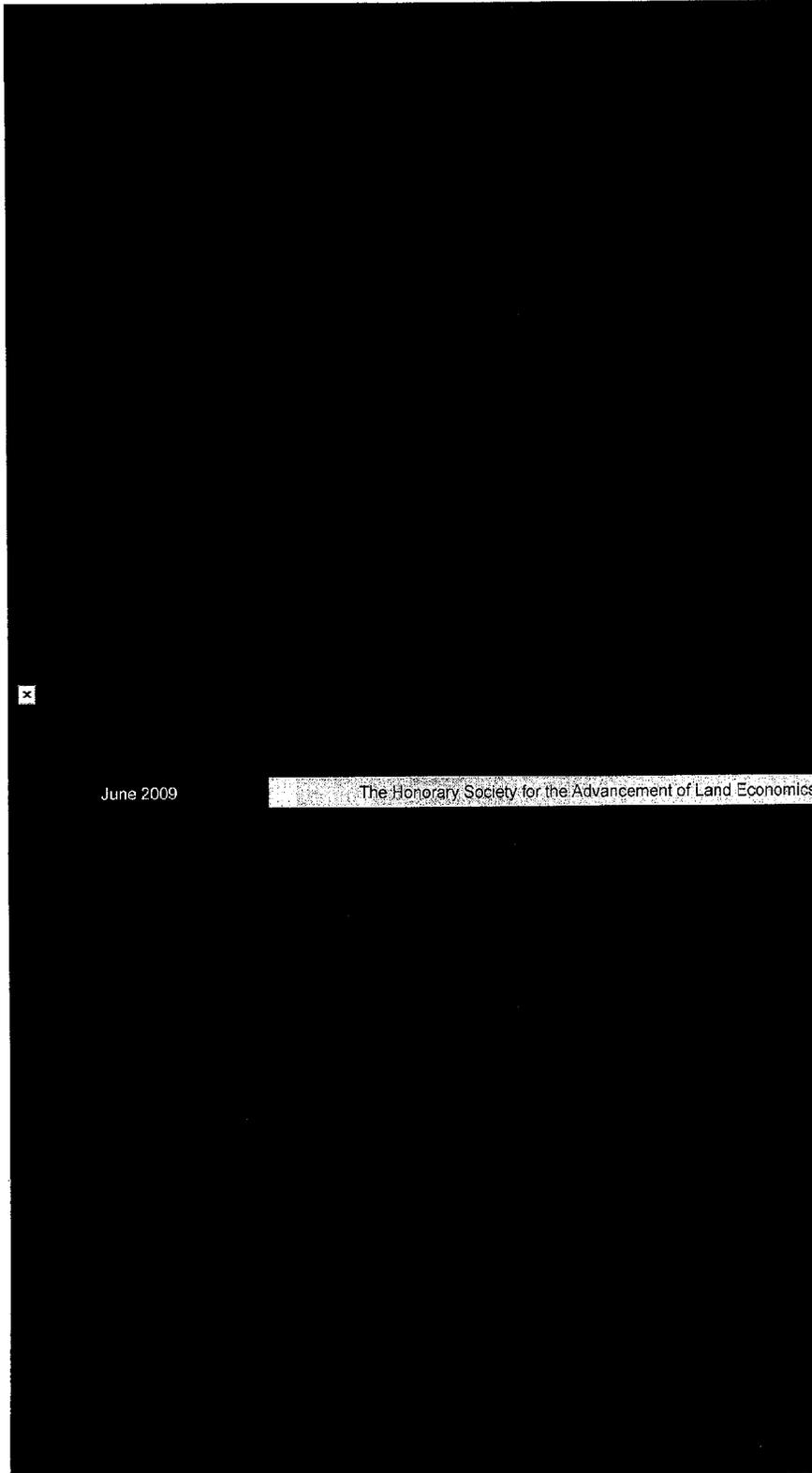
The next FTA Quarterly Meeting is scheduled for Wednesday, August 5, 2009. OPRS requests that SAAM provide it's updated report to them by COB Friday, July 10, 2009. Accordingly, please review and update the information for your respective projects in the attached document and forward the redline update to me by NLT Monday July 6, 2009.
Thanks.

Mark

Doggett, Rosalyn

From: lai@lai.org
Sent: Tuesday, June 30, 2009 4:13 PM
To: Doggett, Rosalyn
Subject: June KeyNotes

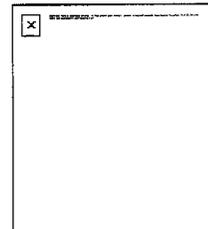
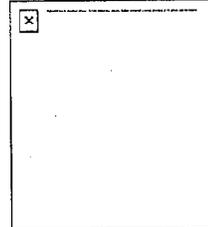
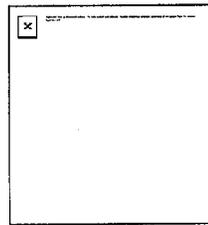
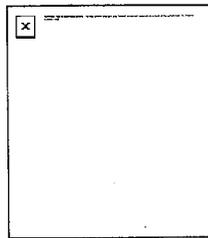
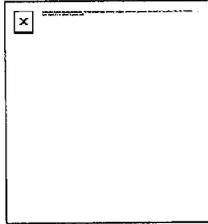
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June 2009

The Honorary Society for the Advancement of Land Economics

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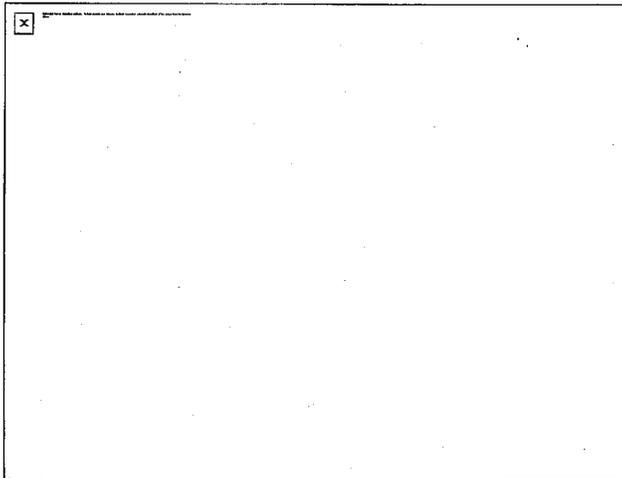


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Featured Stories

Chicago Land Economics Weekend



Millenium Center, Chicago

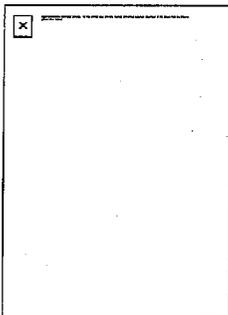
The Ely Chapter urges you to "Make No Little Plans and Blow into the Windy City" for the Land Economics Weekend. The Centennial of Burnham's Plan of Chicago is being commemorated throughout this year, and the Ely Chapter invites you to join the celebration on October 22 - 24, 2009. A Symposium will feature speakers debating the legacy of Burnham's Plan of Chicago, and a walking tour along North Michigan Avenue's Magnificent Mile will step-off right from the host hotel. Other tours will include walking in President Obama's footsteps in Hyde Park, proposed 2016 Olympic Venues and the greenest of Green and Sustainable projects. The world-famous and newly renovated Drake Hotel will serve as both the host hotel and the location of the Opening Reception and Dinner. The Biennial Awards Dinner will take place at the new Trump International Hotel and Tower, providing a view of what Burnham may have envisioned over 100 years ago. Please join us for a weekend 100 years in the making!

LEW Video

Save the date for the Chicago Land Economics Weekend! Celebrating the Centennial of the Burnham Plan October 22-24, 2009

The Drake Hotel, Chicago, IL
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Phone: 1-800-55-Drake
140 East Walton Place
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www.thedrakehotel.com

Letter from the President



Les Pollock

Not that I'm a supporter of the profligate use of fossil fuels, and the pattern of sprawling urban development that it allows. Nor, have I been a doubter of the adverse impact of removing forests, continued coal fired power generation and other activities which have been found to increase greenhouse gas production and global warming. Rather, as a professional city planner and teacher, I believe that my

It seems today that everybody is talking about all things "green". Green, as shorthand for sustainability; which the dictionary defines as relating to a use of a resource so that the resource is not depleted or permanently damaged. Being somewhat of a skeptic, I have wondered about the sustainability of "sustainability". After all, I remember the oil bust of the 1970's, the Club of Rome *Limits to Growth* study published in 1974 and other world system models that indicated that natural resources would soon be in short supply or disappear, only to be proven faulty by the flexibility of an entrepreneurial and innovative economy.

Featured Stories

Chicago Land Economics Weekend

Letter from the President

Editor's Column

In Memoriam

International Awards

Chapter Corner

Baltimore Chapter

Boston Chapter

Ely Chapter

George Washington Chapter

Los Angeles Chapter

Phoenix Chapter

Vancouver Chapter

Zia Chapter

Land Economics Foundation (LEF)

LEF Grant Program

Announcements

Administration Matters!

Save the Date!

New Members

Online KeyNotes is published monthly for members of Lambda Alpha International.

Editor: Helen Sause, Golden Gate Chapter

Production Manager: Michele Meng

Send your announcements for next edition of KeyNotes to LAI@LAI.org

Webmaster / Designer: Kathy Keiler

For more information about LAI activities, visit the website or contact the International Office: Terry Stevenson, Executive Director 214 N. Hale Street Wheaton, IL 60187 p: 630/510-4584

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responsibility to my clients and students is to provide fact based rather than ideological based information. To that end, the issue that always bothered me was not if "we" -- the developed western world -- had enough resources, but what would happen when the size of the developed world so increased that demand would clearly exceed supply, and technological fixes could not keep up with the global warming challenge..

f: 630/510-4501
lai@lai.org

www.lai.org

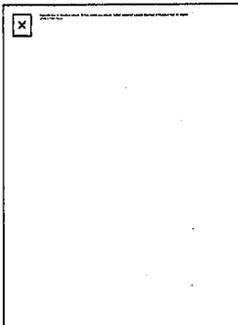
Well, that's happening now with the growth of the consuming classes in once third world countries like China and India. Think of it; if only fifteen percent of China's and India's population reached what we think of as the middle class, with all the affluence and consumption potential that implies, we would see 300 million new major consumers and carbon dioxide creators which is close in size to the present population of North America. Think of the impact! Thomas Friedman, in his recent book *Hot Flat and Crowded* has, and he cites facts that projects fossil fuel shortages and adverse global warming within the short term if not within our lifetimes. If you don't like Friedman's conclusions, read any number of similar articles. Indeed, recent articles in respected journals such as *Atlantic Monthly*, the *Economist* and the *Wall Street Journal* have discussed technical fix geo-engineering approaches to address the greenhouse gas reality. When this type of article is found in such journals you know the situation is getting scary.

All this to say it's time for skeptics, non believers, ideologues and those with only short term personal investment horizons to grapple with issues of sustainability. While quite aware of the dangers of oversimplification, I don't think one can argue with the conclusion that the major challenges to a sustainable environment lie in the management of food production, power generation, transportation and urban development. The membership of LAI may have some individuals well versed in all categories, but for sure, we are all well versed in urban development. Indeed, the importance of urban sustainability is often driven home in our meetings and semi-annual Land Economics Weekends as we view and discuss LEED certified buildings, green roofs, cogeneration facilities and the like.

Given the growing consensus on the need to create a more sustainable environment, perhaps it's time for LAI to do something more that bring forth projects for discussion. I believe that it's time for LAI to take a position advocating sustainability. I recognize that this is, perhaps, a radical request since a key tenet of our Society holds that LAI should, to paraphrase part of our initiation oath, "not conflict with one's sense of right or wrong". Yet how, in the light of our current environmental challenges, can a position that suggests a cautious husbanding of resources and consideration of the consequences of public policy and private investment upon the production or minimization of our "carbon footprint" be "wrong"? Remember that Lambda Alpha stands for *logos aigistos* or caring for the land.

So, should the Society take a position in support of sustainability as a key to our philosophy of caring for the land, and if so should we, as a group, advocate for plans, public policies and projects that are sustainable, and oppose those that aren't? Members who find this of interest might initiate this discussion within their chapter or suggest positions for consideration by the International membership. Indeed, it could well be that I'm late to the party and some chapters have already acted or at least have taken up the discussion. That the Society takes a formal position on any issue is something not to be taken lightly. Let me hear your opinions.

Les Pollock
LAI President
lpollock@camiros.com



Helen Sause

Editor's Column

Dear Colleagues,

Dear Colleagues! Back to the Economy... You can't miss this recession, international, national and local news are filled with even the slightest nuance of the economy, the markets, banks, the EU the latest business failures. It fills the media, conversations over lunch, dinner, pillow talk. No sector is immune and businesses, non-profits, and all sectors of government are all feeling the pain. We probably haven't seen the worst of it: the impacts of property tax declines on city services will come after June, more storefronts will become vacant and demands on groups serving the low income, homeless and underemployed will grow as resources shrink.

So far San Francisco has dodged the worst of it, with unemployment relatively low (good news unless its you!). We have a diverse economy without over-reliance on a single industry, along with a diverse, educated and creative workforce. But the reduction in travel is beginning to have a major impact on one of our major "industries" and the lack of visitors in our hotels, restaurants etc. is beginning to have a significant dampening effect on many jobs, and all forms of income. Housing speculation has been reduced and it's not a good time to be in the market to sell, but a good time to buy, not a good time to offer office space for lease but not a bad time to be looking. Now is a good time to position for the return of growth.

We forget history and repeat it. Or maybe we repeat it whether we remember it or not-- the global nature of our economy is what's different this time and hopefully we can build in controls to stop our memories from "forgetting" this world wide melt down and prevent another such disaster!

Till next time.

Helen Sause
International LAI Editor

helensause@alamedanet.net

In Memoriam

Boston Chapter

Charles Bailey Akerson, age 86, died April 22, 2009. Charlie was considered the appraiser's appraiser and counselor's counselor of international renown. Authoring *Capitalization Theory and Techniques Study Guide*, *The Appraiser's Workbook* and *An Introduction to Mortgage Equity Capitalization*, Charlie wrote, thought, taught and talked the new and evolving income approach to valuation. He was the 1978 President of the American Institute of Real Estate Appraisers (predecessor organization to the Appraisal Institute) and 1982 editor of the *Appraisal Journal*.

First chairman in 1989 of the Appraisal Standards Board of the Appraisal Foundation, and President of the Union Panamericana de Asociaciones de Valuacion 1996 to 1998. Charlie received many awards and accolades from his professional and personal service. He was an accomplished and successful professional and truly epitomized the objectives of Lambda Alpha. Charlie was invited to join Lambda Alpha in 1988.

Letters of condolence can be sent to his wife Jean G. Akerson, 99 Norumbega Road, Apartment 119, Weston, Massachusetts 02493.

International Awards

The International Awards Committee has announced the names of honorees receiving international awards at the fall LAI Biennial Congress. They are:

International Urban Affairs Award

Valerie Jarrett, The White House, Washington, DC
Dr. Wm. G. O'Hare, Parker Green International, Newry, Northern Ireland

International Public Official

Rhonda Faught, New Mexico Department of Transportation, Santa Fe
Lawrence Rael, Mid-Region Council of Governments, Albuquerque, New Mexico
Chris Blewett, Mid-Region Council of Governments, Albuquerque, New Mexico

Richard T. Ely Distinguished Educator

Professor Dowell Meyers, University of Southern California, Los Angeles

International Journalism Award

Carol Colletta, CEOs for Cities, Chicago
John Plender, The Financial Times, London

Gerald Hines International Humanitarian Award

Constance Maffin, Washington, DC

International Author Award

Professor Steven P. Erie, University of California, San Diego

International Fellow Award

Walter Winius, Jr., Phoenix
Peter Holsten, Chicago

International Member of the Year Award

Susan Aaron, Chicago
Louis J. Slade, P.E., Washington, DC

International Skyline Award

Columbia Heights Metro Rail Station Area, Washington, DC (Award to be accepted by Neil Albert, Deputy Mayor, Washington, DC)

Chapter Corner

Baltimore Chapter:

Spring Update

Baltimore members welcomed LAI President and Camiros, Ltd Partner Lester Pollock and his colleague Arista Strungys to the chapter's program meeting on March 18th.

To a standing room-only crowd of members and guests, Les first provided an overview about the Lambda Alpha International Honorary Land Economics fraternity and the LAI Foundation and described what each does. He talked about the semi-annual LAI Week-Ends that, according to Pollock, provide terrific opportunities for members in the 22 LAI chapters to develop relationships build networks and learn about the host community and local issues. He invited all to attend the upcoming LAI Week-end in Vancouver, British Columbia, Canada in May 2009.

Turning to his professional role and partnership with LAI Baltimore Vice President Rachel Edds, Edds Consulting and David Benn, Principal, Cho, Benn & Holback Architecture, he provided a status of his work with the City of Baltimore to perform a comprehensive evaluation and update of the Baltimore City Zoning Code, which had not occurred since 1971. He began by complimenting the City's Planning Department and staff that spent one year identifying issues (e.g., mixed use districts) to be addressed. With a fast paced power-point presentation, "Professor" Pollock (who also serves as Adjunct Faculty on the Department of Urban Planning and Policy at the University of Illinois) summarized the eight major proposals for rewriting the Zoning Code. A summary of the key proposals, their guiding visions and preliminary recommendations are available by visiting www.baltimorecity.gov/government/planning. Pollock said that a draft of the new Zoning Code would be available for public discussion towards the end of this year.

"Great Time to Buy in Baltimore" was the mantra of April's LAI-program speaker, Mark Sissman, President, Healthy Neighborhoods.

With passion about his city and its neighborhoods plus a stellar professional background in affordable housing and community revitalization and redevelopment, Mark Sissman has focused his efforts during the past eight years on the "forgotten" but still strong yet undervalued middle-income neighborhoods that have not appreciated. Healthy Neighborhoods (HN) works with foundations and banks and that partners with the Greater Baltimore Board of Realtors and the City. Sissman claims HN is changing the discourse about how neighborhood change themselves. The nonprofit organization operates to increase home values; market the communities; create high standards for property improvement; organize neighborhoods and the leaders; and build homeowners' assets. It focuses on neighborhood markets and tracks targeted and measurable outcomes.

Annually, neighborhoods compete to become part of HN's; 15 now are designated as Healthy Neighborhoods even though one quarter of the City's neighborhoods need this strategic attention and investment. Operating in a counter-intuitive manner to the traditional urban renewal/revitalization process, HN builds from strength and creates demand to respond to the existing supply. They start the home improvement lending in a neighborhood's best blocks and supplement this activity with community projects that support positive images, such as tree plantings and community festivals. The organization got launched with public money but returned all of it due to bureaucratic requirements that stifled rather than supported investment by homeowners in their homes or purchase by new homebuyers. HN has no income limits and requires no counseling for accessing its preferential rate financing.

The Rolling Stones magazine named Baltimore in 2008 as the best city for musicians and artists. According to a Fall 2008 survey in the Baltimore region and city, done in collaboration with the Greater Baltimore Board of Realtors, forty five percent (45%) of home buyers are single and of these, 1/3 are single women. Baltimore and its healthy neighborhoods are attracting relocations from New York and Boston; these are people who like to bike and/or walk to work or to the train if commuting to Washington, DC.

Proudly, Healthy Neighborhoods under Sissman's leadership is adding to the public's confidence about the future of Baltimore. It has created new strategies and a new language for community development by building a new, smart community development intermediary. Most importantly, it has put middle-income neighborhoods on the City's community development map. For more information, visit www.healthyneighborhoods.org.

Johns Hopkins University Practitioner Faculty, Roger Staiger III Predicts Continued Decline in Residential Pricing Levels

Since Baltimore Chapter members heard Roger's gloomy forecast at their annual meeting on November 19, 2008, he returns monthly to provide an update on the residential and commercial real estate market nationally and in Baltimore.

At the March meeting, he indicated that "pricing levels nationally and regionally (D.C./Baltimore) have returned to mid-2003 levels. The pricing changes remain the worst in recorded history and exhibit no upward pressures. The prediction is prices will continue to worsen and fall through 2010 with the bottom occurring in the 1st quarter 2011." He further added that in most areas, it is more efficient to invest in condominiums than Single Family Detached homes. The sole ray of good news at the April 15th meeting during his update is "things are getting bad at a lesser rate." He foresees no price increase/escalation in the residential market until 2014.

The June 17th program lunch meeting of the LAI-Baltimore chapter was held in the Johns Hopkins University's Edward St. John Conference Room at One Charles Center. Chapter President John Murphy and fellow member, Joseph T. "Jody" Landers, Executive Vice President, Greater Baltimore Board of Realtors jointly introduced the guest speaker, Baltimore native F. Barton "Bart" Harvey III. Mr. Harvey is the former Chair of the Board of Trustees of Enterprise Community Partners and since 2008, a member of the Board of Directors of Fannie Mae.

Bart gave a sobering talk about the ongoing mortgage crisis in the country. He used information from the Preventing Foreclosure Task Force, which was part of the Report on Retooling HUD for Catalytic Federal Government, February 2009, www.upenn.edu/penniur/pdf/Retooling_HUD. Focusing on the outstanding \$11.2 trillion of mortgages, he identified \$4.2 trillion are held by Fannie Mae and Freddie Mac and another \$1.5 trillion are subprime loans. According to Harvey, there are 2 million foreclosures today and Credit Suisse projected in December 2008 there would be an additional 8.1 million foreclosures by the end of 2012. He indicated the Task Force that he co-chaired recommended a bold, fair and comprehensive plan of intervention by the federal government. This included programs for refinancing and loan modification of a significant portion of subprime and Alt-A loans outstanding along with related legislative and regulatory changes. The effect would be to help homeowners remain in their homes; stabilize housing prices; reduce excess housing supply; reliquify toxic assets; and create a market to attract private capital.

Members asked about the status of the recommendations. Beginning with a claim that Shaun Donovan is the best HUD Secretary in years, he said there was no political will to forgive a portion of principal on loan modifications and no judicial modification was approved.

According to Fannie Mae's latest estimates, the actual numbers of homeowners assisted fall far short of the projections (1 million versus 4 to 5 million refinancing at 4.5%; and 1 million versus 3 to 4 million loan modifications). Thus, only 2 million versus 7 to 9 million have been assisted; were these 2 million eventually become part of the 8 to 9 million new foreclosures forecasted by Credit Suisse, one can see the magnitude of the crisis. He said foreclosure filings now top 300,000 and more are coming into the pool during the next several quarters. This 3rd wave of foreclosures is dependent on the economy and unemployment.

Showing a map with home prices, values in California were down 33% on average and 21.3% in the South Atlantic region. Florida is in the worst shape and getting worse. California's housing market decline preceded everyone by one year but now is coming back and evidencing some supply elasticity.

Based on his conversation with Secretary Donovan the night before the LAI meeting, Harvey indicated increasing the scale of loans to be modified by hiring new servicers is important along with increasing the loan to value ratio. Government research shows that 7 to 9 million people with mortgages in Freddie's and Fannie's \$4 trillion pool, the value of the mortgages is 105% of appraised value of a house. According to Harvey, this needs to be increased to 120 percent of Loan to Value to help, especially in California and Florida. For Freddie and Fannie, he indicated that an increase of up to 125% is coming.

Members mused about the existing system and servicers and where the people power will come from to restructure the loans quickly. A challenge is how fast folks who are doing other things can get trained and gear up to do the loan mods before people walk. Another member asked how the housing counseling industry is working with and educating individual homeowners who are "psychologically frozen" and do not know how to help themselves and develop a plan of action. After talking about the responsibility of the financial institutions and their investors who pushed products that created this global crisis, the last word was "the political heat hasn't gotten hot enough yet to force things to change. The program relies on lenders doing the 'right thing'".

President Murphy concluded the meeting by inviting members to take a copy of *The Living City -- Baltimore's Charles Center and Inner Harbor Development*. One Charles Center is the first commercial building in Baltimore designed by architect, Ludwig Mies van der Rohe. Information about One Charles Center is included in this book published in 2002 by the Maryland Historical Society with photographs by Marion E. Warren & text by Michael P. McCarthy. The books were donated by the Baltimore Community Foundation as a token of thanks to members of the LAI-Baltimore Chapter for their civic leaders.

The next meeting of the Baltimore Chapter will occur aboard the historic Chesapeake Bay skipjack, Sigsbee on July 29th. This is the second annual tour of Baltimore's waterfront and will be guided by Baltimore native M. Jay Brodie, President, Baltimore Development Corporation, and a representative of the MD Port Authority.

Tara B. Clifford, Baltimore Chapter Scribe

Boston Chapter:

The Boston Chapter sponsored its Boston harbor cruise and market update June 16, 2009 for 30 members and guests. Chapter member Lowell Richards, Director of Real Estate Development for MassPort narrated a tour of port facilities and recent waterfront completions on MassPort, City of Boston and private property visible from the harbor. Action in South Boston, East Boston, the North End and Charlestown made the trip well worth the two-hour cruise and weather co-operated. The history lesson is always as interesting as the forecast. The harbor front is now enhanced by the Big Dig with the elevated artery demolished and the Rose Kennedy Greenway taking shape. Better seen from the air, the trees along the Greenway, the harbor walk and the walk-to-sea connecting the Quincy Market with waterfront are all visible from the harbor and are resulting benefits of the Big Dig. The tides are turning once again in Boston!

David S. Kirk, Boston Chapter President

Ely Chapter:

Chicago was the host of **Green Festival** the weekend of May 16th at Navy Pier. Those that attended enjoyed learning about all things green through trade booths and work shops, great music, dancing and food. The event is meant to be a collaboration of businesses and residents to share best practices between them to further promote sustainability.

The *Plan of Chicago@100:15 Views of Burnham's Legacy for a New Century* has been selling quite nicely. Over 500 books have been sold to date at venues including the Chicago Botanic Gardens in Glencoe, book signings at Cliff Dwellers in Chicago and the Book Stall in Winnetka. Members of the chapter also staffed a booth at the Printer's Row Book Fair in June in an effort to promote and sell the book.

The **initiation banquet** on June 17th proved to be a wonderful evening with 47 new initiates being inducted to the Ely Chapter. Congratulations to Susan Aaron for receiving the Harry Chadick Distinguished Public Service Award and Reuben Hedlund for his receipt of the Daniel H. Burnham Distinguished Service Award.

Don't miss out on a great day in southern Michigan and northwest Indiana at our next **salon, Lake Michigan's South Coast, which will occur on Saturday June 27th from 10am to 7pm**. The schedule of events includes breakfast at the farmstead of Mike and Pat Shymanski, a tour of the historic Swedish farmstead preservation project, a speaker series with Constantine Dillon, the Superintendent of the Indiana Dunes National Lakeshore and John A. Swanson, Executive Director, Northwestern Indiana Regional Plan Commission. The agenda will be followed in the afternoon with information pertaining the Tourism and Culture in Three Oaks, MI. The events include lunch at Acorn Theater in Three Oaks, MI catered by Froelich's and a panel discussion on Culture, Lodging and Resort Trends on Lake Michigan's South Coast with speakers including David Fink of Acorn Theater, Jim Morrin of Hidden Orchard Resort Spa, Dev Bowley of Gordon Beach/Lakeside Inns to be moderated by Victoria Cooper. Dinner will conclude the evening at Three Sisters Cottage, home of Victoria Cooper & Shawn Magee in Gowdy Shores in Union Pier, MI with a discussion on

Lake Michigan's South Coast's Importance as Part of the Greater Chicagoland Area to be moderated by Larry Lund.

Allen Joffe, Ely Chapter Secretary

Chicago @ 100" is a great read. Anyone interested in planning and history will be blown away by the influence one person's vision had on the development of our cities...I would love to have our members read it then send in their book reviews on their reactions....how about for the July edition? Be nifty to have your thoughts before and after being in Chicago for the Land Economics Weekend (LEW) you have the dates on your calendar, October 22 -24, 09, and are making your plans to participate right?! /S/Editor

George Washington Chapter:

The Chapter is pleased to have had its three nominees for International Awards approved by the LAI Board of Governors:

LAI International Member of the Year: LAIGW President Louis Slade

Gerald D. Hines International Humanitarian Award: recent LAIGW Board Member Connie Maffin (posthumous)

Skyline Development Award: Columbia Heights, Washington, DC

LAIGW also profited from two excellent luncheon lectures in April and May. The first, by Bill Hard, Executive Vice President of LCOR, was about North Bethesda (MD) Center, the largest transit-oriented development project ever approved by Metro, the Washington Metropolitan Area Transit Authority. The Main Street style development that links all the new buildings will include 930,000 sf of office space, 202,000 sf of retail space and 1,275 multifamily housing units. Further, as Montgomery County, MD, stresses ever more the need to concentrate new growth around transit corridors, the possibility of more intensive development exists on the 32 acre site, formerly a Metro parking lot. However, the developer must consider how it can use and afford the additional density given the County's menu of 22 types of enhancements that need to be addressed to get bonus density. The project was approved initially by Metro in 1996, and the first phase of development-- 65,000 sf of retail and a 312 unit apartment building-- is at last under construction. Lease negotiations, infrastructure apportionment among eight development phases, County approval processes and market opportunities/conditions contributed to the length of time to get underway. The last two will continue to affect the pace of future development.

Chapter Vice President, Mary Fitch, Executive Director of the DC AIA Chapter treated members to an overview of recent award-winning architectural projects in the Washington area. Her presentation covered a number of themes including modern architecture; she noted that, in Washington, the national trend of loft building conversions to residential use involves interpretation through new construction since Washington is a non-manufacturing, non-warehouse city for the most part. Other themes included creative use of glass in a number of downtown buildings and the common acceptance of "green" or LEED building practices as opposed to a few years ago. She humorously suggested new architectural business prospects in Washington as increased government intervention in finance and industry provide opportunities for architects to house regulators.

Rosalynn Doggett, George Washington Chapter Scribe

Los Angeles Chapter:

A question for the LA chapter. There was a curious article in the June 7 New York Times with the headline "Dressing It Up Before Tearing It Down". This seemed unusual in a time when neither fixing things up nor tearing them down is the order of the day! The article explained that, So Korean Air (part of the Hanjin Group), is the owner of the Wilshire Grand hotel. They are in the midst of a \$20 million makeover of the 900 room hotel. This is a building that advertises itself as having the best location in Los Angeles but the owner believes that even with this makeover it will not be competitive with its nearby upscale neighbors. So the renovation will be completed this fall and the Owner will begin the 2-4 year process of design, entitlements, and financing necessary to built two towers to include a state of the art 700 room hotel, meeting rooms, retail and offices.

James A. Thomas, the Thomas Properties Group, and Korean Air's owners rep, Penny Pfaelzer might be interesting to talk to about the ability to pull this daring development off in this "worst of times". Just curious. /S/ Editor

London Chapter:

Lending to commercial property - "Please Mr Banker, can I have some more?"

By Jonathan Rhodes - Director & Head of Valuation of Capital Markets,

G L Hearn - Property Consultants.

If I had been Jonathan, I might have said "no!", and sat down to enjoy the rest of our lunch on 18th June. That was, after all, the essence of his message. However, he was also a bit like Elijah (well, despite my age, I don't actually know what Elijah looked like) and, in an excellent and richly fact-filled talk he chose also to offer some prospects "no bigger than a man's hand".

The recent history of bank lending is a cautionary tale of over-optimism, lax control and cavalier attitudes to securitised risk. Whilst, in your scribe's view, this will all have been forgotten by 2019, Jonathan traced out the present emaciated and over-stretched state of the banks; as he noted, Lloyds Banking Group (vice Halifax Bank of Scotland) and Royal Bank of Scotland are, in effect, the largest landlords in the UK. With two thirds of present debt expiring within 4 years, and with the 35-40% fall in values decimating LTV ratios the banks have

been forced to take a cautious and phased approach to retrieving their exposure; this has frustrated the hoard of circling vulture funds. The banks' position has been slightly relieved by low base rates, which has made re-financing a little more reachable. They are also helped by a strengthening investment market for the "best" properties ? the Germans being particularly active, but a wider range of Funds are starting to see good property as a "least bad" haven. This has encouraged debt-equity swaps with a 3 to 5 year work-cut.

Nevertheless, banks generally are seeking to de-leverage and recapitalize. They are also running scared about the riskiness of their clients and further slippage in values. As a result -"no!" There are only about 10 possible sources of lending, and these are all highly selective and risk-averse: only those with the right property and who can show themselves to be the right borrower with a good track record need apply. If you get over this hurdle, you will get no more than 65% LTV and have to pay 200-250 basis points margin. Any property that can be seen as secondary, carrying undue risk or involving residential is poisoned from the word "go".

Now for the cloud-- a good thing because it promises rain! Wholesale money markets are starting to unblock, which will relieve the liquidity of banks-- stock. i.e. money. As the property market improves, the fundamentals of borrowing/lending will look more interesting. Perversely, this may be particularly so in the secondary market once fear of small business insolvencies recedes. Maybe soft rain will start to fall in 2010 at the top end and 2011 at the secondary. However, terms will remain tight, with hedging fees against inflation staying high because of governmental indebtedness; for a long time, banks will look for better terms for less risk. This mildly optimistic outlook carries one underlying assumption: that politically driven calls for "better" regulation cause no material damage to the banking structure.

You will recall that the worshippers of Baal came to a sticky-- perhaps investors in property - and banks, need to learn from their example and convert.

Michael Mallinson, London Chapter Scribe

Phoenix Chapter:

The Phoenix chapter held its Summer Real Estate Seminar on June 16th. Metro Phoenix has borne the brunt of national bad press recently, with Richard Florida's cover article in the March edition of Atlantic Monthly "How the Crash Will Reshape America" postulating that the region will get pummeled due to an economy overly dependent on real estate and construction, leading to perpetual boom-bust cycles.

The Summer Real Estate Seminar featured comments by Phoenix Mayor Phil Gordon, with a panel composed of Robert E. Lang (Director, Metropolitan Institute at Virginia Polytechnic Institute), Linda Hunt (President, St. Joseph's Hospital) and Bob Robb (prolific columnist from the Arizona Republic), moderated by Grady Gammage Jr. (Senior Fellow ASU Morrison Institute, Partner Gammage & Burnham), assembled to discuss the future of Metro Phoenix-- is Richard Florida right?

Mayor Gordon spoke of the city and the Greater Phoenix Economic Council reaching out both nationally and internationally to attract companies from Europe, Canada, the Middle East and the eastern USA. Federal stimulus funds are being secured to build the Phoenix Sky Train (aka People Mover) which will link Sky Harbor Airport with the metro light rail system. Downtown Phoenix saw 44 new restaurants and bars open in the last 18 months, serving the 7,000 full time students at Arizona State University's downtown campus. Sales tax in downtown Phoenix are rising ? unlike other cities in the metropolitan region.

Robert Lang spoke of the Sun Corridor, that economically interdependent region composed of metropolitan Phoenix, Pinal County and metropolitan Tucson spanning 110 miles in length. He outlined the new urban hierarchy, highlighting the difference between the metropolitan statistical area (MSA) and combined statistical area (CSA). The CSA consists of interdependent MSA, with the interdependency measured by commuting between areas (25% + commuting experience indicates a link), and employment interchange (15%+ threshold indicates a link). The Phoenix -- Pinal County --Tucson MSA's are on track to qualify as a CSA within 25-30 years. Development opportunities in metro Phoenix are anticipated along the freeway, air and light rail routes, with transit oriented development presenting numerous opportunities. He highlighted the importance of the Phoenix-Mesa Gateway Airport, as a key to future economic development in the region. Lang believes commercial real estate in Metro Phoenix is faring better than residential, with retail outperforming office, and single tenant retail outperforming multi-tenant retail. Population growth is anticipated to continue in the region, with a projection of 6 million people in the Sun Corridor by 2015 (per Woods & Poole). Employment growth is expected to average 60,000 jobs per year over the next decade.

Bob Robb expressed the opinion that prognosticators from the east coast have a hard time understanding the appeal of living in metro Phoenix. People like living here because they get to chart their own course of living -- that may mean living in the large ranch home on a large lot, shopping at Wal-Mart and acting otherwise contrary to the latest identified demographic trend. Phoenixians are a blend of peoples from across the nation, and they enjoy the great variety of options the metro area offers.

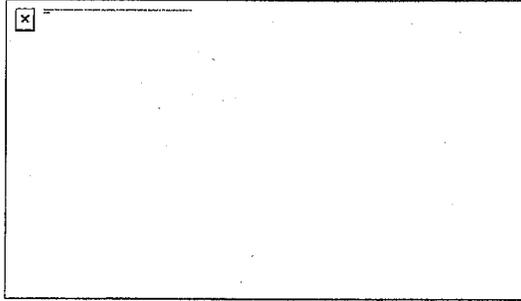
Linda Hunt echoed this theme, contrasting the difference between living in Phoenix versus Denver, with Phoenix enjoying a much stronger sense of community. Linda also addressed the myth that healthcare is immune from the recession - it is not. Bad debt is up, under and uninsured are growing phenomenally, state/federal reimbursements are dropping and the industry is struggling to adjust.

Conclusions? Phoenix will continue to grow. The sky is not falling.

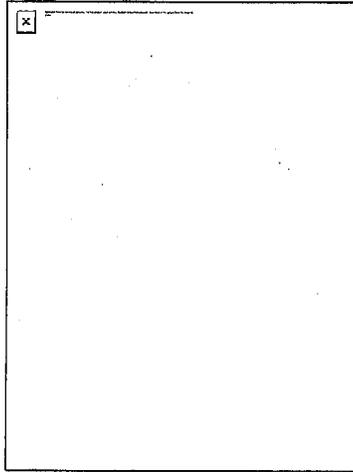
Sheila Hamilton, Phoenix Chapter Administrator

Vancouver Chapter:

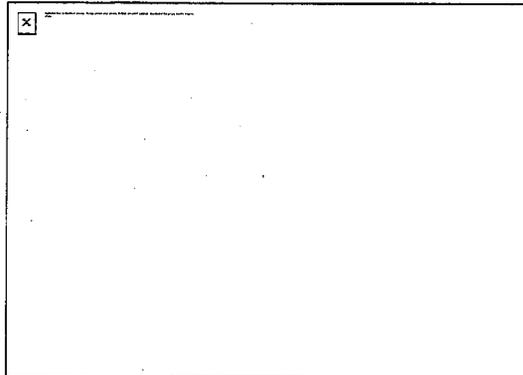
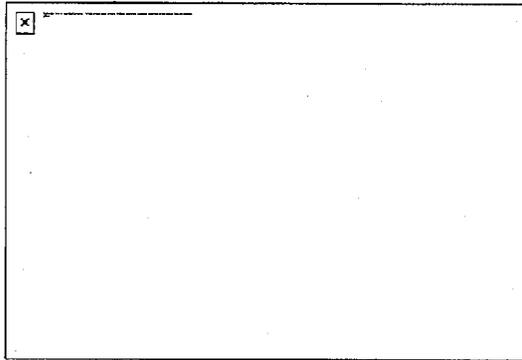
Whistler development presentation (ppt.)
LAI Whistler presentation (pdf)
UBC Live on Campus pdf

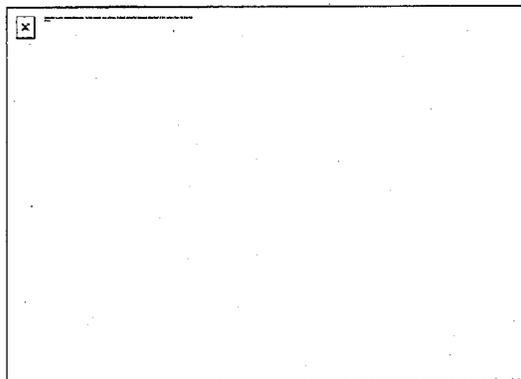
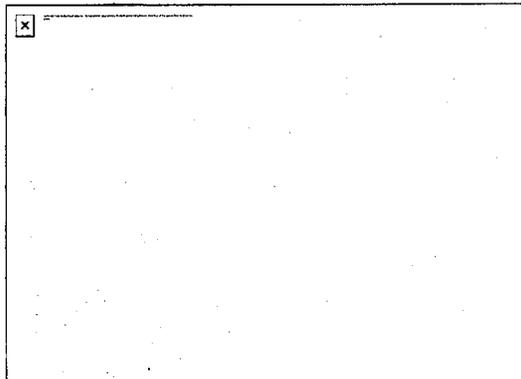
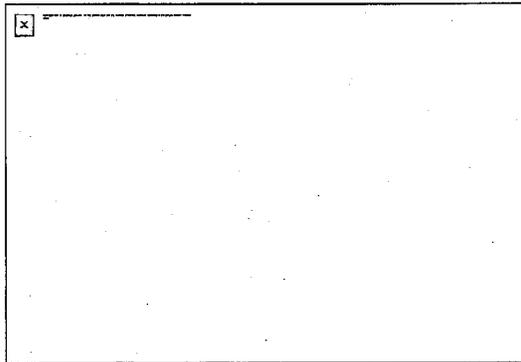
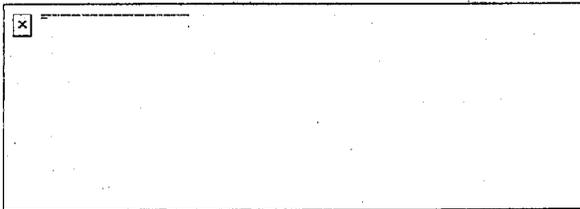


LAI members at Olympic Slide



View from Olympic Slide





Anthony Perl aperl@sfu.ca, Chapter Scribe, Vancouver Chapter

Zia Chapter:

The Zia Chapter presents luncheon programs every other month. On May 27th we partnered for the very first time with two other organizations to present a lunch program in a special venue on topics of interest to all three organizations. Specifically, the Zia Chapter was joined by The New Mexico Council of the Urban Land Institute and The New Mexico Chapter of the American Planning Association as luncheon co-sponsors. We met at the new School of Architecture and Planning at the University of New Mexico designed by Antoine Predock. School of Architecture and Planning Dean Roger Schluntz, a Zia Chapter member, and his staff facilitated our use of this facility, and Dean Schluntz gave a guided tour of the building after the luncheon presentations. Our two speakers were Greg Neal, CEO of Hot Springs Land Development, LLC who summarized his 8000 acre master planned mixed use community under development in Truth or Consequences, NM and Aaron Prescott, business development manager for the New Mexico Spaceport

Authority, the developer of Spaceport America, the first purpose-built spaceport in the United States located about 20 miles from Truth or Consequences. Mr. Prescott brought us up to date on the commercial space flight industry and Spaceport America's plans to break ground on construction later in June, 2009. The program was very well received. We would like to thank our Chapter Administrator, Anita Martinez, for all her extra efforts to make this program a success.

In other news, we are winding up our 2009 membership drive so that nominees can be voted upon by our membership at our July meeting, starting to plan our Annual Meeting banquet for September, and will be officially forming our LEW Planning Committee for the Fall 2010 LEW in Santa Fe when our Board next meets on July 6th.

Tom Mills
Zia Chapter President

Land Economics Foundation (LEF)

LEF Grant Program

LEF is a not-for-profit charitable foundation organized to administer an investment fund which provides grants for research projects related to land economics. Over the past three years LEF has committed capital (5% of assets) to a number of significant and worthwhile endeavors across the country on a matching basis with other non-profit entities. The following are projects LEF has funded to-date.

Amount	Project
\$5,000	Safe Horizon – A mediation program designed to train volunteers in three New York locations to assist the underprivileged in dealing with aggressive landlords. Highly successful program being expanded nationally.
\$5,000	San Diego Canyonlands Video – Created a video on a collaborative basis with several conservation organizations to expose on cable television the critical need to preserve open space canyons as a natural link to other urbanized communities in the county.
\$5,000	Arizona State University Student Chapter – Provided the initial funding to create a graduate student chapter in real estate to function cooperatively with LAI's Phoenix Chapter; a model for other Chapters.
\$30,000	Burnheim Centennial Celebration – An advanced commitment for LAI to participate with other major real estate organizations in 2009 to recognizing the unique skills of Daniel Burnheim, credited with the masterplanning of Chicago, San Francisco, Washington D.C., Manila, etc.
\$4,500	Ross Minority Program – In cooperation with USC's Marshall School of Business, LAI is participating with the partial sponsorship of minorities in attendance in a comprehensive, two-week program involving community redevelopment projects, primarily in neglected areas.
\$5,000	Light Rail Value Impacts – With the completion and now operational Light Rail system in Phoenix, the Foundation underwrote the cost of updating a ULI study addressing the impact on land uses and values surrounding the stations along the new rail line. The Master's Thesis is to be submitted and published by Arizona State University.
\$10,000	San Miguel de Allende Land Use Study – A technical work shop involving 15 participants from multiple disciplines will be assembled in Mexico to provide guidance for urban growth patterns, transportation, water management, conservation, etc. for this community of 80,000 people. LAI will be participating with six alliance partners.

LEF has carefully investigated a number of other proposed projects that it did not fund, primarily because of capital constraints at the point in time the request was made, others due to conflicts with our grant criteria. Without detail, the following were submitted and considered.

Amount	Project Name
\$10,000	Tenement Museum Program
\$10,000	World Urban Forum
\$5,000	University of Memphis Scholarships
\$5,000	California State University Scholarships
\$100,000	Lewis Bolan Scholarships (John Hopkins University)
\$5,000	Chicago Architecture Foundation
\$10,000	DePaul University
\$10,000	California State University (Fullerton) Scholarships

The principal thrust of our efforts has been to promote LAI recognition on a broad scale basis, with particular emphasis on local chapter involvement at numerous levels. We look forward to considering your Chapter's application, the process can be found on LAI's website. Please do not hesitate to contact any of the officers for guidance if needed, that is what we are here for.

Download this article in word format

LEF Grant Program (pdf)

Ron Buss, LEF Vice President

Announcements

Administration Matters!

Attention LAI Members! Forgot how to login? No Problem

Please visit the LAI Website at www.LAI.org. On the left hand side click on the *Members Only* Tab. Here you will need to use your email and the password is lai.

New LAI Brochures Available!

Please contact LAI@LAI.org to order the New Brochures.

Save the Date !!!

Chicago, Fall Land Economics Weekend

October 22-25, 2009

Celebrating the Centennial of the Burnham Plan

The Drake Hotel, Chicago, IL

Hotel Reservations Rates:

*\$255.00 US + taxes Single/Double

Phone: 1-800-55-Drake

More information coming soon!

Future Land Economics Weekends (Subject to Change)

2010

Spring: Minneapolis, Minnesota Chapter

Fall: New Mexico, Zia Chapter

2011

Spring: Scotland

Fall: ?

New Members

Members At-Large Domestic (Atlanta)

Allen Dedels, Cooper Carry

David K. Elam, Fannie Mae

Barbara Faga, EDAW Inc.

Joan H. Herron, HERRON CONSULTING LTD.

Patsy Jo Hilliard, City of East Point

Charles Krautler, Atlanta Regional Commission

Paul L. Martin, Fortis Financial & Real Estate Consulting, LLC

Aasia Mustakeem, Epstein Becker & Green

Russell R. Posey II, The Alter Group

Robert Price, Herron Consulting

Tad Scepanskiak, Real Property Research Group

Robin R. Spratlin, Georgia Power

James T. Viviano, AIA, Cooper Carry, Inc.

Charles R. Whatley, Jr., Atlanta Development Authority

Ely Chapter

Patricia Abrams, The Renaissance Collaborative, Inc.

Jonathan B. Alper, Alper & Alper Consulting LLC

Gregory R. Andre, K&L Gates LLP

Timothy M. Angell, Mound City Planning

Curt R. Bailey, Related Midwest

Maureen M. Barry, Ehlers & Associates, Inc.

Andre E. Brumfield, EDAW / AECOM

Carol Coletta, CEOs for Cities

Ellen Dean, Village of Glenview

Randall Derfield

Lee Deuben, Chicago Metropolitan Agency for Planning

David Doig, Park Bank Initiatives

Peter T. Dyke, Thompson Dyke & Associates

Marilyn Engwall, City of Chicago, Dept. of Community Development

Ted Feenstra, V3 Companies, LTD

Robert L. Gamrath, Quarles & Brady LLP

Roxanne Gardner, Property Solutions Group

Barbara H. Gordon, Chicago Architecture Foundation

Michael L. Hagen, AIA, LEED AP, TVS Design

Roxanne E. Henry, Ross Barney Architects, Inc.

Howard Hirsch, Hirsch Associates LLC
Kim L. Hunt, O-H Community Partners, Ltd.
Heleen J. Kessler, FAIA, LEED A.P., H J Kessler Associates
Michael Laube, Laube Companies
Devine J. Lavigne, AICP, Houseal Lavigne Associates
Heidi Lawton, Lawton Realty Group, Inc.
Frank Christopher Lee, FAIA, Johnson & Lee, Ltd.
Bradley H. Leibov, Terra Firma Co.
Elaine Lockwood-Bean, Bovis Lend Lease, Inc.
Caroline A. Nash, Chico & Nunes
Andrew Norman, U.S. Equities Realty
Marcus J. Nunes, Chico & Nunes, P.C.
Michael A. Pagano, College of Urban Planning & Public Affairs, University of Illinois at Chicago
Mr. Coortney Derrick Pogue, The Waterworks Group
Arnold Randall, Chicago 2016
Robert Allen Rejman, Chicago Park District
Paul W. Shadle, DLA Piper LLP (US)
Ann Marie Sink, Katten Muchin Rosenman LLP
Anthony Q. Smith, S.B. Friedman and Company
Jennifer M. Tammen, The Tammen Group
Patrick D. Thompson, DLA Piper
William W. Towns, Mercy Portfolio Services
Federico Vidargas, AIA, ZFV Architecture
Diane C. Williams, Business Districts, Inc.
Elizabeth A. Williams, Drinker Biddle & Reath LLP
Paul A. Zalmezak, City of Chicago, Dept. of Community Development

[Back To Top](#)

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Tuesday, June 23, 2009 5:58 PM
To: Ackerman, Heidi; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Haldeman, Kristin M.; Hamre, James; Harrington, Thomas; Hendren, Patricia; Hughes, James; Jachles, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Johnston, Kasondra; Jones, Catherine; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marrow, Gwen B.; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Meseret, Girum; Mohsberg, Sid; Peterson, Scott; Roberson, Jerry; Stallworth, Douglas; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S.
Subject: FW: Board Items Preparation Milestones
Attachments: Board Items Preparation Milestones - 2009.xls

All,

The latest update is attached. Please let me know if there are any errors or omissions.

A new tab has been inserted at the far left. It shows the number of items we have taken or are planning to take to the Board in calendar year 2009: 34 in all so far.

Please add some items to the BAR for the remaining months of the year.

Here is what the BAR currently shows: http://p590a3.wmata.com:7778/pls/bar/p_bar_public

Based on preparing and/or reviewing several hundred PowerPoint presentations in my years at Metro, here are some thoughts about them. You are of course free to disagree:

Examples of successful PowerPoint presentations:

<http://www.slideshare.net/most-favorited/all-time>

<http://www.maniactive.com/one-dollar.htm>

Notice that they uses gobs of pictures, relatively little text, and virtually no bullets.

PowerPoint is a graphics program. Pictures, graphs, even videos, are good. Words should be minimized.

The design of a slide has a bigger effect on the audience than its intended message. In that sense, and to a much greater extent than we would perhaps like, the design is the message. As Marshall McLuhan said 42 years ago (long before PowerPoint, which was initially developed in 1984 with the first Windows version appearing in 1990), "The medium is the message."

A PowerPoint presentation is not intended to stand alone: it is designed to enhance the speaker's message. Stated differently, absent the speaker, a PowerPoint presentation wouldn't make much sense to an audience. It would be very disjointed with its chunks of information, incomplete thoughts, and lack of sentences.

Where then does the Board get to read a straightforward text version of the issue? In the Board Action/Information Summary (BAIS). The BAIS is pretty much a pure text document that explains the issue using traditional paragraphs and complete sentences; i.e., it uses the essay format we learned in school. That's the place to provide the details.

Please remember that the purpose of the Board package is not to impress the Board with how much we know. It is to say just enough to get them to "Yes."

Thanks.

Sid

Doggett, Rosalyn

From: Woodward, Warren A.
Sent: Monday, June 15, 2009 8:29 AM
To: Doggett, Rosalyn
Cc: Scales, Phillip
Subject: RE: Updated Joint Development Deposits List
Attachments: 24100130 07.xls

Here you go.

From: Doggett, Rosalyn
Sent: Friday, June 12, 2009 8:55 AM
To: Woodward, Warren A.
Cc: Scales, Phillip
Subject: Updated Joint Development Deposits List

Can you send me and Phil one this morning? Please let me know. Thanks.

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Thursday, June 11, 2009 6:48 PM
To: Ackerman, Heidi; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Haldeman, Kristin M.; Hamre, James; Harrington, Thomas; Hendren, Patricia; Hughes, James; Jachles, Cynthia; Jia, Wendy; Jideani, Oryinye; Johnson, Shariyka; Johnston, Kasondra; Jones, Catherine; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marrow, Gwen B.; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Meseret, Girum; Mohsberg, Sid; Peterson, Scott; Roberson, Jerry; Stallworth, Douglas; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S.
Subject: Board Items Preparation Milestones
Attachments: Board Items Preparation Milestones - 2009.xls

All,

Latest update is attached.

BAR: http://p590a3.wmata.com:7778/pls/bar/p_bar_public

Please let me know if there are any errors or omissions.

Thanks.

Sid

Doggett, Rosalyn

From: Welch, Kermit A.
Sent: Thursday, June 11, 2009 5:42 PM
To: Doggett, Rosalyn
Subject: FW: WMATA-BCP Lease Terms
Attachments: Ground Lease - WMATA - 2009 06-10.docx

-----Original Message-----

From: Welch, Kermit A.
Sent: Thursday, June 11, 2009 3:25 PM
To: Meister, Mark K.
Cc: Burns, Bob; Bushnaq, Tariq
Subject: RE: WMATA-BCP Lease Terms

Mark,

Attached for your review, please find a draft of the Ground Lease for the BCP transaction. As you will note, I have highlighted some areas that may warrant some internal discussion. Please call me to discuss the lease once you have had an opportunity to review it.

I have copied Tariq on this email so that he can address the construction review and approval process that I have included in the lease.

Kermit

-----Original Message-----

From: Meister, Mark K.
Sent: Thursday, May 28, 2009 11:34 AM
To: Moneme, Emeka; O'Keefe, Carol B.
Cc: Catoe, John B.; Bottigheimer, Nat; Welch, Kermit A.; Burns, Bob
Subject: RE: WMATA-BCP Lease Terms

Emeka,

I just spoke with Steve Cassell and summarized for him where we stand with the proposed lease. We confirmed the following items:

1. The parameters of the lease will be those provided to BCP on May 22nd with the exception of the 99-year renewal option (see attachment).
2. We are on track to present the proposed lease to the WMATA Board and FTA in June.
3. Assignment of the lease will be permitted subject to WMATA approval of the proposed assignee (i.e., assignee's capability to assume BCP's financial and other obligations under the lease).
4. We will have a draft lease for his review within the next few weeks.

Mark

-----Original Message-----

From: Moneme, Emeka
Sent: Thursday, May 28, 2009 8:55 AM
To: O'Keefe, Carol B.; Meister, Mark K.
Cc: Catoe, John B.; Bottigheimer, Nat; Welch, Kermit A.
Subject: RE: WMATA-BCP Lease Terms

Mark,

Please reach out Steve ASAP to close the loop.

Emeka

-----Original Message-----

From: O'Keefe, Carol B.
Sent: Thursday, May 28, 2009 8:54 AM
To: Meister, Mark K.; Moneme, Emeka
Cc: Catoe, John B.; Bottigheimer, Nat; Welch, Kermit A.

Subject: RE: WMATA-BCP Lease Terms

We don't need to have another meeting/discussion now, if BCP accepts our standard language.

-----Original Message-----

From: Meister, Mark K.
Sent: Thursday, May 28, 2009 8:13 AM
To: O'Keeffe, Carol B.; Moneme, Emeka
Cc: Catoe, John B.; Bottigheimer, Nat; Welch, Kermit A.
Subject: RE: WMATA-BCP Lease Terms

Thanks Carol. When you say that there are business issues associated with the assignment which are more complex and should be discussed in person, I assume you are referring to our detailed lease term negotiations with BCP and not another in-house meeting.

-----Original Message-----

From: O'Keeffe, Carol B.
Sent: Wednesday, May 27, 2009 2:06 PM
To: Meister, Mark K.; Moneme, Emeka
Cc: Catoe, John B.; Bottigheimer, Nat; Welch, Kermit A.
Subject: RE: WMATA-BCP Lease Terms

Our standard lease provision allows assignment to a third party with WMATA's approval. WMATA's interest are a bit more than just having its lease payments up to date. Clearly we would want to be confident that the new lessee is financially responsible and has the capacity to stand behind the insurance and indemnity provisions that will be in the lease, so while we could accept some constraints on our ability to approve or disapprove the assignment, we would not want to eliminate our discretion entirely. There are business issues associated with the assignment which are more complex and should be discussed in person.

-----Original Message-----

From: Meister, Mark K.
Sent: Wednesday, May 27, 2009 9:52 AM
To: Moneme, Emeka
Cc: Catoe, John B.; Bottigheimer, Nat; O'Keeffe, Carol B.; Welch, Kermit A.
Subject: RE: WMATA-BCP Lease Terms

Emeka,

I've asked COUN to confirm that the lease will be assignable subject to WMATA approval.

Mark

-----Original Message-----

From: Moneme, Emeka
Sent: Wednesday, May 27, 2009 9:50 AM
To: Meister, Mark K.
Cc: Catoe, John B.; Bottigheimer, Nat; O'Keeffe, Carol B.
Subject: Re: WMATA-BCP Lease Terms

Mark,

Please review (with COUN) our ability to get comfortable with this proposal before we respond.

Emeka

----- Original Message -----

From: Steven Cassell <scassell@fourpointsllc.com>
To: Moneme, Emeka; Meister, Mark K.
Cc: Ketan.Gada@dc.gov <Ketan.Gada@dc.gov>; Neil.Albert@dc.gov; Stan Voudrie <svoudrie@fourpointsllc.com>; jgerber@west-group.com <jgerber@west-group.com>; Catoe, John B.
Sent: Tue May 26 18:36:49 2009
Subject: RE: WMATA-BCP Lease Terms

Emeka,

Per our conversation today, regardless of whether an extension option is included, it is absolutely critical that the lease be assignable to a third party ownership entity in the case of a sale of ownership interests. As discussed, we will be accommodating both tax credit investors and institutional investors who will have to be exited at various junctures. It is likely that ownership will be transferred to a separate entity at substantial completion / refinancing and we need to have the ability to assign leasehold interests to a separate ownership entity in case of sale. As long as lease payments are current and WMATA's

leasehold interests are protected, assignability should not be an issue...as it isn't in the sale of any commercial property with underlying leasehold interests in play. Please confirm that you will be able to add this as a deal term.

I will get back to you shortly regarding our read of DC law as it pertains to a lease extension option at year 99 triggering fee treatment because of its impact on residual value.

thanks,
Steve

From: Moneme, Emeka [mailto:EMoneme@wmata.com]
Sent: Tue 5/26/2009 12:45 PM
To: Cassell, Steven; Meister, Mark K.
Cc: 'Ketan.Gada@dc.gov'; Neil.Albert@dc.gov; Voudrie, Stan; 'jgerber@west-group.com'; Catoe, John B.
Subject: Re: WMATA-BCP Lease Terms

Steve,

I will be in touch today on this issue.

Emeka

From: Steven Cassell
To: Meister, Mark K.
Cc: Ketan (EOM) Gada ; Neil.Albert@dc.gov; Stan Voudrie ; Moneme, Emeka; jgerber@west-group.com ; Catoe, John B.
Sent: Tue May 26 12:27:43 2009
Subject: RE: WMATA-BCP Lease Terms

Mark,

This is very disappointing. We're having a lot of trouble understanding why WMATA continues to put forward terms and seek our buy-in, only to change the terms again and again. I believe this is the third or fourth time this has occurred now.

That said, it is critical that we advance this process. Please proceed with all due haste to prepare your submission to the Board to obtain approval for the deal terms in June.

Emeka - in the meantime, would you please attempt to get to the bottom of this perceived limitation? We do not understand how a lease renewal option 99 years from now at revised pricing would have any tax implications whatsoever, nor does it raise any meaningful legal issues. It's simply an option to renew at renegotiated pricing that completely protects the interest of WMATA. This is a standard feature of many if not most commercial leases. Nor would I agree that this is in any way an unusual request. We are simply advocating for terms based on feedback from a number of lenders that will enable us to obtain construction financing on a very complicated project in a difficult financial climate. We would appreciate if WMATA would attempt to maintain and/or restore the lease renewal option.

Thank you and best regards,

Steven C. Cassell

Four Points, LLC

202-521-2529 (O)

202-250-1709 (C)

scassell@fourpointsllc.com

From: Meister, Mark K. [mailto:MMeister@wmata.com]
Sent: Tuesday, May 26, 2009 11:51 AM
To: Cassell, Steven
Subject: FW: WMATA-BCP Lease Terms

Steve,

I note that you were copied on this email from our General Counsel. We cannot do the 99-year extension which was a highly unusual request. Please advise if we can do the 99-year lease as I need to advance this item in order to make the June Board meeting. Thanks.

Mark

From: O'Keeffe, Carol B.
Sent: Tuesday, May 26, 2009 10:33 AM
To: scassell@fourpointsllc.com; Ketan (EOM)Gada; Stan Vodrie; John Gerber; Moneme, Emeka; Welch, Kermit A.; Meister, Mark K.; Bottigheimer, Nat; Doggett, Rosalyn; Burns, Bob
Subject: RE: WMATA-BCP Lease Terms

I have not signed off on the option for the second 99 year lease for legal sufficiency purposes and I will not; that makes it a fee for tax and other purposes. in which case we should get all the money up front.

Carol B. O'Keeffe

General Counsel

Washington Metropolitan Area

Transit Authority

600 5th Street, NW

Washington, DC 20001

P: 202-962-2531

F: 202-962-2550

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From: scassell@fourpointslc.com [mailto:scassell@fourpointslc.com]
Sent: Friday, May 22, 2009 3:15 PM
To: Ketan (EOM)Gada; Neil.Albert@dc.gov; Stan Vodrie; O'Keeffe, Carol B.; John Gerber;
Moneme, Emeka; Catoe, John B.; Welch, Kermit A.; Meister, Mark K.; Bottigheimer, Nat;
Doggett, Rosalyn; Burns, Bob
Subject: Re: WMATA-BCP Lease Terms

Thanks Mark. We will review and respond ASAP.

Best regards,
Steve

Sent via BlackBerry by AT&T

From: "Meister, Mark K."
Date: Fri, 22 May 2009 14:57:01 -0400
To: scassell@fourpointslc.com<scassell@fourpointslc.com>; Ketan
(EOM)Gada<Ketan.Gada@dc.gov>; Neil.Albert@dc.gov<Neil.Albert@dc.gov>;
StanVodrie<svoudrie@fourpointslc.com>; John Gerber<JGerber@west-group.com>; O'Keeffe, Carol
B.<cokeeffe@wmata.com>; Moneme, Emeka<EMoneme@wmata.com>; Catoe, John B.<jbcatoe@wmata.com>;
Welch, Kermit A.<KWelch@wmata.com>; Bottigheimer, Nat<NBottigheimer@wmata.com>;
Doggett,Rosalyn<RDoggett@wmata.com>; Burns, Bob<rlburns@wmata.com>
Subject: RE: WMATA-BCP Lease Terms

Steve,

See revised WMATA-BCP Proposed Lease Terms.

Mark

From: scassell@fourpointslc.com [mailto:scassell@fourpointslc.com]
Sent: Friday, May 22, 2009 1:08 PM
To: Ketan (EOM) Gada; Neil.Albert@dc.gov; Stan Vodrie; Meister, Mark K.; John Gerber;
O'Keeffe, Carol B.; Moneme, Emeka; Catoe, John B.; Welch, Kermit A.; Bottigheimer, Nat;
Doggett, Rosalyn; Burns, Bob
Subject: Re: WMATA-BCP Lease Terms

Mark,

Will you have the revised term sheet to us today?

Thanks
Steve

Sent via BlackBerry by AT&T

From: "Meister, Mark K."
Date: Wed, 20 May 2009 19:33:18 -0400
To: Steven Cassell<scassell@fourpointslc.com>; Ketan (EOM) Gada<Ketan.Gada@dc.gov>;
Neil.Albert@dc.gov<Neil.Albert@dc.gov>; Stan Voudrie<svoudrie@fourpointslc.com>; John
Gerber<JGerber@west-group.com>; O'Keeffe, Carol B.<cokeeffe@wmata.com>; Moneme,
Emeka<EMoneme@wmata.com>; Catoe, John B.<jbcatoe@wmata.com>; Welch, Kermit
A.<KWelch@wmata.com>; Bottigheimer, Nat<NBottigheimer@wmata.com>;

Burns, Bob <rburns@wmata.com>; Bottigheimer, Nat <NBottigheimer@wmata.com>; Doggett, Rosalyn <RDoggett@wmata.com>
Subject: RE: WMATA-BCP Lease Terms

Steve,

You have accurately captured the basic terms of the proposed lease. I will call you tomorrow to confirm our understanding and discuss next steps in the lease approval process.

Mark

From: Steven Cassell [scassell@fourpointsllc.com]
Sent: Wednesday, May 20, 2009 5:43 PM
To: Ketan (EOM) Gada; Neil.Albert@dc.gov; Stan Voudrie; Meister, Mark K.; John Gerber; O'Keefe, Carol B.; Moneme, Eneka; Catoe, John B.; Welch, Kermit A.; Bottigheimer, Nat; Burns, Bob
Subject: RE: WMATA-BCP Lease Terms

Mark,

In our discussions with our lenders, they could be comfortable if the following accommodations were made:

* An option to extend for an additional 99 year term on the lease. You struck this provision in a prior draft, but we don't understand the challenge associated with an extension option.

* An option to buy out the lease anytime up to seven years. In other words, we structure 99 years of payments on a PV of \$1.2MM and anytime during that seven year period, we can make a lump sum payment equal to the PV of \$1.2MM minus PV of payments to date.

We are receptive to the concept of lease payments being spread over the 99 year term.

Please give me a call at your earliest convenience to discuss these options.

Thanks,

Steve

Steven C. Cassell
Four Points, LLC
202-521-2529 (O)
202-250-1709 (C)
scassell@fourpointsllc.com

From: Meister, Mark K. [mailto:MMeister@wmata.com]
Sent: Tuesday, May 19, 2009 8:41 PM
To: Cassell, Steven; Ketan (EOM) Gada; Neil.Albert@dc.gov; Voudrie, Stan; John Gerber;
Moneme, Emeka; Catoe, John B.; Welch, Kermit A.; Burns, Bob; Bottigheimer, Nat; O'Keeffe,
Carol B.
Subject: RE: WMATA-BCP Lease Terms

Steve,

WMATA has legal restrictions governing financial arrangements in which WMATA functions as a lender or partner in deferring compensation for conveyance of real estate interests in WMATA property for development projects. Because of this, the only way WMATA can convey a perpetual easement for the air rights is for BCP to pay the entire \$1.2 million at closing.

If the issue is the lump sum payments in the early part of the lease term, WMATA is willing to offer a long-term lease arrangement with smaller payments spread over 99-years. The net present value of the lease payments would have to equal \$1.2 million at a discount rate of 7.1%

Please let me know if these terms are acceptable.

Mark

From: Steven Cassell [scassell@fourpointsllc.com]
Sent: Monday, May 18, 2009 3:23 PM
To: Ketan (EOM) Gada; Neil.Albert@dc.gov; Stan Voudrie; Meister, Mark K.; John Gerber;
Moneme, Emeka; Catoe, John B.; Welch, Kermit A.; Burns, Bob
Subject: RE: WMATA-BCP Lease Terms

Gentlemen,

After consultations with several lenders, we are unable to support a Lease Structure to this transaction. We understand that WMATA's desire to pursue a Lease so late in the process was a function of our request to be able to pay the \$864,000 balance as late as seven years after substantial completion. In exchange for a return to the prior structure of a "perpetual easement", we are willing to forego the option to pay later than at the first capital event and/or refinancing to occur at or after substantial completion. In other words, we will pay the balance upon the placement of permanent financing on the Office.

The message we are hearing consistently is that the complexity of this particular financing makes the addition of a ground lease very problematic. In this climate, with the many strings and requirements associated with the LDDA, grants, tax credit financing, etc., it was simply ill advised to add the ground lease to the equation.

Please note the following:

- * Your changes to Sections 3 and 9 are accepted.
- * We made some modifications to the language in Section 8 to make sure the approval rights were not overly burdensome.

* We also need to revisit #11 with you. We do not understand your objective. The easement transaction by definition will have to be subordinate to construction financing.

Please confirm that you are willing to go back to the fee-transaction approach and make the appropriate modifications to the agreement. We hope to wrap this all up early this week.

Thanks,

Steve

Steven C. Cassell

Four Points, LLC

202-521-2529 (O)

202-250-1709 (C)

scassell@fourpointsllc.com

From: Meister, Mark K. [mailto:MMeister@wmata.com]
Sent: Friday, May 15, 2009 4:30 PM
To: Cassell, Steven
Cc: Welch, Kermit A.; Burns, Bob; Bottigheimer, Nat; Moneme, Emeka
Subject: WMATA-BCP Lease Terms

Steve,

Attached please find the redline and clean copies of our proposed revisions to the WMATA-BCP Proposed Lease Terms. Please call me next week if you need to discuss. I think we're pretty close.

Mark

Doggett, Rosalyn

From: Jia, Wendy
Sent: Thursday, June 11, 2009 12:13 PM
To: Harrington, Thomas; Roberson, Jerry; Kennedy, Sean; Doggett, Rosalyn
Subject: Earn APA credits - MD APA One-day Conference June 19, 2009
Attachments: Registration form.doc

FYI

Wendy

From: ncacapa [mailto:ncacapa@ncac-apa.org]
Sent: Thursday, June 11, 2009 11:54 AM
To: mziegler@aacounty.org; pzcard44@aacounty.org; pzmill03@aacounty.org; jlynott@aarp.org; rharrell@aarp.org; rhodder@aarp.org; robert.boyd@abconsultantsinc.com; mgarner@abell-and-associates.com; cannon@access-board.gov; achittum@aceee.org; cvaughn@achp.gov; mark.niles@aecom.com; meredith.judy@aecom.com; david.sumner@afncr.af.mil; lbyala@agsamuel.com; ddowney@aia.org; mfitch@aiaad.com; dunnewehr@aiaad.com; faroll.hamer@alexandriava.gov; Jessica.Ryan@alexandriava.gov; karl.moritz@alexandriava.gov; kathleen.beeton@alexandriava.gov; aob@alum.mit.edu; khw@alum.mit.edu; dsgodfrey@alummi.upenn.edu; david.powell@am.jll.com; ascallon@americaspeaks.org; hilla@amtrak.com; ray.detig.ctr@ang.af.mil; JMR@annapolis.gov; suzanne.p.allan@aoc.gov; alfonzom@aol.com; chatulita1@aol.com; cyjeng@aol.com; davidwsears@aol.com; EdwardGBentley@aol.com; gashines@aol.com; gtedmonds@aol.com; hbenfisher@aol.com; hkinard@aol.com; jeewwww@aol.com; johndercarter@aol.com; jrbstanmore@aol.com; kiprr@aol.com; lbcoffin@aol.com; leeschoenecker@aol.com; LEW52841@aol.com; marykonsoulis@aol.com; mountvictoria@aol.com; nickmotta2@aol.com; pnicozon@aol.com; Rangross@aol.com; RBette1299@aol.com; synergiesinc@aol.com; tmautrey@aol.com; zartmanbj@aol.com; kcarpenter@apexcos.com; mfertig@apexcos.com; bwoodhams@arlingtonva.us; jmgriffin@arlingtonva.us; tmliller@arlingtonva.us; engin@artemel.com; mschoenfeld@artsusa.org; nsomerville@asla.org; caitlinsugrue@bae1.com; pereira_amanda@bah.com; jbrodie@baltimoredevelopment.com; kstorm@bbbarch.com; barbara@bmccann.net; wetienne@bowie-gridley.com; areamer@brookings.edu; richard@broun.org; djackson@camsys.com; rhyman@camsys.com; ckooshian@ccap.org; faasenr@charlescounty.org; LarsonG@chesterfield.gov; cfenton@cityofbowie.org; echaisson@cityofbowie.org; jmeinert@cityofbowie.org; rkuhns@clarknexsen.com; cclay@cns.gov; dblaumanis@co.ho.md.us; pespoon@co.pg.md.us; jenn.ballard@co.saint-marys.md.us; kathryn.chaney@co.saint-marys.md.us; kelly.palmer@co.saint-marys.md.us; sue_veith@co.saint-marys.md.us; susan.mccauley@co.saint-marys.md.us; yvonne.chaillet@co.saint-marys.md.us; dfriedman@collegeparkmd.gov; tschum@collegeparkmd.gov; jf2230@columbia.edu; sat27@columbia.edu; cuellas@comcast.net; jurciolo@comcast.net; kevin.thornton@comcast.net; luisandsheryl@comcast.net; montykolste@comcast.net; steveandlindaweitz@comcast.net; Vogtpr@comcast.net; doggettgroup@compuserve.com; kbrieche@conservationfund.org; meh75@cornell.edu; tf64@cornell.edu; bill.obeirne@cox.net; dsml@crs.loc.gov; rmandle@crystalcity.org; urbanag2@cs.com; levinej@cua.edu; paul.barrett@cushwake.com; cyrus@cyrusafshar.com; anita.halrston@dc.gov; arthur.jackson@dc.gov; bridget.stesney@dc.gov; colleen.hawkinson@dc.gov; geraldine.gardner@dc.gov; harriet.tregoning@dc.gov; jim.sebastian@dc.gov; joel.lawson@dc.gov; matt.legrant@dc.gov; sean.cook@dc.gov; stephen.varga@dc.gov; travis.parker@dc.gov; mkelly@dchousing.org; mhopkins@designdrift.com; jrcrawford@dewberry.com; jfrantz@dewberry.com; lillah.haxton@dhs.gov; shannon.burke@dhs.gov; daniel@disasterbound.org; diana.mendes@dmjmharris.com; carol.braegelmann@dot.gov; david.kuehn@dot.gov; Richard.Backlund@dot.gov; robert.bini@dot.gov; sharon.pugh@dot.gov; sherry.riklin@dot.gov; del3@duke.edu; 8rale304@earthlink.net; hanousek@earthlink.net; hcdeutsch@earthlink.net; jayhicks@earthlink.net; kgstifl@earthlink.net; scmj18@earthlink.net; shcooper@earthlink.net; srsmyers@earthlink.net; tustian@earthlink.net; allsa.cohen@econres.com; brian.sands@econres.com; patty.folan@econres.com; paul.moyer@edaw.com; richard.dorrier@edaw.com; gsharpe@edensandavant.com; leland@edgecombegroup.com; kihslinger@eli.org; jctowns@email.unc.edu; ejohnson@emjohnson.com; RSchneider@EnvisionSite.com; daibey.matthew@epa.gov; Bachle.Laura@epamail.epa.gov; jaffeson@erols.com; nwkp@erols.com; sguazzo@erols.com; jzirkle@facilityplanners.com; matthew.ladd@fairfaxcounty.gov; sterling.wheeler@fairfaxcounty.gov; keith.brooks@ferc.gov; allen.greenberg@fhwa.dot.gov; tgoodfellow@fredco-md.net; jsekerak@G-and-O.com; jwinter@G-and-O.com; kreilly@G-and-O.com; lryan@G-and-O.com; rgorman@G-and-O.com; sjean-baptiste@G-and-O.com; evoigt@gaitthersburgmd.gov; gossont@gaitthersburgmd.gov; keby@gaitthersburgmd.gov; lpruss@gaitthersburgmd.gov; mgonzalez@gaitthersburgmd.gov; rrobinson@gaitthersburgmd.gov; alison_simon@gallup.com; aldea.douglas@gmail.com; alex.pianim@gmail.com; bartbickel@gmail.com; Bcuddy@gmail.com; beschnei@gmail.com; brooke.taylor@gmail.com; brothman@gmail.com; cbarnesdomotor@gmail.com; christopher.loos@gmail.com; christopherswarren@gmail.com; danguilbeault@gmail.com; david.kois@gmail.com; dawino11@gmail.com; deisman1@gmail.com; destarnes@gmail.com; dloekman@gmail.com; emilym Yates@gmail.com; francie.kennedy@gmail.com; gareth.james78@gmail.com; gizachew@gmail.com; gwendallen@gmail.com; hilizahm@gmail.com; jagadish.prakash@gmail.com; jain.madhavi@gmail.com; jamcwhirter@gmail.com; jamesbelliott@gmail.com; jeanineharrington@gmail.com; jimwoods23@gmail.com; jlgreynolds@gmail.com; jordan.friedberg@gmail.com; jpozner@gmail.com; jrleoDC@gmail.com; karenskall@gmail.com; katedavster@gmail.com; kaushambis@gmail.com; Kevin.Waskelis@gmail.com; laine.cidlowski@gmail.com; lainsman@gmail.com; lannstanley@gmail.com; laura.ojeda1@gmail.com; Linda.Raab@gmail.com; lindsay.duerr@gmail.com; lingwen.zheng@gmail.com; margitsperling@gmail.com; mcjohnson85@gmail.com; mingruc@gmail.com; mkebrwn@gmail.com; mooneyjc@gmail.com; ocstewart@gmail.com; phildowney.jr@gmail.com; RachelFtz@gmail.com; rhand76@gmail.com; richard.roisman@gmail.com; rinabrule@gmail.com; ritterrob@gmail.com; rj.eldridge@gmail.com; rmichael87@gmail.com; ruthzaly@gmail.com; sarahfranklin@gmail.com; sjpeterston23@gmail.com; snamioka93@gmail.com; sophiecantell@gmail.com; steiner.kurt@gmail.com; syadsko@gmail.com; tjstevens82@gmail.com; tomikahughey@gmail.com; zliarnard@gmail.com; dporter@gmionline.org; streeves@gmpexpress.net; philip_zurman@gmx.de; ena@goroveslade.com; ahofstra@greenbeltmd.gov; ccraze@greenbeltmd.gov; thruby@greenbeltmd.gov; frank.giblin@gsa.gov;

james.russell@gsa.gov; jerry.loux@gsa.gov; mary.shearill-thompson@gsa.gov; mph@gSATrans.com; ballard-hirsch@gsipt.net; dsiff@gsipt.net; psmall@gsipt.net; rliu@gsipt.net; vlocklear@gsipt.net; dornmcg@gwu.edu; brandon@haydensauto.com; alan.hachey@hdrinc.com; jill.cooper@hklaw.com; steven.sher@hklaw.com; jclemons@hntb.com; jdembner@hntb.com; mroos@hntb.com; rchoudhury@hntb.com; jodi.williams@hok.com; suzette.goldstein@hok.com; angelaocardenas@hotmail.com; arlova@hotmail.com; bostongjh@hotmail.com; brentbeane@hotmail.com; cdelahay@hotmail.com; d.c.goodwin@hotmail.com; dm111_@hotmail.com; dorven@hotmail.com; dwr6075@hotmail.com; herringjanell@hotmail.com; howardways@hotmail.com; jazzyc@hotmail.com; jenniferbonnette@hotmail.com; jlclax@hotmail.com; kate_shiflet@hotmail.com; kukaiser@hotmail.com; joe@kendlandsco.com; bellis@kfhgroup.com; ffravel@kfhgroup.com; kmatsuda@konterra.com; mcintyreja@hotmail.com; mikeweich@hotmail.com; plannermegan@hotmail.com; pokharels@hotmail.com; qasimmansoor@hotmail.com; rapinda@hotmail.com; stephm1@hotmail.com; studio_u@hotmail.com; thehefferons@hotmail.com; tom_robertson88@hotmail.com; charles.bien@hud.gov; Linda.K.Bronsdon@hud.gov; john.kidwiler@hurcon.com; cstewart@icsc.org; rmarcenaro@imark.ws; cmanjarrez@imls.gov; jason@ipcllc.net; sanlian@ird-dc.org; amanda.lloyd@jacobs.com; brian.pacino@jacobs.com; casey.martin@jacobs.com; david.feske@jacobs.com; megan.powell@jacobs.com; jeff@jeffspeck.com; tgaunt@jesuit.org; mikea@jhu.edu; bmartin@jmt.com; ewilcox@jnzell.com; mikewatkins@juno.com; sflowney@juno.com; rjanderson@justice.com; graham@kaysg.com; joe@kendlandsco.com; bellis@kfhgroup.com; ffravel@kfhgroup.com; kmatsuda@konterra.com; sabell@laa.cc; chogan@laurel.md.us; kbrendle@laurel.md.us; mjacobson@leaelliott.com; sswift@leesburgva.gov; ajfeltoon@leoadafy.com; jjd@linowes-law.com; beth.hilkemeyer@loudoun.gov; LMOSURAK@loudoun.gov; dmatherly@louisberger.com; gdorn@louisberger.com; lvitrano@louisberger.com; tgaul@louisberger.com; jmean@lozierpartners.com; stawes@lsassociates.net; mgionet@lsginc.com; ldbdc@mac.com; pgallagher.aicp@mac.com; cjcottin@mail.umd.edu; danar@mail.umd.edu; dsward@mail.umd.edu; gverson@mail.umd.edu; jct1982@mail.umd.edu; kmichel@mail.umd.edu; rschaaf@mail.umd.edu; samo@mail.umd.edu; ggeck@mbakercorp.com; bruce_crispell@MCPSPMD.org; susan010@md.metrocast.net; rjosephson@mdp.state.md.us; gbaker@mhpartners.org; mrw@michaelwinstanley.com; bspalding@millerandsmith.com; fvboyd@Mindspring.com; jimmm@Mindspring.com; pampeckham@Mindspring.com; riddlecat@Mindspring.com; chzhiyu@mit.edu; jskline@mmcanby.com; Benjamin.Gruswitz@mncppc-mc.org; brenda.sandberg@mncppc-mc.org; charles.kines@mncppc-mc.org; Dominic.Quattrocchi@mncppc-mc.org; eric.graye@mncppc-mc.org; erin.grayson@mncppc-mc.org; glenn.kreger@mncppc-mc.org; jean.cryor@mncppc-mc.org; justin.clarke@mncppc-mc.org; kathy.reilly@mncppc-mc.org; linda.komes@mncppc-mc.org; margaret.rifkin@mncppc-mc.org; mary.dolan@mncppc-mc.org; mcp-chairman@mncppc-mc.org; neil.braunstein@mncppc-mc.org; Pamela.Dunn@mncppc-mc.org; Renee.Miller@mncppc-mc.org; rollin.stanley@mncppc-mc.org; ronald.cashion@mncppc-mc.org; rose.krasnow@mncppc-mc.org; sandra.pereira@mncppc-mc.org; sandra.youla@mncppc-mc.org; sharon.suarez@mncppc-mc.org; vanessa.francis@mncppc-mc.org; john.henderson@mncppc.org; christopher.anderson@montgomerycountymd.gov; gary.stith@montgomerycountymd.gov; glenn.orlin@montgomerycountymd.gov; mark.beall@montgomerycountymd.gov; marlene.michaelson@montgomerycountymd.gov; matthew.greene@montgomerycountymd.gov; patricia.shepherd@montgomerycountymd.gov; rob.klein@montgomerycountymd.gov; pagya1@morgan.edu; eortman@morpc.org; CarenMadsen@msn.com; ezplanr@msn.com; g_jeff@msn.com; malaika1913@msn.com; megmaguireconsultant@msn.com; papoug@msn.com; rpaggawal@msn.com; geoff.baskir@mwa.com; ameese@mwcog.org; dfarina@mwcog.org; drobertson@mwcog.org; ggoodwin@mwcog.org; jmataya@mwcog.org; mfarrell@mwcog.org; mmoran@mwcog.org; pdesjardin@mwcog.org; tcanan@mwcog.org; wklancher@mwcog.org; jdavenport@naco.org; ckedda@nahb.com; dbassett@nahb.com; etombari@nahb.com; bmcadowell@napawash.org; lgoldstein@nas.edu; kim.w.toufectis@nasa.gov; alan.zusman@navy.mil; anthony.chinyere@navy.mil; chad.holdsworth@navy.mil; letitia.gomez@navy.mil; mike.bryan@navy.mil; stephanie.r.campbell@navy.mil; david.levy@ncpc.gov; elizabeth.miller@ncpc.gov; jeff.hinkle@ncpc.gov; julia.koster@ncpc.gov; marcel.acosta@ncpc.gov; lross@nhc.org; rsherriff@nhc.org; mcfarland@nlc.org; elisabeth.morgan@noaa.gov; dchieco@nomabid.org; karyn_ferro@nps.gov; lisa_mendelson-ielmini@nps.gov; kbenfield@nrdc.org; doug-loescher@nthp.org; dmccormick@nw.org; kbairley@nw.org; rrodriguez@nw.org; mialbe@oaaa.org; darmstrong@omng.com; wilson@ors.od.nih.gov; cturmer@ovsla.com; marti@palisadesassociates.com; wgauger@particip.com; acpeet@pbsj.com; braum@pbworld.com; cederth@pbworld.com; juriga@pbworld.com; laverty@pbworld.com; saundersc@pbworld.com; schmidt@pbworld.com; strum@pbworld.com; aferretti@pesconsult.com; amorris@pesconsult.com; kcrown@petersoncos.com; bob.alter@phoenixlanddesign.com; amy.zou@phra.com; patricia.monday@phra.com; scott.wolford@phra.com; bklein@planning.org; jmacdonald@planning.org; jsoule@planning.org; khodgson@planning.org; ljorgenson@planning.org; mgroh@planning.org; rknack@planning.org; harsh@planningnewsvote.com; mrvikin@polaris.umuc.edu; jmann@post.harvard.edu; Albert.Dobbins@ppd.mncppc.org; arie.stouten@ppd.mncppc.org; Chris.Izzo@ppd.mncppc.org; daniel.janousek@ppd.mncppc.org; Fatimah.Hasan@ppd.mncppc.org; Harold.Foster@ppd.mncppc.org; henry.zhang@ppd.mncppc.org; ivy.lewis@ppd.mncppc.org; john.funk@ppd.mncppc.org; kierre.mccune@ppd.mncppc.org; lindsay.smith@ppd.mncppc.org; michael.asante@ppd.mncppc.org; philip.taylor@ppd.mncppc.org; samuel.parker@ppd.mncppc.org; sonja.ewing@ppd.mncppc.org; william.washburn@ppd.mncppc.org; skgriffin@pwcgov.org; mlisis@rcn.com; bmcnamara@realtors.org; jmolinaro@realtors.org; reg.griffith@reg-griffith-associates.net; elliotr@rhodeside-harwell.com; ericf@rhodeside-harwell.com; afinchum@richmondregional.org; ttansing@rockvillemd.com; awallas@rockvillemd.gov; cchasten@rockvillemd.gov; ckebba@rockvillemd.gov; csanders@rockvillemd.gov; dlevy@rockvillemd.gov; dmellander@rockvillemd.gov; jhurlbutt@rockvillemd.gov; jthompson@rockvillemd.gov; jwasilak@rockvillemd.gov; jwinstel@rockvillemd.gov; mbayonet@rockvillemd.gov; mfolden@rockvillemd.gov; mtewari@rockvillemd.gov; rtorra@rockvillemd.gov; crybicki@roddgers.com; drood@roddgers.com; jprzygocki@roddgers.com; jrussel@roddgers.com; mfris@roddgers.com; pfosselman@roddgers.com; bcaldwell@rtkl.com; bli@rtkl.com; gmaule@rtkl.com; pwalker@rtkl.com; nemethd@saic.com; hthompson@seafarers.org; phil.feola@shawpittman.com; george.hayden@smeco.coop; cristina.sasaki@smithgroup.com; merrill.stleger-demian@smithgroup.com; sblack@ssd.com; asb@ssimd.net; carrick6006@starpower.net; dhammond.1@starpower.net; dlwinborne@starpower.net; ellen.mccarthy@starpower.net; ilonab@takomagov.org; sarad@takomagov.org; Suzannel@takomagov.org; Jia, Wendy; raynix@tcgdevelopment.com; mdlewis@tempie.edu; DZeitlin@thecareoftrees.com; tomflynn@thomaspoint.com; carson@tischlerbise.com; jtoole@tooleedesign.com; eaulestia@tortigallas.com; eromero@tortigallas.com; mantoine@tortigallas.com; nsullivan@tortigallas.com; tmcghee@tortigallas.com; cferlage@townofaplata.org; djenkins@townofaplata.org; ctrace@trace-inc.net; paul.singh@traceries.com; tkingsle@ui.urban.org; emcmahon@uli.org; jess.zimbabwe@uli.org; RLevitt@uli.org;

teitler@uli.org; achen@umd.edu; aschnitz@umd.edu; ceara@umd.edu; dempy@umd.edu; gknaap@umd.edu; hbaum@umd.edu; jhshin1@umd.edu; jimcohen@umd.edu; lms@umd.edu; pwitte@umd.edu; rporter@umd.edu; reneetho@umd.edu; rmcwain@umd.edu; sgreenb@umd.edu; wsmmedley@umd.edu; timcampbell@urbanage.org; aranzazu_pacqua@urscorp.com; david_van_horn@urscorp.com; shubha_shrivastava@urscorp.com; ryan.velasco@us.pwc.com; marjorie.k.marcus@usace.army.mil; Tracy.P.Wilson@usace.army.mil; jhester@usaid.gov; ptempleton@usgbc.org; rflora@usgbc.org; broad@usna.edu; milleric3@vcu.edu; dpberlage@venable.com; scribergv@verizon.net; ashraf.jan@verizon.net; bripkin@verizon.net; chassmann@verizon.net; Christineosei@verizon.net; davebetsy@verizon.net; dgburke@verizon.net; doublehoos@verizon.net; goberland@verizon.net; gr.cichy@verizon.net; hal.phipps@verizon.net; jenvik1@verizon.net; jhammond15@verizon.net; john.fondersmith@verizon.net; juleslichtenstein@verizon.net; landlaw@verizon.net; marie.fennell@verizon.net; mepetrenko@verizon.net; mpfuchs@verizon.net; mtovi@verizon.net; pasarch@verizon.net; raejack@verizon.net; rivkin2@verizon.net; rorors@verizon.net; sherre@verizon.net; srdsspring@verizon.net; wbrattwoman@verizon.net; danspacher@vnh.com; kulenguski@vika.com; landfair@vika.com; cvissering@visseringpardue.com; gdix@vt.edu; img64@vt.edu; jabra@vt.edu; jbnntt@vt.edu; jwatson3@vt.edu; kateeroo@vt.edu; kenglish@vt.edu; ma0169a@vt.edu; rexh@vt.edu; rfoltz@vt.edu; tmejia@vt.edu; wwendy@vt.edu; laura@watchmanconsulting.net; gdove@wdgarch.com; NicoleWynands@web.de; steve.nardella@whihomes.com; hcohen@wittassociates.com; Harrington, Thomas; rpodolske@worldbank.org; david.mackinnon@wso.whs.mil; abpoconnor@yahoo.com; ajeich7776@yahoo.com; amydicarlanonio@yahoo.com; apolangin@yahoo.com; atbonanno@yahoo.com; brandon_mccadden@yahoo.com; brianswanson@yahoo.com; brianwclark@yahoo.com; christopherziemann1@yahoo.com; colleenmitch@yahoo.com; courtneygwilson@yahoo.com; cre8ive1029@yahoo.com; dami_kehinde@yahoo.com; daniellefelix82@yahoo.com; danielwgoodman@yahoo.com; davis9001@yahoo.com; ddjill@yahoo.com; dhiru.thadani@yahoo.com; dkwan32@yahoo.com; donavon.corum@yahoo.com; elaranda@yahoo.com; elwood715@yahoo.com; emiles_74@yahoo.com; etbaum@yahoo.com; fabiodunolabode@yahoo.com; geraldine_gooding@yahoo.com; guerreroschor@yahoo.com; g_meus@yahoo.com; hlwhitlow@yahoo.com; hughxmorris@yahoo.com; humphred@yahoo.com; jacobsesker@yahoo.com; jeffreybriansmith@yahoo.com; jrobersonok@yahoo.com; jshaunobryan@yahoo.com; mak244@yahoo.com; marcldg@yahoo.com; mikelancaster79@yahoo.com; mmitchellrla@yahoo.com; ngulg@yahoo.com; patrickcindyb@yahoo.com; prepland@yahoo.com; pukchon@yahoo.com; pwgdc@yahoo.com; reweisshd@yahoo.com; mettle@yahoo.com; robyneason@yahoo.com; roc8jas@yahoo.com; sconscha@yahoo.com; sgcieraeszko@yahoo.com; sldetman@yahoo.com; somercross@yahoo.com; stpinkus@yahoo.com; susi_prdc@yahoo.com; s_chewle@yahoo.com; tamberlysuifi@yahoo.com; terrybdc@yahoo.com; tjerdon080480@yahoo.com; uselessnose@yahoo.com; vitaleem@yahoo.com; vjaranha@yahoo.com; zorrobaldard@yahoo.com; ocondon@zgf.com

Subject: MD APA One-day Conference & Annual Meeting June 19, 2009

**Planning Conference
& Annual Meeting of the Maryland Chapter
of the American Planning Association
Friday, June 19, 2009**

The Maryland Chapter of the American Planning Association will hold its Annual Meeting and a one-day educational conference. All are welcome to attend. There will be four educational sessions, including law and ethics. Several of the presentations were presented at the National Planning Conference in Minneapolis, Minnesota in April, 2009. This is a Mini-Minneapolis Conference. AICP-CM credit is being sought for these sessions and will be available pending approval by national APA. This conference is co-sponsored by the Maryland-National Capital Park and Planning Commission. The Annual Meeting will begin at 9:00 AM. Sessions will begin at 10:00 AM. Registration includes lunch (a variety of sandwiches, snacks, fruit, cookie, and beverage).

Presentations by:

- ❖ National Center for Smart Growth Research and Education
- ❖ "Hot Topics in Maryland Law" by Nicole M. Lacoste, Esq., AICP and Kathleen E. Byrne, Esq.
- ❖ Ethics 101, a Skit and Discussion, directed and led by Sharon Suarez, AICP (originally produced and performed by the Delaware APA in June, 2008)
- ❖ "Aging Icons: A Second Chance for Lake Anne Village Center and Tysons Corner" by Charles O. Smith and David Holden, AICP

Name: _____
 Company: _____
 Address: _____
 Daytime Phone Number: _____
 Email: _____
 APA Member Number: _____

Payment will be accepted at the door. Make checks payable to "Maryland APA".
 By registering you are committing to pay \$25.00, whether or not you are able to attend. You may send a substitute.

Fax/email the registration form by 4:30 PM, Monday, June 15, 2009 to:
 Jacquelyn Rouse, AICP, Chapter Professional Development Officer
 Fax: 410-263-1129 Email: jmr@annapolis.gov Phone: 410-263-7961

Location: Prince George's Sports & Learning Complex,
8001 Sheriff Road, Landover, MD 20785
Directions are available at www.pgsportsandlearn.com.

Jenny Plummer-Welker, AICP
Principal Planner
Calvert County Department of Planning & Zoning
410-535-1600 ext. 2333
plummejl@co.cal.md.us

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, June 10, 2009 6:12 PM
To: Ackerman, Heidi; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Haldeman, Kristin M.; Hamre, James; Harrington, Thomas; Hendren, Patricia; Hughes, James; Jachles, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Johnston, Kasondra; Jones, Catherine; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marrow, Gwen B.; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Meseret, Girum; Mohsberg, Sid; Peterson, Scott; Roberson, Jerry; Stallworth, Douglas; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S.
Subject: Board Items Preparation Milestones
Attachments: Board Items Preparation Milestones - 2009.xls

Updated status is attached.

BAR: http://p590a3.wmata.com:7778/pls/bar/p_bar_public

Please let me know of any errors or omissions.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Friday, June 05, 2009 3:24 PM
To: Ashby, Clayton; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Haldeman, Kristin M.; Hamre, James; Harrington, Thomas; Hendren, Patricia; Hughes, James; Jachles, Cynthia; Roberson, Jerry; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Jones, Catherine; Johnston, Kasondra; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; McElhenny-Smith, Robin; Meister, Mark K.; Meseret, Girum; Mohsberg, Sid; Orr, Robert B.; Peterson, Scott; Roberson, Jerry; Sevier, John; Stallworth, Douglas; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S.
Subject: Board Items Preparation Milestones
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All,

The latest update is attached. Please let me know if there are any errors or omissions.

A new tab has been inserted at the far left. It shows the number of items we have taken or are planning to take to the Board in calendar year 2009: 31 in all so far.

Please add some items to the BAR for the remaining months of the year.

Here is what the BAR currently shows: http://p590a3.wmata.com:7778/pls/bar/p_bar_public

Thanks.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Tuesday, June 02, 2009 6:48 PM
To: Ashby, Clayton; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Haldeman, Kristin M.; Hamre, James; Harrington, Thomas; Hendren, Patricia; Hughes, James; Jachles, Cynthia; Roberson, Jerry; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Jones, Catherine; Johnston, Kasondra; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; McElhenny-Smith, Robin; Meister, Mark K.; Meseret, Girum; Mohsberg, Sid; Orr, Robert B.; Peterson, Scott; Roberson, Jerry; Sevier, John; Stallworth, Douglas; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S.
Subject: Board Items Preparation Milestones
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The latest update is attached.

Doggett, Rosalyn

From: Potts, Gregory W.
Sent: Monday, June 01, 2009 9:47 AM
To: Doggett, Rosalyn; Meister, Mark K.
Cc: Bottigheimer, Nat
Subject: RE: PDRE 6/11/09 draft package

Nat-

The GM pre-brief for June items is tomorrow at 2pm. When the item is reached, one approach would be to say that you all are prepared to go to the PDRE Committee and have the full presentation ready, but that you're wondering if it could go as an Admin Item instead.

From: Doggett, Rosalyn
Sent: Monday, June 01, 2009 9:42 AM
To: Meister, Mark K.
Cc: Bottigheimer, Nat; Potts, Gregory W.
Subject: RE: PDRE 6/11/09 draft package

From my point of view, it could go to Admin.

From: Meister, Mark K.
Sent: Monday, June 01, 2009 8:40 AM
To: Doggett, Rosalyn
Cc: Bottigheimer, Nat; Potts, Gregory W.
Subject: FW: PDRE 6/11/09 draft package

Roz,

Is there any reason this needs to go to the PD&RE Committee? They're going to get the final JDA anyway. Anything we can do to streamline the approval process is good.

From: Bottigheimer, Nat
Sent: Sunday, May 31, 2009 9:41 PM
To: Potts, Gregory W.
Cc: Mohsberg, Sid; Meister, Mark K.
Subject: RE: PDRE 6/11/09 draft package

It's a good question and I don't know the answer to it. I suggest you check with COUN, perhaps Bruce Heppen, and I'm cc'ing Mark Meister in the event he knows, too.

From: Potts, Gregory W.
Sent: Friday, May 29, 2009 12:43 PM
To: Bottigheimer, Nat
Subject: FW: PDRE 6/11/09 draft package

Nat-

On the Navy Yard Chiller Site agenda item for PDRE June 11—Candace was asking me why this wasn't an admin item since it seems fairly routine and is an extension. I didn't know the answer.

Sometimes the line between administrative items and committee items can be blurry. I feel like some are in a grey area. I'd like to try and work on guidance to staff to make sure we are clear on what qualifies.

From: Bellamy, Michelle A.
Sent: Wednesday, May 27, 2009 11:56 AM
To: Potts, Gregory W.; Farbstein, Lisa
Cc: Hershorn, Julie G.
Subject: PDRE 6/11/09 draft package

Broadcast Center Partners at Shaw-Howard is not included.

Michelle A. Bellamy
Budget/Funding Program Assist.
Washington Metropolitan Area Transit Authority
OPRS

600 Fifth St., NW
Washington, DC 20001
202-962-2779
202-962-2410 Fax

Doggett, Rosalyn

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From: Bellamy, Michelle A.
Sent: Wednesday, May 27, 2009 11:56 AM
To: Potts, Gregory W.; Farbstein, Lisa
Cc: Hershorn, Julie G.
Subject: PDRE 6/11/09 draft package

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Michelle A. Bellamy
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Subject: Board Items Preparation Milestones
Attachments: Board Items Preparation Milestones - 2009.xls

More updates. The June 2009 MEAD's are moving.

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Sent: Friday, May 29, 2009 9:47 AM
To: Ashby, Clayton; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Haldeman, Kristin M.; Hamre, James; Harrington, Thomas; Hendren, Patricia; Hughes, James; Jachles, Cynthia; Roberson, Jerry; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Jones, Catherine; Johnston, Kasandra; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; McElhenry-Smith, Robin; Meister, Mark K.; Meseret, Girum; Mohsberg, Sid; Orr, Robert B.; Peterson, Scott; Roberson, Jerry; Sevier, John; Stallworth, Douglas; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S.
Subject: Board Items Preparation Milestones
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More updates. The June 2009 MEAD's are moving.

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Thursday, May 28, 2009 5:33 PM
To: Ashby, Clayton; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Haldeman, Kristin M.; Hamre, James; Harrington, Thomas; Hendren, Patricia; Hughes, James; Jachles, Cynthia; Roberson, Jerry; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Jones, Catherine; Johnston, Kasondra; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; McElhenny-Smith, Robin; Meister, Mark K.; Meseret, Girum; Mohsberg, Sid; Orr, Robert B.; Peterson, Scott; Roberson, Jerry; Sevier, John; Stallworth, Douglas; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S.
Subject: Board Items Preparation Milestones - 2009
Attachments: Board Items Preparation Milestones - 2009.xls

All,

The latest update is attached. Lots of MEAD's advanced today. See the right end of the row for each June 2009 item. Be sure to check each committee and the admin items at the bottom of the JUN09 tab.

Sid

Doggett, Rosalyn

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Doggett, Rosalyn

From: Johnson, Shariyka
Sent: Thursday, May 28, 2009 3:02 PM
To: Doggett, Rosalyn
Subject: Shaw-Howard Letter of Credit Letter
Attachments: DOC010.PDF

As requested.

Shariyka N. Johnson
WMATA
Office of Station Area Planning & Asset Management
600 5th St. NW
Suite 5B-M
Washington, DC 20001
T: 202-962-1273
F: 202-962-2396

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F: 202-962-2396

Doggett, Rosalyn

From: Wyner, Jonathan S.
Sent: Thursday, May 28, 2009 9:59 AM
To: Doggett, Rosalyn
Cc: Meister, Mark K.
Subject: FW: Board Items Preparation Milestones
Attachments: Board Items Preparation Milestones - 2009.xls

Importance: High

Should we be getting on the July Board? Or should we just try for September (there is no August)....

Changes in Terms and Conditions of Arlington Bus Garage Sale(Approve changes in the terms and conditions of the Arlington Bus Garage resulting from changes in financing requirements caused by change in economic conditions in the real estate market.)catchy title..

'Head's up: As indicated on the attached spreadsheet, the briefing for Nat for the **July 2009** Committees and Board is next **Wednesday, 6/3/09, from 2:00 to 3:00 PM.**'

jonathan

Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development
600 Fifth Street, NW
Washington, DC 20001
202/962-1577
jwyner@wmata.com

From: Mohsberg, Sid
Sent: Wednesday, May 27, 2009 7:36 PM
To: Ashby, Clayton; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Haldeman, Kristin M.; Hamre, James; Harrington, Thomas; Hendren, Patricia; Hughes, James; Jachles, Cynthia; Roberson, Jerry; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Jones, Catherine; Johnston, Kasondra; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; McElhenny-Smith, Robin; Meister, Mark K.; Meseret, Girum; Mohsberg, Sid; Orr, Robert B.; Peterson, Scott; Roberson, Jerry; Sevier, John; Stallworth, Douglas; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S.
Subject: Board Items Preparation Milestones

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BAR: http://p590a3.wmata.com:7778/pls/bar/p_bar_public

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Sent: Friday, May 22, 2009 4:31 PM
To: Meister, Mark K.; Burns, Bob; Malasky, Gary; Doggett, Rosalyn
Cc: Mohsberg, Sid; Dickerson, Tracie S.
Subject: TOD IN THE US Experiences, Challenges and Propects - TCRP REPORT 102
Attachments: TRCP REPORT 102 TOD, pdf.pdf

Importance: High

Doing a bit of research – I ran across this...of which, I am sure you have all seen and read all 534 pages....

You can do a key word search on WMATA....especially page 229 and following

In case you wanted your own copy....

Of course, PLJD/SAAM has worked on our shortcomings that were mentioned in this report...see page 234

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Sent: Friday, May 22, 2009 8:59 AM
To: Ackerman, Heidi; Ashby, Clayton; Benson, Sara E.; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Byrd, Toni; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Freeburger, Juanita; Haldeman, Kristin M.; Hamre, James; Harrington, Thomas; Hendren, Patricia; Hughes, James; Jachies, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Johnston, Kasondra; Jones, Catherine; Kennedy, Sean; Kinder, Lynda; Lassiter, Michael V.; Magarelli, John A.; Malasky, Gary; Marrow, Gwen B.; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Meseret, Girum; Mohsberg, Sid; Orr, Robert B.; Peterson, Scott; Powell, Rovenia; Roberson, Jerry; Scales, Phillip; Somers, Dale; Stallworth, Douglas; Talaia, Anabela; Washington, Joel R.; Watson, Joseph
Subject: FW: Metro News Clips - Friday, May 22, 2009
Attachments: WPOST1.pdf; WPOST2.pdf; WPOST3.pdf; dcexaminer4.pdf; connectionnewspapers5.pdf; newsday1.pdf; nydailynews2.pdf; ny1.com3.pdf; boston4.pdf; chicagotribune5.pdf

Have a safe weekend!

Maria Wallace
Planning & Joint Development
Washington Metropolitan Area Transit Authority
202-962-2330
mawallace@wmata.com

Metro News

- 1) For More Riders, The Bus Is Beautiful, http://www.washingtonpost.com/wp-dyn/content/article/2009/05/20/AR2009052001491_pf.html Washington Post, May 21
- 2) Job Seeker's Approach Is A Sign Of The Times, http://www.washingtonpost.com/wp-dyn/content/article/2009/05/20/AR2009052003578_pf.html Washington Post, May 21
- 3) Officials Aim To Improve Medical Campus Access, http://www.washingtonpost.com/wp-dyn/content/article/2009/05/19/AR2009051903421_pf.html Washington Post, May 20
- 4) Survey: Area Households More Likely To Own Cars Than In 1994, <http://www.washingtonexaminer.com/local/Survey-Area-households-more-likely-to-own-cars-than-in-1994-45798762.html> Washington Examiner, May 22, 2009
- 5) Being Watched, <http://www.connectionnewspapers.com/article.asp?article=328865&paper=72&cat=104> The Connection Newspapers, May 21

US Transit News

- 1) LIRR President Tapped As Interim MTA Chief Executive, http://www.newsday.com/news/local/politics/ny-limta2212792858may21_0,1714458,print.story New York Newsday, May 22
- 2) Disciplinary Charges By MTA Vs Workers Plunge Since Strike, http://www.nydailynews.com/news/2009/05/20/2009-05-20_disciplinary_charges_by_mta_vs_workers_plunges_since_strike.html?print=1&page=all New York Daily News, May 21
- 3) Lack Of Trust Plagues MTA, Poll Finds, http://www.ny1.com/content/top_stories/99502/lack-of-trust-plagues-mta--poll-finds/Default.aspx New York 1, May 21
- 4) T Traps 60,000, Raises Doubts, http://www.boston.com/news/local/massachusetts/articles/2009/05/22/t_traps_60000_raises_doubts?mode=PF Boston Globe, May 22, 2009
- 5) CTA Complaints Are Down, Agency Says, <http://www.chicagotribune.com/news/local/chi-cta-complaints-20-may20,0,5541040,print.story> Chicago Tribune, May 20

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Subject: FW: Metro News Clips - Friday, May 22, 2009
Attachments: WPOST1.pdf; WPOST2.pdf; WPOST3.pdf; dcexaminer4.pdf; connectionnewspapers5.pdf; newsday1.pdf; nydailynews2.pdf; ny1.com3.pdf; boston4.pdf; chicagotribune5.pdf

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- 1) For More Riders, The Bus Is Beautiful, http://www.washingtonpost.com/wp-dyn/content/article/2009/05/20/AR2009052001491_pf.html Washington Post, May 21
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- 3) Officials Aim To Improve Medical Campus Access, http://www.washingtonpost.com/wp-dyn/content/article/2009/05/19/AR2009051903421_pf.html Washington Post, May 20
- 4) Survey: Area Households More Likely To Own Cars Than In 1994, <http://www.washingtonexaminer.com/local/Survey-Area-households-more-likely-to-own-cars-than-in-1994-45798762.html> Washington Examiner, May 22, 2009
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- 2) Disciplinary Charges By MTA Vs Workers Plunge Since Strike, http://www.nydailynews.com/news/2009/05/20/2009-05-20_disciplinary_charges_by_mta_vs_workers_plunges_since_strike.html?print=1&page=all New York Daily News, May 21
- 3) Lack Of Trust Plagues MTA, Poll Finds, http://www.ny1.com/content/top_stories/99502/lack-of-trust-plagues-mta--poll-finds/Default.aspx New York 1, May 21
- 4) T Traps 60,000, Raises Doubts, http://www.boston.com/news/local/massachusetts/articles/2009/05/22/t_traps_60000_raises_doubts?mode=PF Boston Globe, May 22, 2009
- 5) CTA Complaints Are Down, Agency Says, <http://www.chicagotribune.com/news/local/chi-cta-complaints-20-may20,0,5541040,print.story> Chicago Tribune, May 20

Doggett, Rosalyn

From: Burns, Bob
Sent: Thursday, May 14, 2009 11:17 AM
To: Wyner, Jonathan S.; Doggett, Rosalyn
Cc: Malasky, Gary; Meister, Mark K.
Subject: RE: SOPRE REQUEST FW: WMATA: TCRP-Jones Lang LaSalle Report, 2002
Attachments: Section IV-12 West Falls Church Jun 1 03.doc; Section I - Executive Summary Jun 1 03.doc; Section I - Table of Contents Jun 1 03.doc; Section II - Site Classification Jun 1 03.doc; Section III-1 Alexandria Market Overview Jun 1 03.doc; Section III-2 Arlington Market Overview Jun 1 03.doc; Section III-3 District of Columbia Market Overview Jun 1 03.doc; Section III-4 Fairfax Market Overview Jun 1 03.doc; Section III-5 Montgomery Market Overview Jun 1 03.doc; Section III-6 Prince George's Market Overview Jun 1 03.doc; Section IV-01 Anacostia Jun 1 03.doc; Section IV-02 Braddock Road Jun 1 03.doc; Section IV-03 Brookland-CUA Jun 1 03.doc; Section IV-04 East Falls Church Jun 1 03.doc; Section IV-05 Fort Totten Jun 1 03.doc; Section IV-06 Navy Yard Jun 1 03.doc; Section IV-07 New Carrollton - North Jun 1 03.doc; Section IV-08 New Carrollton - South Jun 1 03.doc; Section IV-09 New Carrollton - Combined Jun 1 03.doc; Section IV-10 Royal Street Garage Jun 1 03.doc; Section IV-11 Suitland Road Jun 1 03.doc

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From: Wyner, Jonathan S.
Sent: Thursday, May 14, 2009 10:56 AM
To: Doggett, Rosalyn
Cc: Malasky, Gary; Burns, Bob; Meister, Mark K.
Subject: FW: SOPRE REQUEST FW: WMATA: TCRP-Jones Lang LaSalle Report, 2002
Importance: High

Help..

Do we have this?....

Can I get a copy to read....

Can we send this out?

Please let me know....

Thank,

jonathan

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thanx

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From: Wyner, Jonathan S.
Sent: Wednesday, May 13, 2009 4:04 PM
To: Meister, Mark K.
Subject: FW: WMATA: TCRP-Jones Lang LaSalle Report, 2002

Can we do this?....

jonathan

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600 Fifth Street, NW
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202/962-1577
jwyner@wmata.com

From: Will Reed [<mailto:WReed@sppre.com>]
Sent: Wednesday, May 13, 2009 3:44 PM
To: Wyner, Jonathan S.
Subject: WMATA: TCRP-Jones Lang LaSalle Report, 2002

Mr. Wyner,

Thanks for the discussion today on the WMATA TOD selection analysis. As I mentioned on the phone we are researching the evaluation criteria and methods that Transit Authorities have used to evaluate properties within their portfolio. In reviewing the TCRP Report 102 it cites a study completed for WMATA by Jones Lang LaSalle in titled "Real Estate Portfolio Assessment" dated February 7, 2002 (p. 260), we are interested if we can receive a copy of this report.

We are interested in the methodology applied to the evaluation of the development attractiveness of a range of Transit Agency properties. For instance in a review of the Transit Authority's broad range of real estate holdings, (those properties at Transit stations, parking lots, vacant properties, those with facilities), which have the most attractiveness from a development standpoint (TOD or otherwise).

We are interested how the report ranked the property criteria to make recommendations about what properties should be a priority for the Transit Authority to focus its resources (to lease, sell, or prepare an RFQ/RFP, etc). For instance how the properties were assessed in terms of Property Attributes (size, use/function, site conditions), Accessibility (LRT, BRT, pedestrian, vehicular), Third Party interest (Member City, Developer, or Community Groups), and Market Demographics (Income Levels, Population, Submarket trends).

We understand that the ranking and evaluation criteria may have evolved since this report was completed, but it would provide a good background as to how they reviewed the properties at that time.

Thanks again for your time and consideration for this request.

Thanks,

Will Reed
12 Greenway Plaza - Suite 1100 - Houston, TX 77046
Direct: 713.568.8536 - Main: 713.621.3007 - Fax: 713.621.3008
www.sppre.com

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jwyner@wmata.com

From: Wyner, Jonathan S.
Sent: Wednesday, May 13, 2009 4:04 PM
To: Meister, Mark K.
Subject: FW: WMATA: TCRP-Jones Lang LaSalle Report, 2002

Can we do this?...

jonathan

Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development
600 Fifth Street, NW
Washington, DC 20001
202/962-1577
jwyner@wmata.com

From: Will Reed [<mailto:WReed@sppre.com>]
Sent: Wednesday, May 13, 2009 3:44 PM
To: Wyner, Jonathan S.
Subject: WMATA: TCRP-Jones Lang LaSalle Report, 2002

Mr. Wyner,

Thanks for the discussion today on the WMATA TOD selection analysis. As I mentioned on the phone we are researching the evaluation criteria and methods that Transit Authorities have used to evaluate properties within their portfolio. In reviewing the TCRP Report 102 it cites a study completed for WMATA by Jones Lang LaSalle in titled "Real Estate Portfolio Assessment" dated February 7, 2002 (p. 260), we are interested if we can receive a copy of this report.

We are interested in the methodology applied to the evaluation of the development attractiveness of a range of Transit Agency properties. For instance in a review of the Transit Authority's broad range of real estate holdings, (those properties at Transit stations, parking lots, vacant properties, those with facilities), which have the most attractiveness from a development standpoint (TOD or otherwise).

We are interested how the report ranked the property criteria to make recommendations about what properties should be a priority for the Transit Authority to focus its resources (to lease, sell, or prepare an RFQ/RFP, etc). For instance how the properties were assessed in terms of Property Attributes (size, use/function, site conditions), Accessibility (LRT, BRT, pedestrian, vehicular), Third Party interest (Member City, Developer, or Community Groups), and Market Demographics (Income Levels, Population, Submarket trends).

We understand that the ranking and evaluation criteria may have evolved since this report was completed, but it would provide a good background as to how they reviewed the properties at that time.

Thanks again for your time and consideration for this request.

Thanks,

Will Reed
12 Greenway Plaza - Suite 1100 - Houston, TX 77046
Direct: 713.568.8536 - Main: 713.621.3007 - Fax: 713.621.3008
www.sppre.com

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Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Thursday, May 07, 2009 5:20 PM
To: Ashby, Clayton; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Haldeman, Kristin M.; Hamre, James; Harrington, Thomas; Hendren, Patricia; Hughes, James; Jachles, Cynthia; Roberson, Jerry; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Jones, Catherine; Johnston, Kasandra; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; McElhenny-Smith, Robin; Meister, Mark K.; Meseret, Girum; Mohsberg, Sid; Orr, Robert B.; Peterson, Scott; Roberson, Jerry; Sevier, John; Stallworth, Douglas; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S.
Subject: Board Items Preparation Milestones
Attachments: Board Items Preparation Milestones - 2009.xls

All,

Updated Board planning info is attached. Please let me know if there are any errors or omissions.

BAR: http://p590a3.wmata.com:7778/pls/bar/p_bar_public

Note: The pre-brief for Jack Requa for the 5/11/09 PDRE Cmte meeting is next Monday, 5/11/09, at 1:30 PM in room 4G-22.

Accordingly, the presentation, BAIS, resolution, etc. as appropriate are due to Michelle Bellamy this Friday, 5/8/09, at 1:00 PM. Yes, this is tomorrow.

Thanks.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Thursday, May 07, 2009 5:20 PM
To: Ashby, Clayton; Benson, Sara E.; Boltigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Haldeman, Kristin M.; Hamre, James; Harrington, Thomas; Hendren, Patricia; Hughes, James; Jachles, Cynthia; Roberson, Jerry; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Jones, Catherine; Johnston, Kasondra; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; McElhenny-Smith, Robin; Meister, Mark K.; Meseret, Girum; Mohsberg, Sid; Orr, Robert B.; Peterson, Scott; Roberson, Jerry; Sevier, John; Stallworth, Douglas; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S.
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Thanks.

Sid

Doggett, Rosalyn

From: Burns, Bob
Sent: Wednesday, April 29, 2009 1:42 PM
To: Doggett, Rosalyn; Welch, Kermit A.
Subject: FW: Proposed Terms for Purchase of Easement Rights at Shaw Howard-Univ Metrorail Station
Attachments: BCP-WMATA Proposed Terms 4-28-09.doc

fyi

From: Meister, Mark K.
Sent: Wednesday, April 29, 2009 1:30 PM
To: Burns, Bob
Subject: FW: Proposed Terms for Purchase of Easement Rights at Shaw Howard-Univ Metrorail Station

Bob - FYI.

From: Meister, Mark K.
Sent: Tuesday, April 28, 2009 4:04 PM
To: Steven Cassell
Cc: Moneme, Emeka; Bottigheimer, Nat
Subject: Proposed Terms for Purchase of Easement Rights at Shaw Howard-Univ Metrorail Station

Steve,

Per our telephone conversation this afternoon, attached please find the revised proposed terms for the sale of WMATA easements required by Broadcast Center Partners, LLC at the Shaw-Howard Univ Metrorail station. Please call me after you have had a chance to review.

Mark

Mark K. Meister
Program Manager, Real Estate
Office of Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001
Tel: 202-962-1589
Fax: 202-962-2396
Email: mmeister@wmata.com

Doggett, Rosalyn

From: Skip Rotticci [skip@costapacific.com]
Sent: Monday, April 27, 2009 7:28 PM
To: swilson@avalonbay.com; jordway@bart.gov; icarilton@berkeley.edu; allan.zreet@c-b.com; nrhone@canyonpartners.com; lnorris@citygaterealestate.com; nsleeper@cityplace.org; dhoward@cmhp.org; catherine.ross@coa.gatech.edu; kevincantley@coopercarry.com; pike.oliver@cornell.edu; joligna@crownssearch.com; dckn@deainc.com; mjtaylor@design.upenn.edu; reinhard@downtowndc.org; elipkin@ebl-s.com; Allen.Folks@edaw.com; barbara.faga@edaw.com; bill.lee@era.aecom.com; stein@ggastrategies.com; lohodgson@gmail.com; richard.plummer@grubb-ellis.com; orsheskyd@gtlaw.com; jcrylen@gundakercommercial.com; john@hammerschlagparking.com; david.taylor@hdrinc.com; jennifer.hernandez@hklaw.com; trish@hydestreet.net; sgoldin@intercapholdings.com; mgast@irvingtexas.com; mwolf@jhparch.com; mikecantwell@johnsoncapital.com; daver@kapolei.com; michael@landergroup.com; dmiles@milesdna.com; bertg@mithun.com; ken.rudolph@noite.com; bleslie@prescottrealtygroup.com; skannan@rclco.com; spoticha@reconnectingamerica.org; rich.vonluhrte@rnldesign.com; farnold@sacrt.com; wkuh@sasaki.com; srogel@tampabay.org; Doggett, Rosalyn; alomenick@trammellcrow.com; hhatch@tvs-design.com; cleinber@umich.edu; paul.ostergaard@urbandesignassociates.com; Pat@urbanrengroup.com; susan@urbanventuresllc.com; doug.clark@yahoo.com; jrd@zomusa.com
Subject: 009 Spring Council meeting
Attachments: Skip Rotticci.vcf; TOD Council. 4.23.09 Reg List.xls; Spring 2009 TOD Member Roster.pdf

Hello fellow TOD Council members,

It was great to see all of you last week in Atlanta. The reception at Barbara Faga's home was "over the top", and judging by the comments received so far, our council day was very successful. Thank you all for your efforts and participation.

Attached is a PDF listing of current council members, and an excel file of the same. You should be able to copy and paste the Excel file into Microsoft Outlook to create a council contact list.

For those of you who were responsible for assembling a presentation or panel, and taking notes from the Round Table sessions. Please email your presentations and notes, I will compile them on a disk and make a copy of the disks for all TOD Council members and guests.

I can't wait for San Francisco!

Skip Rotticci
Chief Operating Officer
Costa Pacific Communities
4724 SW Macadam Ave.
Portland, OR 97239
Phone: (503) 646-8888 ext. 18
Cell Phone: (503) 314-0527
Email: skip@costapacific.com

Creating better places for people to live, work, play, and learn

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Monday, April 20, 2009 5:46 PM
To: Ashby, Clayton; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Haldeman, Kristin M.; Hamre, James; Harrington, Thomas; Hendren, Patricia; Hughes, James; Jachles, Cynthia; Roberson, Jerry; Jia, Wendy; Jideani, Onyinye; Jones, Catherine; Johnston, Kasandra; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; McElhenny-Smith, Robin; Meister, Mark K.; Meseret, Girum; Mohsberg, Sid; Orr, Robert B.; Peterson, Scott; Roberson, Jerry; Sevier, John; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S.
Subject: PLJD Board Items Preparation Milestones
Attachments: Board Items Preparation Milestones - 2009.xls

Please see the attached.

BAR: http://p590a3.wmata.com:7778/pls/bar/p_bar_public

Please let me know if there are any errors or omissions.

Thanks.

Sid

Doggett, Rosalyn

From: noreply+feedproxy@google.com on behalf of Greater Greater Washington [alpert@gmail.com]
Sent: Saturday, April 18, 2009 5:02 AM
To: Doggett, Rosalyn
Subject: Greater Greater Washington

Greater Greater Washington

Then and now: Minute Service Station No. 2

Posted: 17 Apr 2009 01:01 PM PDT

By **Kent Boese**



Then (left): Circa 1923, the new gasoline and accessories station at the intersection of Georgia and Kansas Avenues and Upshur Street, NW. The station is flanked on the east by Georgia Avenue, on the west by Kansas Avenue and north by Upshur Street, making it one of the most accessible filling stations in DC. In the center of the large triangular tract is an attractive building of stucco and brick with tiled roof and canopies extending over the wide driveways. This photo also appeared on *Shorpy*.

Now (right): Still a gas station but now a Shell. Clearly, this is an example where progress was anything but. The station and bays do not fit the trapezoidal lot as well as the original structure.

(2 comments · share or email)

Related posts:

[Then and now: Granite and peaches \(Mar 27, 2009\)](#)

[Then and now: 470 Louisiana Avenue \(Feb 9, 2009\)](#)

[Public Space Committee says Shell, No \(Dec 19, 2008\)](#)

[Photo of the day: Union Station, 1921 \(Oct 10, 2008\)](#)

[Florida Ave reconstruction mustn't block Duke plan \(Aug 19, 2008\)](#)

Will Columbia Heights inevitably subdivide?

Posted: 17 Apr 2009 11:31 AM PDT



One neighborhood, indivisible?

Last week, Columbia Heights residents and the ANC objected to proposed banners that seemed to be rebranding a segment of 14th Street, from Irving to Shepherd, as "Tivoli North." Many argued that Columbia Heights is just beginning to develop a citywide reputation as a desirable place to go, and didn't like the impression that businesses were shying away from the name. That's all true, but I suspect Columbia Heights will eventually become more than one neighborhood whether local leaders like it or not.

Many maps show "Shaw" encompassing a wide swath from 16th and U to Georgia and Florida down to 14th and M and New Jersey and M. Today, most people call the northern portion of that area the "U Street" neighborhood and the southwestern portion "Logan Circle." Likewise, Sherman and Euclid is very far from 14th and Randolph. They're not in the same ward, and are each as close or closer to other Metro stations than the Columbia Heights station.

The neighborhoods to the east and west, like Adams Morgan, Mount Pleasant, Park View, and Pleasant Plains, are all smaller. Columbia Heights spans a much larger area than "Dupont Circle," which by some measures reaches the southwest corner of 14th and U due to the ANC boundaries. As the blocks in the area develop even more citywide appeal, people will naturally want to explain to their friends where they live, and "Columbia Heights" may simply not be specific enough.

Sure, Chevy Chase DC is even larger in area, but it's also relatively sparsely populated compared to Columbia Heights, has fewer stores, and is much more auto-dependent. When in a car, distances feel smaller, and Chevy Chase can feel like one neighborhood because the typical resident can cross it in five minutes. The typical person in Columbia Heights is on foot, and it takes a lot longer to get from Clifton to Shepherd. Also, there's less inside the boundaries of Chevy Chase to fit into one mental box than in Columbia Heights.

In general, fancier neighborhoods seem to have more names for areas than less affluent ones. The Benning-Minnesota crossroads is often termed "Downtown Ward 7," while only one resident of Georgetown ever calls the area "Ward 2." (Though people do talk about "Ward 3.") Some of this stems from realtors trying to shed the poorer connotations of areas. That's probably why we have "Kalorama Triangle" and "Lanier Heights." Still, there's also a natural desire to better identify one's area.

A friend lived for a short while on Spring Road, and was never sure what to call the area. Is it Petworth? (That's mostly east of Georgia). Sixteenth Street Heights? (The large, fancy houses on 16th are a world away from the row houses near 14th, and separated by a parkway). Does Columbia Heights extend up to Taylor Street, as some tax databases claim? What about people at 15th and Chapin? Is that "Meridian Hill"? "BUCo" (Between U and Columbia Heights)? Or just southern Columbia Heights?

Eventually, some names are going to stick for the northern and southern portions of this neighborhood. It could be as simple as "Northern Columbia Heights" or (to follow San Francisco's model) "Upper Columbia Heights". Or, they could earn their own monikers. But as more people move to the area and even more people start to have friends in the area, nonresidents' collective mental picture of the area will become more nuanced. People will start to recognize the difference between the part between the area near Howard, the area near DC USA, and the area near Arkansas Avenue. And they'll naturally want language to describe those areas.

(10 comments · share or email)

Related posts:

Identity matters: Columbia Heights residents object to "Tivoli North" (Apr 10, 2009)

Chevy Chase won't be a historic district (Oct 21, 2008)

Walk Score launches maps for DC and others (Jul 17, 2008)

Performance parking coming to Columbia Heights (Feb 22, 2008)

Less parking at 14th and U would solve many problems (Feb 15, 2008)

Rapid bus proposal could finally fulfill broken promise to MoCo's east side

Posted: 17 Apr 2009 09:14 AM PDT



People boarding a bus in Briggs Chaney. Photo by Dan Reed.

By Dan Reed

The Transportation Planning Board's proposal for a **regional network of Bus Rapid Transit lines** holds a lot of promise for the region as a whole. But it's most significant in Montgomery County's District 4, where voters will pick a new **County Councilmember** next week. While this area has very little transit, save for a Metro station at Glenmont and two of the most-ridden Metrobus routes in the region, it was developed under the pretense that rapid transit would be built there, leaving residents to grapple with infrastructure that can't handle the traffic burden.

TPB's larger proposal includes no fewer than seven lines serving East County along Georgia Avenue, 16th Street, New Hampshire Avenue, University Boulevard and Veirs Mill Road, plus an express line on the Intercounty Connector. It also includes a line along Route 29 between Silver Spring and Briggs Chaney, which might be the closest we ever come to the light rail line once planned along the corridor several decades ago.

Under the concept of "transit serviceability" – today's Transit Oriented Development – thousands of apartments and townhouses were built in White Oak and Briggs Chaney in anticipation of the line. The master plan for eastern Montgomery County included the light rail line as late as 1981. That year, planners considered a rapid transit line between Wheaton and Burtonsville via Route 29, University Boulevard and an unbuilt "Route 29 Spur," thus bypassing traffic going into Downtown Silver Spring. On Route 29, which is a limited-access freeway north of White Oak, the line would have run in the median, with

"stops at major intersections, fringe parking lots, major employment centers, and other appropriate locations."

With a price tag of \$350 million (\$1 billion in today's dollars), the line's projected low ridership made it a non-starter for the Planning Department. "Although projected peak period ridership was in the range considered appropriate for light-rail transit, projected patronage, on a day long basis could not justify the expenditure of capital and operating costs," read the 1981 plan. The Planning Department saw that light rail could actually be viable along Route 29 were it not for a lack of mid-day ridership. When the Fairland Master Plan was revised again in 1997, the concept of "transit serviceability" was removed altogether, taking away any provisions to expand transit even for the development that had already occurred, let alone what was to come.

The result has been a major shift in development on the east side. Hundreds of acres of land were downzoned for single-family homes, reducing the supply of affordable housing. Local civic activists contend that this area was already a "dumping ground" for affordable housing, noting that the construction of apartments in Briggs Chaney and White Oak has created congestion and overcrowded the local schools. Meanwhile, the people who live in those apartments built to be served by rapid transit must to make do with far less.

As development patterns along Route 29 slowly begin to justify additional transit services, any kind of rapid transit here seems more of a possibility. A Bus Rapid Transit line between Silver Spring and Burtonsville has been on the county's Move Montgomery plan for nearly a decade. On their scorecard for the District 4 County Council election, the Action Committee for Transit found that all but one of the eleven candidates expressed some interest in a Route 29 line.

Responding to their candidate survey, Democrat Nancy Navarro noted that development on the east side has been and continues to be tied to public transit. "Without transit in District 4, there is no opportunity for transit-oriented development or smart growth," she wrote.



Past and present proposals for rapid transit along Route 29, including my own proposal from 2003.

What would make rapid transit along Route 29 more feasible today? Here are a few reasons:

1. By 1981, only a portion of the Briggs Chaney and White Oak areas targeted for dense development had been built out. Today, there are literally thousands of people living within a half-mile of the median of Route 29, where stations would have been located. The downside is that these neighborhoods were not designed to be pedestrian-friendly, meaning that few people are actually a half-mile walk from anything.
2. Shopping centers have been built at Burtonsville, Briggs Chaney, Cherry Hill Road and Tech Road, beginning to provide the mid-day trips the 29 Line needed to be economical. East County still isn't nearly the shopping destination that Wheaton or Rockville Pike is, meaning that people running errands would still make up a small part of the potential ridership.
3. A small but growing job sector means that some people could make "reverse commutes" from the District, Downtown Silver Spring or other parts of Montgomery County. The arrival of 7,000 jobs at the FDA campus in White Oak and 3,000 jobs at the new Washington Adventist Hospital in Calverton are building a potential market for transit.
4. The industrial parks, garden apartments and shopping centers built during East County's first wave of suburbanization in the 1960's are all showing their age. That means there are opportunities for infill development. Many of these projects, like the abandoned Francis Filbey Building at Route 29 and Tech Road, are adjacent to the highway, making them ideal candidates for TOD if a transit line ran in the median.
5. Route 29 has a large but underserved transit-riding population. There is only one Metro station, but the seven Z routes between Silver Spring, Ashton, Burtonsville and Laurel had a combined weekday ridership of 223,961 last July, according to WMATA, making it one of the highest-riden lines in the entire Metrobus system. But other lines, like the C routes on Randolph Road, have been threatened with service cuts because of low ridership. Given the congestion on Randolph, an east-west artery that's one of the area's few connections to the Rockville Pike corridor, low ridership seems like a reason to improve service, not remove it.

Several issues in East County still prevent it from becoming a model for transit-oriented development. Most notably, there is a huge imbalance between jobs and housing, requiring most residents to commute out of the area to begin with. On top of that, Route 29 is still basically a freeway north of New Hampshire Avenue. Routing a BRT or light-rail line down the middle would place transit stations on a freeway, like the Orange Line in Fairfax County, which is in the median of I-66. Such sites hinder

walkable development immediately around them.

Nevertheless, County leaders have long promised rapid transit for this area. They should give eastern Montgomery County a shot at remaking itself with improved public transportation.

(6 comments · share or email)

Related posts:

[TPB creates more extensive yet sprawlier BRT map \(Apr 16, 2009\)](#)

[Planners propose regional BRT system \(Apr 15, 2009\)](#)

[ACT produces District 4 scorecard \(Apr 15, 2009\)](#)

[The Corridor Cities Transitway and the future of the middle suburbs \(Dec 29, 2008\)](#)

[Buses and BRT: some facts \(Dec 9, 2008\)](#)

Reinvent memorialization, maybe; reinvent plazas, no

Posted: 17 Apr 2009 08:01 AM PDT



We could do a lot worse than this. Photo by kimberlyfaye.

Today, Post architecture critic Philip Kennicott **weighs in** on the choice of Frank Gehry to design the Eisenhower Memorial. The commission document calls for a "plaza-type" memorial, including a canopy and a small building. It also asks Gehry to design "a new vision of memorialization: a new paradigm for memorials."

Is that really what we need? Certainly, memorials needn't all resemble earlier ones. Once, we built obelisks, like the Washington Monument. Later, memorials meant Greek-style temples and rotundas like the Lincoln and Jefferson memorials or the small but elegant DC War Memorial. The Vietnam Wall and the FDR Memorial each defined their own paradigms for memorials. But they also fit into their environments in a pleasing way. Little that Gehry has ever built does so, and if his idea of defining the "language ... for a 21st century memorial" involves throwing out everything nice about the language of prior centuries for something jarring and unpleasant, it'd be best that we avoid speaking his language.

Kennicott agrees, warning against Gehry emulating a 2008 London design resembling "a jumble of wood and glass panels seemingly hung from a huge pair of parallel bars" or interactive devices that "overwhelm the place." But he also tries to steer Gehry away from emulating the Navy Memorial, which he calls "not very interesting":

It has a water element, some nice paving, a few benches and a little statue, "The Lone Sailor," to suggest the human element of military service. The memorial's best feature is its humility and its benign incorporation into the cityscape. Any number of second-tier landscape architecture firms could provide more of the same.

Can a memorial "reinvent" while also remaining humble and benign? Gehry is probably not the man to do that, though Kennicott feels he "deserves the freedom to try." However, there's a very fine line between interesting and garish. If our architecture critics keep criticizing good-but-not-spectacular memorials like the Navy memorial as "not very interesting," architects won't even try for humble.

Many architecture schools indoctrinate young architects with the notion that their designs must be bold, stand out, challenge orthodoxy, and make a statement, when in truth most buildings really just need to look nice, function well, relate to people on the human scale, and integrate well into the fabric of the city. But many architecture critics egg them on, pushing the warping of the craft of architecture into a modern art contest. Former New York Times critic Ada Louise Huxtable did it, Boston Globe critic Yvonne Abraham **does it**, and it sure sounds like Kennicott is doing it, even if in a small way.

The Eisenhower Memorial should function as a plaza and as a memorial. It might be time to reinvent the language of memorials, but we don't need to reinvent plazas. Memorials have changed over the centuries, becoming different but not better or worse, while plazas have generally become worse. The classic European squares with fountains still work best, while plazas are modernism's greatest failure among many.

If Gehry comes up with a visionary new vision for the Eisenhower Memorial that's a lousy plaza, it'll be a failure. No matter

how much architecture critics appreciate its creativity, people have to appreciate sitting there and eating lunch as well. And interesting or not, the Navy Memorial succeeds admirably at the one goal while doing just fine at the other. Something like that from a "second-tier landscape architecture firm" could well do better for the city than what Gehry might devise. He deserves the freedom to try, but the citizens, NCPA, and CFA, which Kennicott calls the "District's design watchdogs," deserve the freedom to tell him to clip his boldness and make a good plaza.

(19 comments · share or email)

Related posts:

Architecture begins its road home (Dec 8, 2008)

HUD building up for landmarking (Jun 12, 2008)

Architecture as culture, not art (Apr 2, 2008)

No, architecture is not (just) art (Mar 31, 2008)

T is for Transit-Oriented or Towers in the Park? (Nov 10, 2006)

Breakfast links: Don't be scared

Posted: 17 Apr 2009 06:06 AM PDT



Union Station with a wired streetcar. Photo from The Overhead Wire.

Whoosh: President Obama announced a \$13 billion plan for high speed rail.

Nothing to fear from overhead wires: The Overhead Wire, which writes about streetcars and light rail nationwide, argues that overhead wires are not as intrusive as people assume, and that Congress should remove the restriction on wires in DC that is blocking a streetcar network.

Why people like streetcars: And speaking of streetcars, the economics bloggers get into the game as Tyler Cowan examines the enthusiasm for streetcars over buses and Ryan Avent, having freshly moved to Conde Nast's Portfolio, responds. (JTS)

Are signboards so bad?: Richard Layman asks if it's really such a problem that shops and restaurants have been putting standing signboards on the sidewalks in front. DC plans to start enforcing rules against such signs.

Counties eye ending parking subsidies: Fairfax County is considering charging for parking at four busy county parks, while a Montgomery County Council committee recommended ending the subsidy for free parking at libraries connected to pay garages, like at Rockville Town Center. (Connection, Gazette) Montgomery's Council considered ending the subsidy last year but defeated the measure in a close vote.

GOOD and bad on transit: GOOD creates a cute diagram of transit cuts evocative of the NYC subway map. On the blog, they wonder if transit fare cards could ever work like E-ZPass, where you could use the same device on systems from Boston to Washington and beyond? (Rob P.)

Dc changes mind on CFSA move, imperils Ward 7 project: Many Ward 7 residents were enthusiastic about the planned move of DC's Child and Family Service Agency to the Benning Road area, and its potential to catalyze development there. Now, the agency may move elsewhere instead, jeopardizing at least the project it would have anchored and potentially more. (Capital Community News, Sylvia Brown) Neighbors and the developers argue that DC is putting the short-term costs of leases over the long-term benefits to the city, while others, like Richard Layman, doubt the wisdom of moving city agencies as an economic development strategy.

Are Virginia counties hoarding education stimulus money?: The stimulus allocated lots of money for education, but Robley Jones argues that some Virginia counties are spending it on general budget needs instead of actually giving the money to their school districts.

Still not inclusionary, again: Another DC Register is out, and Mayor Fenty still hasn't published inclusionary zoning regulations, 70 days after the Council absolutely, finally, positively required it and two weeks after his administration

promised the regs.

Have a tip for the links? [Submit it here.](#)

(17 comments · [share](#) or [email](#))

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[DC 2010 budget would end Saturday free parking](#) (Mar 24, 2009)

[Bombardier announces contactless light rail power system](#) (Jan 23, 2009)

[Stimulus draft released; \\$30B for highways vs. \\$10B for transit](#) (Jan 15, 2009)

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Doggett, Rosalyn

From: Meister, Mark K.
Sent: Friday, April 17, 2009 10:19 AM
To: Doggett, Rosalyn
Cc: Bottigheimer, Nat
Subject: FW: Shady grove bike path

Roz,

I assume that what's in the latest version of the SAAM FTA Quarterly Report is all we can/want to say about affordable housing at Shaw Howard?

Mark

-----Original Message-----

From: Brian.Glenn@dot.gov [mailto:Brian.Glenn@dot.gov]
Sent: Friday, April 17, 2009 10:16 AM
To: Meister, Mark K.
Subject: RE: Shady grove bike path

The one on Florida avenue with the three small buildings. There was an issue about affordable housing requirements

Brian A. Glenn, PE
(202) 219-3562 Office
(202) 306-0674 Cell
(202) 219-3545 Fax

-----Original Message-----

From: Meister, Mark K. [mailto:MMeister@wmata.com]
Sent: Friday, April 17, 2009 10:02 AM
To: Glenn, Brian <FTA>
Subject: RE: Shady grove bike path

Thanks Brian. While I have you, one of the three Joint Development projects on the list for the 5/6/09 FTA Quarterly Meeting is "Shaw Howard JD". We have two projects at this station: Broadcast Center One Partners at 7th and S Streets, N.W. (sale of easement rights) and the Florida Avenue, N.W. property. Which of these do you want, or both?
Thanks.

Mark

-----Original Message-----

From: Brian.Glenn@dot.gov [mailto:Brian.Glenn@dot.gov]
Sent: Friday, April 17, 2009 9:45 AM
To: Meister, Mark K.
Subject: RE: Shady grove bike path

Here you go...
Sorry for the delay.

Brian A. Glenn, PE
(202) 219-3562 Office
(202) 306-0674 Cell
(202) 219-3545 Fax

-----Original Message-----

From: Meister, Mark K. [mailto:MMeister@wmata.com]
Sent: Wednesday, April 15, 2009 11:50 AM
To: Glenn, Brian <FTA>
Subject: RE: Shady grove bike path

Brian,

Please advise as to when we can expect to receive the approval letter for the Shady Grove Bike Path. We cannot issue the construction/operations Permit to Montgomery County until we have FTA approval. Thanks.

Mark

Mark K. Meister
Program Manager, Real Estate
Office of Station Area Planning and Asset Management Washington Metropolitan Area Transit
Authority 600 Fifth Street, NW Washington, DC
20001
Tel: 202-962-1589
Fax: 202-962-2396
Email: mmeister@wmata.com

-----Original Message-----

From: Brian.Glenn@dot.gov [mailto:Brian.Glenn@dot.gov]
Sent: Wednesday, March 18, 2009 6:55 PM
To: Nancy.Greene@dot.gov; Washington, Joel R.
Cc: Meister, Mark K.
Subject: Re: Shady grove bike path

I will call Nancy and Joel at 9:30 am

Thanks

Brian A. Glenn
FTA DC Metro Office Director
202-219-3562 office
202-306-0674 cell

----- Original Message -----

From: Washington, Joel R. <jrWASHINGTON@wmata.com>
To: Greene, Nancy <FTA>; Glenn, Brian <FTA>
Cc: Meister, Mark K. <MMeister@wmata.com>
Sent: Wed Mar 18 18:45:02 2009
Subject: Re: Shady grove bike path

I'm available from 9:30 to 10:30 am.

----- Original Message -----

From: Nancy.Greene@dot.gov <Nancy.Greene@dot.gov>
To: Brian.Glenn@dot.gov <Brian.Glenn@dot.gov>; Washington, Joel R.
Sent: Wed Mar 18 18:38:38 2009
Subject: RE: Shady grove bike path

I'm available basically all day.

Nancy A Greene
Regional Counsel
Federal Transit Administration
1760 Market Street, Suite 500
Philadelphia, PA 19103
Phone: 215-656-7100
Fax: 215-656-7260
nancy.greene@dot.gov

From: Glenn, Brian <FTA>
Sent: Wed 3/18/2009 6:25 PM
To: 'jrWASHINGTON@wmata.com'; Greene, Nancy <FTA>
Subject: Shady grove bike path

Please let me know what time Thursday morning you are available for a conference call on this project.

Thanks

Brian

Brian A. Glenn
FTA DC Metro Office Director
202-219-3562 office

202-306-0674 cell

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Friday, April 17, 2009 8:56 AM
To: Doggett, Rosalyn; Burns, Bob; Malasky, Gary
Subject: SAAM FTA Quarterly Report Update
Attachments: FTA Quarterly REV 4 Status of Current Projects 4_15_09.doc

Per Nat's request below, please confirm that the information for each of your assigned projects is current as of this date. I need confirmation and/or any proposed revisions before 12:00 today so I can forward the final draft to OPRS by the noon deadline. I have attached the latest version of the Report for your use. Please redline any revisions. Thanks.

Given that some of the JD project descriptions were not totally current, could you have Roz, Gary, and Bob review their projects again and make sure they're up to date before I go through the FTA write-up again. I'd like to make sure what we present is the latest information.

Doggett, Rosalyn

From: Wyner, Jonathan S.
Sent: Wednesday, April 15, 2009 10:47 AM
To: Doggett, Rosalyn
Cc: Meister, Mark K.; Burns, Bob
Subject: RE: Methodology for Determining the Economic Development Impacts of Transit Projects (TCRP H-39)

I'll prepare a package for you, Bob and Mark.

your input would help greatly..

Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001
202-962-1577
jwyner@wmata.com

From: Doggett, Rosalyn
Sent: Wednesday, April 15, 2009 10:34 AM
To: Wyner, Jonathan S.
Cc: Meister, Mark K.; Burns, Bob
Subject: RE: Methodology for Determining the Economic Development Impacts of Transit Projects (TCRP H-39)

I was not aware and would be interested to know what it is about. I believe that Nat used Kristin et al. to determine transit impacts in a board presentation on the Shaw Howard 7th and S project.

From: Wyner, Jonathan S.
Sent: Wednesday, April 15, 2009 8:46 AM
To: Doggett, Rosalyn
Cc: Meister, Mark K.
Subject: FW: Methodology for Determining the Economic Development Impacts of Transit Projects (TCRP H-39)

Were you aware of this TCRP project...?

I have been on the panel since January 2008.....helped put together the RFP, reviewed the proposals and have been a part of the on-going process.

I do hope to play a larger role in the months to come and in the final report....

Shall I brief you on the details...?

The studies are quite illuminating and this would be original work....

The FTA is looking to quantify economic impact - for possible use in ranking of proposed TOD's - by more than "just" ridership impacts.....

Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001
202-962-1577
jwyner@wmata.com

From: Larry Goldstein [LGoldstein@nas.edu]
Sent: Monday, April 06, 2009 7:49 AM
To: rpadgette@apta.com; rweaver@apta.com; marilee@citiventure.com; dbrand@crai.com; tomika.hughey@dc.gov; dc@dcagrawal.com; keith.gates@dot.gov; lisa.colbert@dot.gov; steven.lewisworkman@dot.gov; rbickel@dvrpc.org; richard.steinmann@fta.dot.gov; dfogel@mnr.org; Peter Shaw; bertini@pdx.edu; mrivkin@polaris.umuc.edu; perrymanbj@scdot.org; Wyner, Jonathan S.; john-w-fuller@uiowa.edu; klieberman@vvhb.com; kalloj@wsdot.wa.gov
Cc: David Osborne
Subject: RE: Methodology for Determining the Economic Development Impacts of Transit Projects (TCRP H-39)

I have conveyed these thoughts to the PI and also indicated that I was actually involved in formulating the initial development models for the WMATA public-private development program.

Thanks for all your comments.

Larry

Senior Program Officer
ACRP and TCRP
Transportation Research Board
The National Academies
500 Fifth Street, NW
Washington, DC 20001
202.334.1866 Voice
202.334.2006 Fax
lgoldstein@nas.edu
www.trb.org

-----Original Message-----

From: mrivkin@polaris.umuc.edu [<mailto:mrivkin@polaris.umuc.edu>]

Sent: Friday, April 03, 2009 4:44 PM

To: tomika.hughey@dc.gov; kalloj@wsdot.wa.gov; rbickel@dvrpc.org; Goldstein, Larry; dc@dcagrawal.com; bertini@pdx.edu; dbrand@crai.com; dfogel@mnr.org; john-w-fuller@uiowa.edu; kliberman@vhb.com; perrymanbj@scdot.org; mrivkin@polaris.umuc.edu; marilee@citiventure.com; jwyner@wmata.com; keith.gates@dot.gov; steven.lewisworkman@dot.gov; richard.steinmann@fta.dot.gov; rpadgette@apta.com; rweaver@apta.com; Shaw, Peter; Thomas, Charlotte; lisa.colbert@dot.gov

Subject: RE: Methodology for Determining the Economic Development Impacts of Transit Projects (TCRP H-39)

I wrote to Larry yesterday that I was surprised that the contractor didn't interview WMATA first off...because the METRO system shared the inventing economic impacts of transit with New York and Chicago. Rosalyn Doggett will be the staff member to contact.

Original Message:

Doggett, Rosalyn

From: Wallace, Maria A
Sent: Tuesday, April 14, 2009 12:18 PM
To: Doggett, Rosalyn
Subject: FW: SAAM FTA Quarterly Status Report
Attachments: FTA Quarterly REV 4 Status of Current Projects 4_14_09.doc

FYI...

Maria Wallace
Planning & Joint Development
Washington Metropolitan Area Transit Authority
202-962-2330
mawallace@wmata.com

From: Meister, Mark K.
Sent: Tuesday, April 14, 2009 11:39 AM
To: Harris, Annette M.
Cc: Bottigheimer, Nat; Wallace, Maria A
Subject: SAAM FTA Quarterly Status Report

Annette,

Attached is the revised SAAM FTA Quarterly Status Report addressing the two issues raised by Brian Glenn concerning Takoma and Shaw-Howard.

Mark

Doggett, Rosalyn

From: Wallace, Maria A
Sent: Tuesday, April 14, 2009 9:12 AM
To: Doggett, Rosalyn
Subject: FW: SAAM FTA Quarterly Report
Attachments: FTA Quarterly REV 4 Status of Current Projects 4_8_09.doc

Report you inquired about...

Maria Wallace
Planning & Joint Development
Washington Metropolitan Area Transit Authority
202-962-2330
mawallace@wmata.com

From: Harris, Annette M.
Sent: Tuesday, April 14, 2009 6:51 AM
To: Wallace, Maria A; Doggett, Rosalyn
Subject: FW: SAAM FTA Quarterly Report

This is the email I received from Mark; the attachment is the SAAM report.

Annette Harris
Office Administrator
Operations Services (OPSV)
JGB - Room 4G-20
202/962-2443
Fax: 202-962-2410

From: Meister, Mark K.
Sent: Friday, April 10, 2009 11:44 AM
To: Harris, Annette M.
Cc: Bottigheimer, Nat
Subject: SAAM FTA Quarterly Report

Annette,

Please see attached updated SAAM FTA Quarterly Report.

Mark

Doggett, Rosalyn

From: Harris, Annette M.
Sent: Tuesday, April 14, 2009 6:51 AM
To: Wallace, Maria A; Doggett, Rosalyn
Subject: FW: SAAM FTA Quarterly Report
Attachments: FTA Quarterly REV 4 Status of Current Projects 4_8_09.doc

This is the email I received from Mark; the attachment is the SAAM report.

Annette Harris
Office Administrator
Operations Services (OPSV)
JGB - Room 4G-20
202/962-2443
Fax: 202-962-2410

From: Meister, Mark K.
Sent: Friday, April 10, 2009 11:44 AM
To: Harris, Annette M.
Cc: Bottigheimer, Nat
Subject: SAAM FTA Quarterly Report

Annette,

Please see attached updated SAAM FTA Quarterly Report.

Mark

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Monday, April 13, 2009 5:29 PM
To: Ashby, Clayton; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Haldeman, Kristin M.; Hamre, James; Harrington, Thomas; Hendren, Patricia; Hughes, James; Jachles, Cynthia; Roberson, Jerry; Jia, Wendy; Jideani, Onyinye; Jones, Catherine; Johnston, Kasondra; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; McElhenny-Smith, Robin; Meister, Mark K.; Meseret, Girum; Mohsberg, Sid; Orr, Robert B.; Peterson, Scott; Roberson, Jerry; Sevier, John; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S.
Subject: Board Items Preparation Milestones
Attachments: Board Items Preparation Milestones - 2009.xls

All,

Updated planning spreadsheet is attached.

Also see the current Board Agenda Review (BAR): http://p590a3.wmata.com:7778/pls/bar/p_bar_public

If on the BAR your item is missing an up-to-200 character (including spaces) executive summary, please e-mail it to Michelle Bellamy, cc me.

Please let me know if there are any errors or omissions.

Thanks.

Sid

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Monday, April 13, 2009 9:56 AM
To: Malasky, Gary; Doggett, Rosalyn; Burns, Bob
Cc: Bottigheimer, Nat; Harris, Annette M.
Subject: FW: SAAM FTA Quarterly Report

Gary, Roz, Bob:

Please see comments from Brian Glenn, update the FTA Quarterly Report accordingly, and forward to me. Thanks.

Mark

From: Brian.Glenn@dot.gov [Brian.Glenn@dot.gov]
Sent: Monday, April 13, 2009 9:48 AM
To: Harris, Annette M.
Cc: Meister, Mark K.
Subject: RE: SAAM FTA Quarterly Report

Thanks,
A couple comments:

The write-up on Takoma does not reflect FTA's concurrence on March 24, 2009.
The Shaw-Howard project does not reflect the affordable housing issue.

Brian A. Glenn, PE
(202) 219-3562 Office
(202) 306-0674 Cell
(202) 219-3545 Fax

From: Harris, Annette M. [<mailto:AHarris@wmata.com>]
Sent: Friday, April 10, 2009 12:26 PM
To: Glenn, Brian <FTA>
Subject: FW: SAAM FTA Quarterly Report

Attached please find a complete update of all Joint Development Activities. The three stations you specifically asked to be discussed at the Quarterly Meeting will be included in the meeting document.

Annette Harris
Office Administrator
Operations Services (OPSV)
JGB - Room 4G-20
202/962-2443
Fax: 202-962-2410

From: Meister, Mark K.
Sent: Friday, April 10, 2009 11:44 AM
To: Harris, Annette M.
Cc: Bottigheimer, Nat
Subject: SAAM FTA Quarterly Report

Annette,

Please see attached updated SAAM FTA Quarterly Report.

Mark

Doggett, Rosalyn

From: Moneme, Emeka
Sent: Wednesday, April 08, 2009 5:29 PM
To: Sequeira, Loyda
Cc: Pant, Shiva K.; Bottigheimer, Nat; Doggett, Rosalyn; Francis, Gerald C.
Subject: FW: Bank of America CDC capacity to manage the Shaw-Howard/Florida Avenue Joint Venture Development
Attachments: MLPerry.Project List (2).doc; BACDC Org Chart.pdf

Loyda,

Please forward my modified response below (and attachments) to Chairman Graham and the other board members:

"WMATA staff has checked out each project reference that Banneker Ventures provided, for itself, with mixed results (in some cases the projects are prospective, in others there are lead firms that are more experienced). In regards to Bank of America Community Development Corporation (BACDC), our assessment relied principally on Maurice Perry's experience in new construction/housing development and the assurances of Bank of America leadership. Attached is Mr. Perry's list of projects for which he wrote that he was project manager and Mr. Perry's reporting structure (staff also has a list of references). All the references indicated his ability to handle housing projects of this size and scope. In particular, a senior officer of MacFarlane Costa Housing Partners (Gardenia, CA) said that Mr. Perry was responsible for managing the new construction California projects from pre-development through completion of construction and that he was diligent and careful, with excellent management skills. Staff further relied on comments from Mr. Clerkin, a Regional Manager of BACDC, who indicated that once the bank took on a project it was committed to seeing it through and would provide all necessary support for Mr. Perry.

In Mr. Graham question, he uses the term "major mixed-use." This project is currently planned to have 104 units on the three separate WMATA parcels and will possibly combine the smallest WMATA site (3,800 s.f.) with an adjacent two parcels that will add another 25-30 units. Mr. Perry's experience encompasses new construction of this size. In our discussions with him, he noted his lack of experience in dealing with construction over a Metro tunnel and said, therefore, that he would have a construction manager at least through that stage of the project. The retail component is just under 12,000 s.f. It is likely that the team will have to use retail consultants to help scope out the ground floor retail; but it should not be difficult for this team to find the consulting expertise."

Emeka

From: Requa, Jack
Sent: Wednesday, April 08, 2009 12:53 PM
To: Doggett, Rosalyn
Subject: FW: Bank of America CDC capacity to manage the Shaw-Howard/Florida Avenue Joint Venture Development

From: Catoe, John B.
Sent: Wednesday, April 08, 2009 12:51 PM
To: Pant, Shiva K.; Bottigheimer, Nat; Requa, Jack; Francis, Gerald C.; Moneme, Emeka
Cc: Sequeira, Loyda; Chambliss, Leenda M.; Barr, Cassandra; Wallace, Maria A; Harris, Annette M.; Morgan, Monic; Ballard, Khalilah
Subject: FW: Bank of America CDC capacity to manage the Shaw-Howard/Florida Avenue Joint Venture Development

I don't believe that John Catoe saw this before he left town; in fact, I am sure of it since his flight left at 5 p.m.

Chairman Graham has made some specific requests before tomorrow's meeting.

Please advise who is handling this; perhaps someone needs to call Mr. Catoe on this.

Can I assume that the responsibility for providing this information rests with PLJD?

From: Jim Graham [mailto:Jim@grahamwone.com]
Sent: Tuesday, April 07, 2009 5:03 PM
To: Catoe, John B.
Cc: czimmerman@arlingtonva.us; Neil.Albert@dc.gov; mbrown@dccouncil.us; catherine.hudgins@fairfaxcounty.gov; jeff.mckay@fairfaxcounty.gov; agiancol@naco.org; ehewlett@shhpa.com; cz.ari@verizon.net; nomolios@verizon.net;

peter.metro@verizon.net; gordon.linton@wageworks.com; wmeuille@wdeuille.com

Subject: RE: Bank of America CDC capacity to manage the Shaw-Howard/Florida Avenue Joint Venture Development

I have questions in response to your April 3, 2009 memo regarding the capacity of the Bank of America Community Development Corporation (BACDC) to manage the Shaw-Howard/Florida Avenue Joint Venture Development Project.

I would like to ensure that this joint development is managed by a team with a sufficient construction experience. My approval of the initial award was contingent upon participation of Metropolis Development because of this company's demonstrated experience delivering major, mixed-use construction projects.

I am requesting that WMATA staff explain the experience of BACDC in managing major mixed-use development projects through the construction process. I also would like for staff to include some examples of such development projects in their explanation.

Please contact me as soon as you receive this email. I would like to see these materials by the April 9, 2009 PDRE Committee meeting.

Bests, Jim Graham

I typically answer emails before 9 AM on weekdays. If you email me after that, it is likely that you will hear from me the next weekday. If there is a need to communicate prior to that, you may wish to call me. For most effective communication, please use my direct email address: jim@grahamwone.com

***Jim Graham, Councilmember, Ward One, 1350 Pa. Ave., NW, #105, Washington, DC 20004.
202-724-8181; 202-724-8109 (fax).***

***Chairman, Committee on Public Works and the Transportation (including alcohol regulation).
Main Committee Number: 202-724-8195. 1350 Pa. Ave., NW, #116, Washington, DC 20004.***

Chairman and Voting Member, Board of Directors, WMATA/Metro.

Website: www.grahamwone.com

Doggett, Rosalyn

From: Moneme, Emeka
Sent: Wednesday, April 08, 2009 5:13 PM
To: Doggett, Rosalyn
Cc: Bottigheimer, Nat; Mohsberg, Sid
Subject: RE: Bank of America CDC capacity to manage the Shaw-Howard/Florida Avenue Joint Venture Development

Roz,

I have made a few edits, is the text below consistent with your first draft?

Emeka

"WMATA staff has checked out each project reference that Banneker provided for its firm with mixed results (in some cases the projects are prospective, in others there are lead firms that are more experienced). In regards to Bank of America Community Development Corporation (BACDC), the assessment relied principally on Maurice Perry's experience in new construction/housing development and the assurances of Bank of America leadership. Attached is Mr. Perry's list of projects for which he wrote that he was project manager and Mr. Perry's reporting structure (staff also has a list of references). All the references indicated his ability to handle housing projects of this size and scope. In particular, a senior officer of MacFarlane Costa Housing Partners (Gardenia, CA) said that Mr. Perry was responsible for managing the new construction California projects from pre-development through completion of construction and that he was diligent and careful, with excellent management skills. Staff further relied on comments from Mr. Clerkin, a Regional Manager of BACDC, who indicated that once the bank took on a project it was committed to seeing it through and would provide all necessary support for Mr. Perry.

In Mr. Graham question, he uses the term "major mixed-use." This project is currently planned to have 104 units on the three separate WMATA parcels and will possibly combine the smallest WMATA site (3,800 s.f.) with an adjacent two parcels that will add another 25-30 units. Mr. Perry's experience encompasses new construction of this size. In our discussions with him, he noted his lack of experience in dealing with construction over a Metro tunnel and said, therefore, that he would have a construction manager at least through that stage of the project. The retail component is just under 12,000 s.f. It is likely that the team will have to use retail consultants to help scope out the ground floor retail; but it should not be difficult for this team to find the consulting expertise."

Emeka

From: Bottigheimer, Nat
Sent: Wednesday, April 08, 2009 3:03 PM
To: Moneme, Emeka
Cc: Terry, Billy; Mohsberg, Sid; Doggett, Rosalyn
Subject: FW: Bank of America CDC capacity to manage the Shaw-Howard/Florida Avenue Joint Venture Development

Emeka, fyi...Roz' email, attached, is responsive to the request that came in from Mr. Graham late yesterday related to this project.

From: Doggett, Rosalyn
Sent: Wednesday, April 08, 2009 2:43 PM
To: Requa, Jack; Bottigheimer, Nat
Subject: RE: Bank of America CDC capacity to manage the Shaw-Howard/Florida Avenue Joint Venture Development

Though I checked out each project reference that Banneker gave me for its firm with mixed results (in some cases the projects are prospective, in others there are lead firms that are more experienced), I relied principally on Maurice Perry's experience in new construction/housing development and the assurances of Bank of America. I have attached Mr. Perry's list of projects for which he wrote that he was project manager, list of references, and Mr. Perry's reporting structure. All the references indicated his ability to handle housing projects of this size and scope. In particular, I relied on Mr. Mohanna who said that Mr. Perry was responsible for managing the new construction California projects from pre-development through completion of construction and that he was diligent and careful, with excellent management skills. I further relied on Mr. Clerkin of BACDC who indicated that once the bank took on a project it was committed to seeing it through and would provide all necessary support for Mr. Perry.

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From: Requa, Jack
Sent: Wednesday, April 08, 2009 12:53 PM
To: Doggett, Rosalyn
Subject: FW: Bank of America CDC capacity to manage the Shaw-Howard/Florida Avenue Joint Venture Development

From: Catoe, John B.
Sent: Wednesday, April 08, 2009 12:51 PM
To: Pant, Shiva K.; Bottigheimer, Nat; Requa, Jack; Francis, Gerald C.; Moneme, Emeka
Cc: Sequeira, Loyda; Chambliss, Leenda M.; Barr, Cassandra; Wallace, Maria A; Harris, Annette M.; Morgan, Monic; Ballard, Khalilah
Subject: FW: Bank of America CDC capacity to manage the Shaw-Howard/Florida Avenue Joint Venture Development

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From: Jim Graham [mailto:Jlm@grahamwone.com]
Sent: Tuesday, April 07, 2009 5:03 PM
To: Catoe, John B.
Cc: czimmerman@arlingtonva.us; Neil.Albert@dc.gov; mbrown@dccouncil.us; catherine.hudgins@fairfaxcounty.gov; jeff.mckay@fairfaxcounty.gov; aglancol@naco.org; ehewlett@shhpa.com; cz.ari@verizon.net; nomolos@verizon.net; peter.metro@verizon.net; gordon.linton@wageworks.com; wmeuille@wdeuille.com
Subject: RE: Bank of America CDC capacity to manage the Shaw-Howard/Florida Avenue Joint Venture Development

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Please contact me as soon as you receive this email. I would like to see these materials by the April 9, 2009 PDRE Committee meeting.

Bests, Jim Graham

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***Jim Graham, Councilmember, Ward One, 1350 Pa. Ave., NW, #105, Washington, DC 20004.
202-724-8181; 202-724-8109 (fax).***

***Chairman, Committee on Public Works and the Transportation (including alcohol regulation).
Main Committee Number: 202-724-8195. 1350 Pa. Ave., NW, #116, Washington, DC 20004.***

Chairman and Voting Member, Board of Directors, WMATA/Metro.

Website: www.grahamwone.com

Doggett, Rosalyn

From: Moneme, Emeka
Sent: Wednesday, April 08, 2009 3:11 PM
To: Bottigheimer, Nat
Cc: Terry, Billy; Mohsberg, Sid; Doggett, Rosalyn
Subject: RE: Bank of America CDC capacity to manage the Shaw-Howard/Florida Avenue Joint Venture Development

The explanation below is fine. Can we be more specific about the reference review (how many were prospective? How many were with other leads?). I have some concerns about providing the reference information to the Board – the project experience and organizational chart is fine. Can we explain the management model that BoACDC uses? Do they have existing partnerships that they tap into, or do they select new CMs for each project?

Emeka

From: Bottigheimer, Nat
Sent: Wednesday, April 08, 2009 3:03 PM
To: Moneme, Emeka
Cc: Terry, Billy; Mohsberg, Sid; Doggett, Rosalyn
Subject: FW: Bank of America CDC capacity to manage the Shaw-Howard/Florida Avenue Joint Venture Development

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Sent: Wednesday, April 08, 2009 2:43 PM
To: Requa, Jack; Bottigheimer, Nat
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From: Requa, Jack
Sent: Wednesday, April 08, 2009 12:53 PM
To: Doggett, Rosalyn
Subject: FW: Bank of America CDC capacity to manage the Shaw-Howard/Florida Avenue Joint Venture Development

From: Catoe, John B.
Sent: Wednesday, April 08, 2009 12:51 PM
To: Pant, Shiva K.; Bottigheimer, Nat; Requa, Jack; Francis, Gerald C.; Moneme, Emeka
Cc: Sequeira, Loyda; Chambliss, Leenda M.; Barr, Cassandra; Wallace, Maria A; Harris, Annette M.; Morgan, Monic; Ballard, Khalliah
Subject: FW: Bank of America CDC capacity to manage the Shaw-Howard/Florida Avenue Joint Venture Development

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Please advise who is handling this; perhaps someone needs to call Mr. Catoe on this.

Can I assume that the responsibility for providing this information rests with PLJD?

From: Jim Graham [mailto:Jim@grahamwone.com]
Sent: Tuesday, April 07, 2009 5:03 PM
To: Catoe, John B.
Cc: czimmerman@arlingtonva.us; Neil.Albert@dc.gov; mbrown@dccouncil.us; catherine.hudgins@fairfaxcounty.gov; jeff.mckay@fairfaxcounty.gov; agiancol@naco.org; ehewlett@shhpa.com; cz.arl@verizon.net; nomolos@verizon.net; peter.metro@verizon.net; gordon.linton@wageworks.com; wmeuille@wdeuille.com
Subject: RE: Bank of America CDC capacity to manage the Shaw-Howard/Florida Avenue Joint Venture Development

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Bests, Jim Graham

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Jim Graham, Councilmember, Ward One, 1350 Pa. Ave., NW, #105, Washington, DC 20004. 202-724-8181; 202-724-8109 (fax).

Chairman, Committee on Public Works and the Transportation (including alcohol regulation). Main Committee Number: 202-724-8195. 1350 Pa. Ave., NW, #116, Washington, DC 20004.

Chairman and Voting Member, Board of Directors, WMATA/Metro.

Website: www.grahamwone.com

Doggett, Rosalyn

From: Bottigheimer, Nat
Sent: Wednesday, April 08, 2009 3:03 PM
To: Moneme, Emeka
Cc: Terry, Billy; Mohsberg, Sid; Doggett, Rosalyn
Subject: FW: Bank of America CDC capacity to manage the Shaw-Howard/Florida Avenue Joint Venture Development
Attachments: Maurice Perry References (2).doc; MLPerry Project List (2).doc; BACDC Org Chart.pdf

Emeka, fyi...Roz' email, attached, is responsive to the request that came in from Mr. Graham late yesterday related to this project.

From: Doggett, Rosalyn
Sent: Wednesday, April 08, 2009 2:43 PM
To: Requa, Jack; Bottigheimer, Nat
Subject: RE: Bank of America CDC capacity to manage the Shaw-Howard/Florida Avenue Joint Venture Development

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From: Catoe, John B.
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To: Pant, Shiva K.; Bottigheimer, Nat; Requa, Jack; Francis, Gerald C.; Moneme, Emeka
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From: Jim Graham [mailto:Jim@grahamwone.com]

Sent: Tuesday, April 07, 2009 5:03 PM

To: Catoe, John B.

Cc: czimmerman@arlingtonva.us; Neil.Albert@dc.gov; mbrown@dccouncil.us; catherine.hudgins@fairfaxcounty.gov; jeff.mckay@fairfaxcounty.gov; agiancol@naco.org; ehewlett@shhpa.com; cz.arl@verizon.net; nomolos@verizon.net; peter.metro@verizon.net; gordon.linton@wageworks.com; wmeuille@wdeuille.com

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Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Tuesday, April 07, 2009 9:30 AM
To: Meister, Mark K.; Doggett, Rosalyn; Jachles, Cynthia; Roberson, Jerry; McElhenny-Smith, Robin
Subject: May 2009 Board Committees Pre-brief for AGM PLJD, Wednesday, 4/8/09, 1000
Attachments: Board Items Preparation Milestones - 2009.xls
Follow Up Flag: Follow up
Flag Status: Completed

All,

The pre-brief for Nat for the 5/14/09 PDRE Cmte and the 5/28/09 CSOS Cmte meetings is tomorrow, 4/8/09, at 10:00 AM in the SAAM Conference Room. Please see the attached spreadsheet.

Please bring a copy of the BAIS and presentation for your items to the pre-brief.

In the meantime, please e-mail me the number of the MEAD for each of your items.

Thanks.

Sid

Doggett, Rosalyn

From: noreply+feedproxy@google.com on behalf of Greater Greater Washington
[alpert@gmail.com]
Sent: Tuesday, April 07, 2009 5:02 AM
To: Doggett, Rosalyn
Subject: Greater Greater Washington

Greater Greater Washington

Then and now: Otis Place, Park View

Posted: 06 Apr 2009 01:01 PM PDT

By Kent Boese



Then (left): Nearing completion, the homes of the 600 block of Otis Place, NW, ca. 1920.

Now (right): The homes on Park Place have been built, the road has been graded significantly lower, and many of the windows have been replaced, but the row is still there.

(1 comment · share or email)

Related posts:

[Then and now: Granite and peaches \(Mar 27, 2009\)](#)

Live chat: Brett Abrams, Tuesday at 2 pm

Posted: 06 Apr 2009 12:39 PM PDT



This week's live chat features Brett Abrams, an archivist with the National Archives and author of **Capital Sporting Grounds: A History of Stadium and Ballpark Construction in Washington, D.C.** Marc Fisher outlines some of the history that Abrams uncovered for his book, including plans to build a stadium on the Ellipse in front of the White House or in East Potomac Park.

Abrams talks about the many locations of former Washington Nationals stadiums, from North Capitol to Howard University. Construction of the Nationals' current stadium was one of DC's most controversial decisions in many years, and United's aspirations to build first a stadium in Anacostia's Poplar Point and then in Prince George's County brought back the same arguments.

Join us at 2 pm to talk about how today's stadium debates resemble others from DC's past. Feel free to submit questions now in the comments.

(comment · share or email)

Related posts:

[Live chat with Councilmember Kwame Brown \(Mar 31, 2009\)](#)

[Live chat with Dr. Zachary Schrag \(Mar 20, 2009\)](#)

[Live chat: Dr. Zachary Schrag, Friday at 1 pm \(Mar 17, 2009\)](#)

["Excitement" not worth \\$1B stadium \(Oct 14, 2008\)](#)

[Soccer stadium won't stimulate the economy \(May 29, 2008\)](#)

Residents suggest more walkable intersection designs at 7th and Maryland

Posted: 06 Apr 2009 10:56 AM PDT

Greater Capitol Hill's residents proudly lead the city in promoting a vision of our streets as welcoming and safe places for pedestrians, bicycles, transit, and cars alike. Not only did they elect DC's most pro-walkability, pro-complete streets Councilmember, but multiple groups of residents have created designs and blogs for improving their particular corners of the neighborhood. We've already seen the **C Street, NE** group's ideas in the Rosedale area. Now, Tommy Wells' blog highlights some **suggestions** for improving pedestrian safety at the busy corner of Maryland Avenue and 7th and D Streets, NE drawn up by resident and ANC Commissioner Bill Schultheiss.

As Wells' staff member and Schultheiss' fellow ANC 6A Commissioner Anne Phelps writes, "This has long been a dangerous and troublesome junction," with long pedestrian crossing distances and poor visibility at a major intersection right in front of the library. Schultheiss created drawings of the current conditions as well as three options.

All options add curb extensions ("bulb-outs") to shorten pedestrian crossing distances, extending the existing median on Maryland, and realign D Street at the corner to a 60 degree intersection with Maryland. B also limits northbound 7th Street traffic to turning right onto Maryland, blocking off left turns which expose drivers to the greatest collision danger. C closes 7th off from Maryland entirely, forcing northbound traffic on 7th to turn right onto D and expanding the park space right across from the library.



Current intersection of 7th, Maryland, and D. Click for larger version (PDF).



Option A for redesigning the intersection. Click for larger version (PDF).

Click on the radio buttons to toggle between options: A B C

Option C reclaims the most space, maximizes pedestrian safety, and would expand the park. That option seems best as long as it wouldn't create unreasonable traffic problems. All three would improve conditions by shortening pedestrian crossing distances and keeping parked cars out of the key sight lines.

Options A and B do remove a crosswalk on the west side of 7th. That's probably safest for pedestrians, as long as they stick to crosswalks, but in reality people generally don't. It seems likely that people will cross there anyway, especially with the library on the west side of 7th.

I also wonder about safety for the bicycle lane on D. Bikes continuing east on D will have to first turn onto Maryland, possibly conflicting with the cars also coming out from D. Perhaps D Street should also include a bike box where it hits Maryland, so that the bicycles can get into the right lane on Maryland in front of any cars. Drivers can certainly go around bikes by using the left lane, but will see them as they make the turn.

What do you think of these options?

We needn't wait for a major reconstruction of this intersection. DDOT could try out one of these designs very quickly. They could place plastic curbs and bollards to cordon off the bulb-out areas, shown in green on the diagrams, and paint the new crosswalks. That wouldn't cost a lot of money, but would let drivers, pedestrians and cyclists acclimate to the new pattern, and neighbors see the effects.

If it works, then DDOT can schedule the intersection for a permanent reconstruction. If, instead, we discover an unforeseen problem with bike, pedestrian or traffic conflicts, it's easy to move the curbs and modify the design to find something that does work. Let's do it!

(5 comments · share or email)

Related posts:

[Positive resident activism: C Street, NE \(Feb 5, 2009\)](#)

[Council passes fine for blocking bike lane \(Sep 16, 2008\)](#)

[More details on New Hampshire Ave contraflow bike lanes \(Aug 8, 2008\)](#)

Now those are bulb-outs (Jun 27, 2008)

Finding the right buffer (Apr 11, 2008)

Alexander calls on all residents to protect the environment

Posted: 06 Apr 2009 09:19 AM, PDT.



The Anacostia after a rainstorm.

Councilmember Yvette Alexander appeared on Thursday's *Kojo Nnamdi* show to discuss her support for the **Anacostia Cleanup and Protection Act** (the "bag bill"). She pushed back against claims that the bill would harm poor residents, citing its many protections for needy residents including free bags that the Department of the Environment will distribute. Alexander also said that the bill's sponsors were investigating ways to help food stamp recipients, who can't use their federal allocations to buy the bags directly. Alexander also refuted the idea that poor communities don't care about the environment:

No matter what your income, and no one is more concerned than me, but it does not excuse you from being environmentally conscious and responsible. It's an education piece. I want to educate each and every one of my constituents and they need to be responsible. We cannot keep making excuses and trying to shift away from the real issue. You know, we do have residents that are low-income. We do have residents who are struggling out here. But this is also the time to educate and empower them, and I think this is one initiative to do that.

Food banks have been divided on this issue, with Bread For the City coming out in support while representatives of Covenant Baptist Church's food bank testified in opposition. Covenant's food bank coordinator, George Franklin, appeared on the show as well to oppose the bill, fundamentally because they use thousands of bags a month. He argued that a recession is not the time to do this and Maryland, which contributes a lot of the trash, ought to do their part as well. But callers pointed out that DC's example could spur action in Maryland, that residents in numerous countries including Ukraine easily adapted to bringing reusable bags.

Ultimately, the bill seems to bend over backwards to minimize every possible impact on the needy. It's sad that Covenant is choosing to argue that protecting the river isn't worth even the very minimal impacts under this most accommodating bill, while other food organizations like Bread For the City are trying to constructively address any flaws and help the hungry and the environment at the same time. Local blogs in River East have also announced their support, including the excellent and increasingly influential **Congress Heights On the Rise**.

The bill now depends on the two Committee chairs who have jurisdiction over the bill. They are Mary Cheh (ward 3), Chair of the Committee on Government Operations and the Environment, and Jack Evans (ward 2), who runs the Committee on Finance and Revenue. Cheh is a clear supporter, and Evans also cosponsored the bill, though he took some time at the hearing to give voice to opposition concerns as well.

At least one group didn't help the bill's cause: during the hearing, Evans announced that he'd just received a text message telling him that some unknown people had taped hundreds of plastic bags to his fence. He didn't know which side did it, he said. Either way, this is very uncool. Supporters just risk alienating someone who was already on their side, and inevitably some of the bags will end up coming loose, polluting the neighborhood. As for opponents, how would it support their message? Isn't it great bags are free so we can annoy people with them?

Assuming Evans lets the bill out of his committee promptly, it still looks to have a good chance of passing. Eleven Councilmembers still publicly support it, with Graham remaining undecided. Councilmember Harry Thomas, Jr. pulled his support, but hasn't made a public statement. The plastic industry has been lobbying him hard. They've also been pushing Alexander, funding robocalls in her ward criticizing her for her support. Kudos to Alexander for standing up to Big Plastic and recognizing how even poor communities benefit from a clean and healthy environment.

(13 comments · share or email)

Related posts:

Ahold believes in sustainability in Europe, but not here? (Mar 16, 2009)

12 Councilmembers co-introduce 5-cent fee for disposable bags (Feb 17, 2009)

Get plastic bags out of the Anacostia (Feb 12, 2009)

DC Council is baaaack! (Sep 16, 2008)

Klingle rebuild probably dead (Apr 26, 2008)

Cookies!

Posted: 06 Apr 2009 08:59 AM PDT



Photo by esti-

I've set up the much-requested cookies for your comment name and email. Now, if you check the "Save my name and email address" box at the bottom of a comment form, your name and email will be pre-filled next time and you won't have to re-enter it. You'll also get to skip the CAPTCHA (as long as spammers don't start exploiting that).

The same feature also appears on the [tip page](#), and if you save info on one, it'll show up on the other as well. You can always delete your saved info by unchecking the checkbox.

I've tested it, but there might still be bugs. If you encounter any problems, including information not being saved, wrong information, error messages, or rejections of your comment because of the CAPTCHA when you weren't supposed to have seen it, please comment or [email](#). I don't get notices of error messages, so I won't know something is wrong unless you tell me. Thanks and enjoy!

(8 comments · [share](#) or [email](#))

Related posts:

[Friday meta-discussion: how're the related links?](#) (Mar 27, 2009)

[Bookmarklet to submit tips](#) (Mar 19, 2009)

[New comment preview function](#) (Jul 30, 2008)

[Subscribing to comments is fixed](#) (Jun 12, 2008)

[Followup emails](#) (Jun 11, 2008)

What should appear on the RAC site?

Posted: 06 Apr 2009 07:23 AM PDT



RAC page on [wmata.com](#).

Tonight, a Riders' Advisory Council subcommittee will be meeting with Metro's Victor Grimes to discuss the WMATA website and the RAC section.

Today, the RAC site contains the agendas and minutes from past meetings, but relatively little other information. Until last month, it didn't even list the **members of the RAC**, though we agreed to add that information. Metro has also set up an email address for people to contact the group.

What else would you like to see? Should we reorganize the information to make it more user-friendly? Please weigh in with your comments. I'll be creating a list of ideas for the group to discuss tonight.

Also, how could Metro improve the **main [wmata.com](#)** site? I'll pass a summary of your comments on to Mr. Grimes.

(12 comments · [share](#) or [email](#))

Related posts:

Metro "punts": Will release transit schedule data for Google and others (Mar 11, 2009)

RACap: NextBus and resolutions (Mar 5, 2009)

RAC tonight: service cuts, NextBus (Mar 4, 2009)

Joining the Riders' Advisory Council (Jan 29, 2009)

RAC 'em up (Oct 27, 2008)

Breakfast links: Do it yourself, not the old way

Posted: 06 Apr 2009 05:52 AM PDT



Image from Oregon Metro.

Design your own Oregon Metro: To weigh potential extensions for the Portland metropolitan area's transit system, Oregon created an interactive tool where you can "build a system" by choosing a combination of corridors. Each has a predefined capital cost, operating cost, ridership and environmental benefit, and the tool shows users the overall costs and benefits of their selected system. (Jess)

Silly, confusing and a waste of space: City Desk puzzles over a peculiarity in the traffic flow at the Memorial Bridge Circle, off the GW Parkway. A better question is, why have we dedicated this entire park island ("Lady Bird Johnson Park") to a crisscrossing jumble of semi-freeway-like ramps that are extremely confusing to navigate and aren't usually even very crowded? Wouldn't a simpler interchange between the Parkway and Memorial Bridge work better and free up more of the park to be an actual park?

Rejected for being "too historic": Historic Preservation staff pushed Shiloh Baptist Church to change the design for an infill building in one of their many vacant lots in Shaw. Shiloh was trying to match the historic building next door, but HPO felt that was "too historicist" and changed it to have more glass. Bloomingdale, For Now prefers the original plan.

The Pullman Porters: Amtrak is looking for the last of the "Pullman Porters", African-American men who worked in trains' luxury sleeping cars until 1969, greatly influenced the civil rights movement and brought information about national affairs to small southern towns. (NYT via Infrastructurist)

Lewis: Cul-de-sacs aren't safer: Roger Lewis discusses Virginia's new anti-cul-de-sac standards. He debunks myths that cul-de-sacs are safer, pointing out that any statistical difference probably comes from the correlation of (newer, larger) cul-de-sac neighborhoods and higher incomes. (Post)

Overseeing bicycling: At a recent oversight hearing for the Bicycle Advisory Committee, Jim Graham and BAC members debated enforcement, the Idaho stop, a bike boulevard on Champlain Street, bike parking and more. (WashCycle)

"Mystery rider" program reveals problems, may be cut: Metro's "mystery riders" discovered that customer service agents gave out incorrect information 25% of the time, among other findings. However, Metro probably can't afford to keep the program. Board member Peter Benjamin feels some objective analysis is valuable (and I agree), though they might switch to volunteers for economic reasons. (Examiner)

Have a tip for the links? [Submit it here.](#)

(34 comments · [share](#) or [email](#))

Related posts:

[Then and now: Reservation 151](#) (Apr 3, 2009)

[Let's stimulate with a major bike sharing program](#) (Mar 6, 2009)

[Open space versus parks](#) (May 30, 2008)

Breakfast bites (Apr 14, 2008)

Is The Yards waterfront park bike-friendly? (Feb 7, 2008)

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Doggett, Rosalyn

From: Meister, Mark K.
Sent: Monday, April 06, 2009 11:27 AM
To: Malasky, Gary; Burns, Bob; Doggett, Rosalyn; Ackerman, Heidi
Cc: Welch, Kermit A.; Chu, Mable; Dickerson, Tracie S.
Subject: FW: REMINDER: FTA Quarterly Meeting, May 6, 2009
Attachments: FTA Quarterly REV 4 Status of Current Projects 1_30_09.doc

Please update your assigned projects in the attached document which is the latest known version of the SAAM FTA Quarterly Status Report. Changes should be redlined and sent to Shariyka who will consolidate all revisions into one document. Also, I need to know which projects were Joel's and who can provide the update for those. Thanks.

From: Bottigheimer, Nat
Sent: Sunday, April 05, 2009 6:56 PM
To: Meister, Mark K.
Cc: Mohsberg, Sid
Subject: FW: REMINDER: FTA Quarterly Meeting, May 6, 2009

Mark--

Please work with staff to assemble the needed information.

Thanks very much,

Nat

From: Harris, Annette M.
Sent: Thursday, April 02, 2009 6:36 AM
To: Bottigheimer, Nat; Catoe, John B.; Cipollini, Mark D.; Couch, David; Dupigny-Samuels, Alexa; Francis, Gerald C.; Glenn, Brian; Golden, Robert; Griswold, Ray B.; Kent, Christian T.; Kissal, Carol; Kline, Sarah A.; Kubicek, Dave J.; Lew, Helen; Moneme, Emeka; O'Keeffe, Carol B.; Pant, Shiva K.; Stoffregen, Linda; Taborn, Michael; Thomas, John D.; Triolo, Joseph T.; Trzepacz, Mathew E.; Victoria, Milo; Wallace, Phillip; Washington, Joel R.; Wilson, Sara
Cc: Black, Antoine; Bowdry, Diana; Crone, Tom; Dalton-Kumins, Selene Faer; Harris, Ted; Hendren, Patricia; Hershorn, Julie G.; Kwiecinski, Craig J.; Langford, Leon; Porter, Deborah; Potts, Gregory W.; Saville, Steven F.; Serrian, Susan A.; Srinath, Raj; Sullivan, Judy R.; Terry, Billy; Thompson, Kim R.; Tyler, Carlotta; Warnke, Thomas H.; Weiner, Jack
Subject: REMINDER: FTA Quarterly Meeting, May 6, 2009



This is a reminder the next FTA Quarterly Meeting will be held on May 6, 2009.

The pre-brief for this meeting is scheduled for April 21, 2009. Therefore, I am requesting all information for the pre-brief be forwarded to me by **Noon, Friday, April 10, 2009**, so the package can be prepared for this meeting.

I apologize for the early submittal date; but, I have been summoned for jury duty the week of April 20th and need to complete the packages by April 17th.

I will be out of the office today, Wednesday, April 1st, but if you have any questions, please call me on Thursday. Thank you

Annette Harris

Office Administrator
Operations Services (OPSV)
JGB - Room 4G-20
202/962-2443
Fax: 202-962-2410

Doggett, Rosalyn

From: Bottigheimer, Nat
Sent: Sunday, April 05, 2009 1:51 PM
To: Doggett, Rosalyn
Cc: Mohsberg, Sid
Subject: FW: Board Memo 4-2-09 Florida Ave Baneker Ventures Due Diligence
Attachments: Board Memo 4-2-09 Florida Ave Baneker Ventures Due Diligence.doc

Roz--

FYI, this is the final version of the memo that went out.

Nat

From: Moneme, Emeka
Sent: Thursday, April 02, 2009 3:14 PM
To: Sequeira, Loyda; Pant, Shiva K.
Cc: Bottigheimer, Nat
Subject: Board Memo 4-2-09 Florida Ave Baneker Ventures Due Diligence

Here is the final version of the letter.

Thanks.

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Friday, April 03, 2009 10:59 AM
To: Doggett, Rosalyn
Subject: FW: Board Memo 4-2-09 Florida Ave Banneker Ventures Due Diligence
Attachments: Board Memo 4-2-09 Florida Ave Banneker Ventures Due Diligence.doc

FYI.

From: Bottigheimer, Nat
Sent: Thursday, April 02, 2009 5:11 PM
To: Mohsberg, Sid
Subject: Fw: Board Memo 4-2-09 Florida Ave Banneker Ventures Due Diligence

From: Moneme, Emeka
To: Sequeira, Loyda; Pant, Shiva K.
Cc: Bottigheimer, Nat
Sent: Thu Apr 02 15:14:00 2009
Subject: Board Memo 4-2-09 Florida Ave Banneker Ventures Due Diligence
Here is the final version of the letter.

Thanks.

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, April 01, 2009 11:49 AM
To: Sequeira, Loyda
Cc: Doggett, Rosalyn; Bottigheimer, Nat; Moneme, Emeka; Terry, Billy; Chambliss, Leenda M.; Bellamy, Michelle A.; Requa, Jack
Subject: Proposed Board Memo 4/2/09 "Capability of Banneker Ventures Team to Manage Shaw-Howard/FL Ave Joint Development Project
Attachments: Board Memo 4-2-09 Florida Ave Banneker Ventures Due Diligence.doc

Loyda,

Attached is the proposed Board memo to be included in the 4/3/09 mail out. It responds to the request the Board made at the 3/12/09 PDRE Committee meeting that staff conduct due diligence on the capability of Banneker Ventures, LLC, and its proposed development partner, the Bank of America Community Development Corporation (BACDC), to manage the Shaw-Howard/Florida Avenue Joint Development Project.

The format conforms to the requirements of the *WMATA Correspondence Manual*:
http://admn/pdf_files/WMATA_CorrespManual.pdf.

Please let me know if any changes are needed or if you need anything more.

Thanks very much.

Sid

Doggett, Rosalyn

From: Bottigheimer, Nat
Sent: Tuesday, March 31, 2009 9:32 PM
To: Mohsberg, Sid; Doggett, Rosalyn; Moneme, Emeka
Subject: RE: Extension of Development Agreement Negotiation Period for Florida Ave Joint Development Project
Attachments: Board Memo 4-2-09 Florida Ave[1].doc

Thank you for preparing this, Sid. My edits are in track changes mode.

Emeka, do you have thoughts before this goes out?

Thanks,

Nat

From: Mohsberg, Sid
Sent: Tuesday, March 31, 2009 6:18 PM
To: Bottigheimer, Nat; Doggett, Rosalyn
Subject: Extension of Development Agreement Negotiation Period for Florida Ave Joint Development Project

Nat and Roz,

Attached is the latest draft.

I responded to all of Leen'da's concerns except two:

6th bullet (on page 2): Leen'da: Will the Board know what "new, stick built housing on a podium" means? Can this be explained further?

Sid: Would there be any harm done if we were to simply delete these words? Such techie talk usually bewilders general audiences and raises their suspicions if not their ire.

Last bullet (on page 3): Leen'da: Whose interpretation is "gain control of the development process".

Sid: Do we need this bullet since the Metropolitan Development Company is no longer a player?

Your comments please – on the overall draft, not just the above two points.

Thanks.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Tuesday, March 31, 2009 6:18 PM
To: Bottigheimer, Nat; Doggett, Rosalyn
Subject: Extension of Development Agreement Negotiation Period for Florida Ave Joint Development Project
Attachments: Board Memo 4-2-09 Florida Ave.doc

Nat and Roz,

Attached is the latest draft.

I responded to all of Leen'da's concerns except two:

6th bullet (on page 2): Leen'da: Will the Board know what "new, stick built housing on a podium" means? Can this be explained further?

Sid: Would there be any harm done if we were to simply delete these words? Such techie talk usually bewilders general audiences and raises their suspicions if not their ire.

Last bullet (on page 3): Leen'da: Whose interpretation is "gain control of the development process".

Sid: Do we need this bullet since the Metropolitan Development Company is no longer a player?

Your comments please – on the overall draft, not just the above two points.

Thanks.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Monday, March 30, 2009 12:01 PM
To: Ackerman, Heidi; Ashby, Clayton; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Haldeman, Kristin M.; Hamre, James; Harrington, Thomas; Hendren, Patricia; Hughes, James; Jachles, Cynthia; Jia, Wendy; Jiceani, Onyinye; Johnston, Kasondra; Jones, Catherine; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; McElhenny-Smith, Robin; Meister, Mark K.; Meseret, Girum; Mohsberg, Sid; Orr, Robert B.; Peterson, Scott; Roberson, Jerry; Sevier, John; Talaia, Anabela; Wallace, Maria A; Washington, Joel R.
Subject: PLJD Board Documents Preparation Status
Attachments: Board Items Preparation Milestones - 2009.xls

All,

FYI and action as appropriate.

BAR: http://p590a3.wmata.com:7778/pls/bar/p_bar_public

Please let me know if there are any errors or omissions.

Thanks.

Sid

Groupwise
Inbox

Shawn
Howard

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Wednesday, January 07, 2009 12:50 PM
To: Chisholm, Ann; Lawson, Arthuro V.
Cc: Scales, Phillip; Doggett, Rosalyn
Subject: Description and Status of JD projects in Dc
Attachments: JD.Projects.Washington, DC.December.2008.wpd; Status of JD Projects in DC_revised 1_07_09.doc

to R Doggett

I need to check on the Union Station-North connection agreement, it currently shows that the agreement is pending. It may be signed or it may have been abandoned, Ii need Philip Scales to verify the status.

Joel

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Wednesday, January 07, 2009 12:50 PM
To: Chisholm, Ann; Lawson, Arthuro V.
Cc: Scales, Phillip; Doggett, Rosalyn
Subject: Description and Status of JD projects in Dc
Attachments: JD.Projects.Washington, DC.December.2008.wpd; Status of JD Projects in DC_revised 1_07_09.doc

I need to check on the Union Station-North connection agreement, it currently shows that the agreement is pending. It may be signed or it may have been abandoned, Ii need Philip Scales to verify the status.

Joel

Doggett, Rosalyn

From: Bushnaq, Tariq
Sent: Wednesday, January 07, 2009 12:09 PM
To: Welch, Kermit A.; Doggett, Rosalyn
Subject: Fwd: WBJ Article on Development Projects
Attachments: WBJ Article on Development Projects.txt

fyi

Doggett, Rosalyn

From: Lawson, Arturo V.
Sent: Wednesday, January 07, 2009 12:06 PM
To: freddie.fuller@dc.gov; jamison.weinbaum@dc.gov; Albert, Neil O.
Cc: Chisholm, Ann; Welch, Kermit A.; Washington, Joel R.; Kline, Sarah A.; Moneme, Emeka; Bottigheimer, Nat; Doggett, Rosalyn
Subject: Transmittal of 7th & S Documents
Attachments: Transmittal to Neil Albert 7th & S St. Appraisal.txt.pdf; 8004 Shaw-Howard U Metro Parcel V2_1.pdf

Attached is the appraisal document you requested and a letter asking District staff to not share this information with non District employees due to the fact that this project is still in negotiations.

Art Lawson
District of Columbia Government Relations Officer Washington Metropolitan Area Transit Authority 600 Fifth Street, NW. 2A12
Washington, DC 20001
202.962-1050
alawson@wmata.com

Doggett, Rosalyn

From: Welch, Kermit A.
Sent: Wednesday, January 07, 2009 11:09 AM
To: Burns, Bob; Johnson, Shariyka; Doggett, Rosalyn
Subject: Re: Fw: Fwd: Shaw - Howard University Parcel
Attachments: Transmittal Letter - Appraisal.doc

fyi

Kermit A. Welch, III
Assistant General Counsel
Washington Metropolitan Area Transit Authority 600 Fifth Street, NW Washington, DC 20001
Phone: (202) 962-1367
Fax: (202) 962-2550
E-mail: kwelch@wmata.com

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>>> Kermit A. Welch 1/7/2009 11:07 AM >>>
Joel,

Attached is a slightly revised draft of the letter. It is ready for your signature if it meets your approval. I'll come up right away to coordinate the delivery to Mr. Albert via Art Lawson

Kermit

>>> Kermit A. Welch 1/7/2009 10:20 AM >>>
Joel/Art,

As discussed this morning, I have attached a short cover letter for the appraisal requesting that it be shared only with District of Employees that are involved in this transaction.

I wanted to get a copy of this to you for your review this morning. I do not have Mr. Albert's address handy, but I will get that info together while you are reviewing the attachment.

Kermit

Kermit A. Welch, III
Assistant General Counsel
Washington Metropolitan Area Transit Authority 600 Fifth Street, NW Washington, DC 20001
Phone: (202) 962-1367
Fax: (202) 962-2550
E-mail: kwelch@wmata.com

THIS E-MAIL MESSAGE IS PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE RECIPIENT NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE NAMED RECIPIENT, OR THE AGENT RESPONSIBLE TO DELIVER IT TO THE NAMED RECIPIENT, YOU ARE NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, COPYING OR OTHER USE OF THIS INFORMATION COMMUNICATION IS STRICTLY PROHIBITED AND NO PRIVILEGE IS WAIVED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY THE ABOVE-NAMED INDIVIDUAL IMMEDIATELY, COLLECT IF NECESSARY

>>> Joel R. Washington 1/6/2009 4:58 PM >>>
Art and Kermit,

Here is the appraisal, I do not think the Board member should have to sign a nondisclosure statement but Jaime and Ketan should. But I leave it up to you two to decide.

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Tuesday, January 06, 2009 5:06 PM
To: Doggett, Rosalyn
Subject: Fw: Fwd: Shaw - Howard University Parcel
Attachments: Mail.txt

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Wednesday, December 31, 2008 2:10 PM
To: Lawson, Arthuro V.
Cc: Chisholm, Ann; O'Keeffe, Carol B.; Burns, Bob; Rydstrom, Ronald R.; Pant, Shiva K.; Kline, Sarah A.; Moneme, Emeka; Bottigheimer, Nat; Doggett, Rosalyn
Subject: Re: Request for 7th & S Street Property Appraisal
Attachments: 7th&S Jones appraisal 12-18.pdf; Joel R. Washington1.vcf

Art,

The review appraisal is attached as requested.

Joel

Joel R. Washington
Director, Office of Station Area Planning and
Asset Management
Department of Planning and Joint Development
Washington Metropolitan Area
Transit Authority
600 Fifth Street, NW
Washington, DC 20001
202-962-2616
202-962-2396-Fax
jrWASHINGTON@wmata.com

>>> Arthuro V. Lawson 12/31/2008 1:28:42 PM >>>

Joel, I just got a verbal request from Jamison Weinbaum on behalf of DC Deputy Mayor for Planning and Economic Development and WMATA Director Neil Albert for a copy of the appraisal for the joint development property at North entrance of the Shaw/Howard University Station located at 7th & S Streets, NW. Mr. Albert has indicated that he has made this request before.

Please tell me if there are any problems with releasing the appraisal to the Deputy Mayor and who should I speak to about this. If this is not a problem, I am requesting that you send him a copy of the appraisal and copy me.

Thank you

Art Lawson
District of Columbia Government Relations Officer
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW, 2A12
Washington, DC 20001
202.962-1050
alawson@wmata.com

Doggett, Rosalyn

From: Moneme, Emeka
Sent: Wednesday, December 31, 2008 2:05 PM
To: Lawson, Arturo V.; Washington, Joel R.; Doggett, Rosalyn
Cc: Chisholm, Ann; O'Keeffe, Carol B.; Rydstrom, Ronald R.; Pant, Shiva K.; Kline, Sarah A.; Bottigheimer, Nat
Subject: Re: Request for 7th & S Street Property Appraisal

Joel has mentioned this request to me and he should be able to respond to the Deputy Mayor this afternoon.

Emeka

Emeka Moneme
Chief Administrative Officer
Washington Metropolitan Area Transit Authority 600 5th Street, NW Washington, DC 20001
=====

Office: (202) 962-1900
Cell: (202) 236-7911
e-mail: emoneme@wmata.com
=====

>>> Arturo V. Lawson 12/31/08 1:28 PM >>>
Joel, I just got a verbal request from Jamison Weinbaum on behalf of DC Deputy Mayor for Planning and Economic Development and WMATA Director Neil Albert for a copy of the appraisal for the joint development property at North entrance of the Shaw/Howard University Station located at 7th & S Streets, NW. Mr. Albert has indicated that he has made this request before.

Please tell me if there are any problems with releasing the appraisal to the Deputy Mayor and who should I speak to about this. If this is not a problem, I am requesting that you send him a copy of the appraisal and copy me.

Thank you

Art Lawson
District of Columbia Government Relations Officer Washington Metropolitan Area Transit Authority 600 Fifth Street, NW. 2A12
Washington, DC 20001
202.962-1050
alawson@wmata.com

Doggett, Rosalyn

From: Lawson, Arturo V.
Sent: Wednesday, December 31, 2008 1:29 PM
To: Washington, Joel R.; Doggett, Rosalyn
Cc: Chisholm, Ann; O'Keeffe, Carol B.; Rydstrom, Ronald R.; Pant, Shiva K.; Kline, Sarah A.; Moneme, Emeka; Bottigheimer, Nat
Subject: Request for 7th & S Street Property Appraisal

Joel, I just got a verbal request from Jamison Weinbaum on behalf of DC Deputy Mayor for Planning and Economic Development and WMATA Director Neil Albert for a copy of the appraisal for the joint development property at North entrance of the Shaw/Howard University Station located at 7th & S Streets, NW. Mr. Albert has indicated that he has made this request before.

Please tell me if there are any problems with releasing the appraisal to the Deputy Mayor and who should I speak to about this. If this is not a problem, I am requesting that you send him a copy of the appraisal and copy me.

Thank you

Art Lawson
District of Columbia Government Relations Officer Washington Metropolitan Area Transit
Authority 600 Fifth Street, NW. 2A12
Washington, DC 20001
202.962-1050
alawson@wmata.com

Doggett, Rosalyn

From: ngw@postmaster.po
Sent: Wednesday, December 31, 2008 11:26 AM
To: Washington, Joel R.; Doggett, Rosalyn
Cc: Weinbaum, Jamison (EOM)
Subject: RE: Conveyance of WMATA Property at Shaw-Howard University/Metrorail station

Joel and Roslyn,

I wanted to talk to both you guys and think we have a way to make everyone happy. Could we talk at 12.00 if you both are available? I think we have a solution that will make you guys happy too.

Thanks,
Ketan

Ketan Gada

Project Manager

District of Columbia Government

Office of the Deputy Mayor for Planning and

Economic Development (DMPED)

The John A. Wilson Building

1350 Pennsylvania Avenue NW, Suite 317

Washington, D.C. 20004

O: (202) 727-6778

M: (202) 538-1259

E: ketan.gada@dc.gov

-----Original Message-----

From: Rosalyn Doggett [<mailto:rdoggett@wmata.com>]
Sent: Wednesday, December 31, 2008 11:17 AM
To: Gada, Ketan (EOM)
Cc: Joel R. Washington
Subject: Fwd: Conveyance of WMATA Property at Shaw-Howard University/Metrorail station

fyi

Rosalyn P. Doggett
Washington Metropolitan Area Transit Authority 600 Fifth St, NW Washington, DC 20001
Phone: 202 962 2208
Fax: 202 962 2396
rdoggett@wmata.com

>>> Bob Burns 12/31/2008 11:13 AM >>>
Steve,

As a result of a third appraiser's review of the M & B Appraisal Group's appraisal, WMATA is prepared to convey various easement rights on WMATA's 7th & S Streets property at the Shaw-Howard University Metrorail station to Broadcast Partners, LLC for a price of \$672,000. This price reflects WMATA's effort to reach a mutually agreeable price which is defensible using an acceptable appraisal methodology. We feel this price demonstrates our sincere willingness to reach an agreement and facilitate the development of your project. This price is a substantial reduction from our initial asking price of \$1.8 million.

If you concur with the \$672,000 price, please contact us and we will prepare the appropriate conveyance documents to close this transaction as soon as possible.

Bob Burns

Doggett, Rosalyn

From: Burns, Bob
Sent: Wednesday, December 31, 2008 11:14 AM
To: scassell@fourpointsllc.com
Cc: Washington, Joel R.
Subject: Conveyance of WMATA Property at Shaw-Howard University Metrorail station

Steve,

As a result of a third appraiser's review of the M & B Appraisal Group's appraisal, WMATA is prepared to convey various easement rights on WMATA's 7th & S Streets property at the Shaw-Howard University Metrorail station to Broadcast Partners, LLC for a price of \$672,000. This price reflects WMATA's effort to reach a mutually agreeable price which is defensible using an acceptable appraisal methodology. We feel this price demonstrates our sincere willingness to reach an agreement and facilitate the development of your project. This price is a substantial reduction from our initial asking price of \$1.8 million.

If you concur with the \$672,000 price, please contact us and we will prepare the appropriate conveyance documents to close this transaction as soon as possible.

Bob Burns

Doggett, Rosalyn

From: Burns, Bob
Sent: Wednesday, December 31, 2008 9:24 AM
To: Marshall, Malcolm; Washington, Joel R.; Doggett, Rosalyn
Cc: Welch, Kermit A.
Subject: Fwd: CONFIRMED - Meeting with Emeka re: Radio One

Comments/changes before we send.

This is very simple. We could add caveats that this deal is only for Broadcast Partners, time period to respond and close, no assignments or include this in a more comprehensive sale agreement and simply let them respond to the price.

Steve,

As a result of a third appraiser's review of the M & B Appraisal Group and the William Moroney appraisals, WMATA is prepared to convey various easement rights on WMATA's 7th & S Streets property at the Shaw-Howard University Metrorail station to Broadcast Partners, LLC for a price of \$672,000. This price reflects WMATA's effort to reach a mutually agreeable price which is defensible using an acceptable appraisal methodology. We feel this asking price demonstrates our sincere willingness to reach an agreement and facilitate the development of your project. This price is a substantial reduction from our initial asking price of \$1.8 million.

If you concur with this price, please contact us and we will prepare the appropriate conveyance documents to close this transaction as soon as possible.

>>> Rosalyn Doggett 12/31/2008 8:43 AM >>>

We will need to have a position based on the appraisal. Where do things stand? Have you been in contact with Ketan, Bob?

Rosalyn P. Doggett
Washington Metropolitan Area Transit Authority
600 Fifth St, NW
Washington, DC 20001
Phone: 202 962 2208
Fax: 202 962 2396
rdoggett@wmata.com

Doggett, Rosalyn

From: Lawson, Arturo V.
Sent: Thursday, December 18, 2008 3:34 PM
To: mrious@dccouncil.us
Subject: Congress Heights Station Joint Development
Attachments: 05 AUG Text FINAL_1.pdf

Michael, I have attached for your review the Joint Development Prospectus that was issued several years ago that included the southern entrance to the Congress Heights Metrorail Station. Please call me if you have any additional interest in this matter.

Art Lawson
District of Columbia Government Relations Officer Washington Metropolitan Area Transit
Authority 600 Fifth Street, NW. 2A12
Washington, DC 20001
202.962-1050
alawson@wmata.com

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, December 10, 2008 12:02 PM
Subject: Fwd: 2008 Goals Document
Attachments: 2008 GM Goals November Update MASTER.xls

FYI.

>>> Gregory W. Potts 12/8/2008 6:13:52 PM >>>

All-

Attached is the latest version of the 2008 Goals Document. This version includes a November update from all departments.

Please let me know if you have questions.

Greg
x2756

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, December 10, 2008 10:00 AM
Subject: PLJD Board Agenda Items 2008 and 2009
Attachments: Board Items Preparation Milestones - 2008.xls; Board Items Preparation Milestones - 2009.xls

All,

The second update of the morning. Metro is a very dynamic and responsive organization.

Once again, please let me know if any changes/corrections are needed.

Thanks.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Tuesday, December 09, 2008 4:20 PM
Subject: PLJD Board Agenda Items 2008 and 2009
Attachments: Board Items Preparation Milestones - 2008.xls; Board Items Preparation Milestones - 2009.xls

All,

The latest schedule is attached.

As we transition from 2008 to 2009, there are two files - one for each calendar year.

Please let me know if any changes/corrections are needed.

Thanks.

Sid

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Monday, December 08, 2008 8:40 AM
Subject: Fwd: Metro News Clips - Friday, December 5, 2008
Attachments: WPOST1.pdf; WPOST2.pdf; voices.washingtonpost3.pdf; dcexaminer4.pdf; dcexaminer5.pdf; WPOST6.pdf; WPOST7.pdf; wtopnews8.pdf; nytimes1.pdf; nytimes2.pdf; nydailynews3.pdf

>>> Steven Taubenkibel 12/5/2008 8:54 AM >>>
To all:

Have a safe and pleasant weekend.

- Steven

Metro News

- 1) Bar Hours Worry DC Police Union, Washington Post, December 5
- 2) Regional Briefing: More User Friendly Web Site Starts Monday, Washington Post, December 5
- 3) Get There: Metro Redesigning Its Web Site, Washington Post Blog, December 4
- 4) Overhauled Metro Web Site Launches Monday, Washington Examiner, December 5
- 5) Pro-God Messages To Counter Atheist Bus Ads, Washington Examiner, December 5
- 6) Editorial: Back On Track, Washington Post, December 5
- 7) It's Too Early To Celebrate Extension, Some Caution, Washington Post, December 5
- 8) Should Metro Run 24 Hours A Day For Inauguration?, WTOP News, December 4

US Transit News

- 1) Keep The City Moving, New York Times, December 5
- 2) Mixed Reviews On Transit Plan, New York Times, December 5
- 3) Editorial: Saving The Subway, New York Daily News, December 5

Doggett, Rosalyn

From: <okarim@bannekerventures.com> [okarim@bannekerventures.com]
Sent: Friday, December 05, 2008 11:34 AM
To: okarim@bannekerventures.com; Doggett, Rosalyn
Subject: Accepted: Howard/Shaw-Florida Avenue Project Follow-Up
Attachments: meeting.ics

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Friday, December 05, 2008 11:18 AM
To: Doggett, Rosalyn
Subject: Accepted: Howard/Shaw-Florida Avenue Project Follow-Up
Attachments: rfc2445.ics

Doggett, Rosalyn

From: 5B Land Conference Room [Room JGB 5B Land Conference Room@wmata.com]
Sent: Friday, December 05, 2008 11:14 AM
To: Doggett, Rosalyn
Subject: Re: Howard/Shaw-Florida Avenue Project Follow-Up

Please be advised that this space is designated for Planning and Joint Development.

Please contact Shariyka Johnson (Ext. 1273), Maria Wallace (Ext. 2330), or Sid Mohsberg (Ext. 1755) for availability.

>>> rdoggett 12/05/08 11:13 >>>

Doggett, Rosalyn

Subject: Howard/Shaw-Florida Avenue Project Follow-Up
Location: 5B Land Conference Room
Start: Fri 12/12/2008 3:00 PM
End: Fri 12/12/2008 5:00 PM
Show Time As: Tentative
Recurrence: (none)
Meeting Status: Not yet responded
Organizer: Doggett, Rosalyn

Doggett, Rosalyn

From: 5B Land Conference Room [Room JGB 5B Land Conference Room@wmata.com]
Sent: Friday, December 05, 2008 11:06 AM
To: Doggett, Rosalyn
Subject: Re: Howard/Shaw-Florida Avenue Project Follow-Up

Please be advised that this space is designated for Planning and Joint Development.

Please contact Shariyka Johnson (Ext. 1273), Maria Wallace (Ext. 2330), or Sid Mohsberg (Ext. 1755) for availability.

>>> rdoggett 12/05/08 11:05 >>>

Doggett, Rosalyn

From: Johnson, Shariyka
Sent: Friday, December 05, 2008 10:50 AM
To: Doggett, Rosalyn
Subject: Re: Fwd: Follow-up Meeting: Howard/Shaw-Florida Avenue Project

How much time will you need with them?

>>> Rosalyn Doggett 12/5/2008 9:37:46 AM >>>
Shariyka, I can do any one of the afternoons- or Friday morning in a pinch but prefer not to.
Please check with Joel and Josh and set up. Thanks, Roz

>>> "thicks" <thicks@bannekerventures.com> 12/4/2008 5:27 PM >>>
Good Evening Ms. Doggett,

We would like to schedule a follow-up meeting with you to continue our discussions regarding the financial terms of the deal. We are available during the following times next week:

Wednesday 2-5 p.m.

Thursday 3-5 p.m.

Friday 9-12 p.m. or 3-6 p.m.

Please let us know if any of the aforementioned times work within your schedule. Thanks.

Tiwana

Tiwana Z. Hicks

Banneker Ventures, LLC

700 12th Street, NW, Suite 700

Washington, DC 20005

(202) 667-4110 office

(301) 523-1810 cell

thicks@bannekerventures.com

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Friday, December 05, 2008 9:39 AM
To: Washington, Joel R.; Johnson, Shariyka; Doggett, Rosalyn
Subject: Re: Fwd: Follow-up Meeting: Howard/Shaw-Florida Avenue Project

I am available any time next week except for Monday morning.

>>> Rosalyn Doggett 12/5/2008 9:37 AM >>>
Shariyka, I can do any one of the afternoons- or Friday morning in a pinch but prefer not to.
Please check with Joel and Josh and set up. Thanks, Roz

>>> "thicks" <thicks@bannekerventures.com> 12/4/2008 5:27 PM >>>
Good Evening Ms. Doggett,

We would like to schedule a follow-up meeting with you to continue our discussions regarding the financial terms of the deal. We are available during the following times next week:

Wednesday 2-5 p.m.

Thursday 3-5 p.m.

Friday 9-12 p.m. or 3-6 p.m.

Please let us know if any of the aforementioned times work within your schedule. Thanks.

Tiwana

Tiwana Z. Hicks
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
thicks@bannekerventures.com

Doggett, Rosalyn

From: thicks [thicks@bannekerventures.com]
Sent: Thursday, December 04, 2008 5:28 PM
To: Doggett, Rosalyn
Cc: Rajaram, Carol; okarim@bannekerventures.com
Subject: Follow-up Meeting: Howard/Shaw-Florida Avenue Project

Good Evening Ms. Doggett,

We would like to schedule a follow-up meeting with you to continue our discussions regarding the financial terms of the deal. We are available during the following times next week:

Wednesday 2-5 p.m.

Thursday 3-5 p.m.

Friday 9-12 p.m. or 3-6 p.m.

Please let us know if any of the aforementioned times work within your schedule. Thanks.

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Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
thicks@bannekerventures.com

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Tuesday, December 02, 2008 6:23 PM
To: Karim, Omar A.; Doggett, Rosalyn
Cc: 'Lewin', 'Devorah'; 'Flynn', 'Guy'; 'Bryant', 'Seth'
Subject: RE: Howard/Shaw-Florida Avenue Project - JDA/Lease Comments
Attachments: Shaw-Howard Lease - Draft 120108.DOC; Shaw-Howard Joint Development Agreement - Draft 120108.doc

Here are the latest drafts of the JDA and Lease agreements. Please feel free to call/email me any questions.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority 600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

The information contained in this email may be confidential and/or legally privileged. It has been sent for the sole use of the intended recipient(s). If the reader of this message is not an intended recipient, you are hereby notified that any unauthorized review, use, disclosure, dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please contact the sender by reply email and destroy all copies of the original message.

>>> "Omar A. Karim" <okarim@bannekerventures.com> 12/1/2008 3:51 PM >>>
Ms. Doggett,

Any word on comments to the JDA/Lease?

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

-----Original Message-----

From: Rosalyn Doggett [<mailto:rdoggett@wmata.com>]
Sent: Friday, November 21, 2008 4:22 PM
To: Omar A. Karim
Cc: thicks@bannekerventures.com; Devorah 'Lewin'; Guy 'Flynn'; Seth 'Bryant'; Joel R. Washington; Joshua W. Montague
Subject: Re: Howard/Shaw-Florida Avenue Project - JDA/Lease Comments

We'll do what you suggest in your last sentence. I would hope that we can get you our comments later next week and meet the following week. We will aim for that.

>>> "Omar A. Karim" <okarim@bannekerventures.com> 11/21/2008 9:35 AM >>>
Ms. Doggett,

Our counsel believes it would be best to meet after we have received the redlined version of your comments. As such, if you are able to provide them by today or early Monday, we could meet Tuesday morning. Otherwise, lets meet after Josh has received and incorporated all your comments.

Thanks.

Omar

Omar A. Karim
Baneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@banekerverventures.com

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Tuesday, December 02, 2008 9:33 AM
To: Doggett, Rosalyn
Cc: thicks@bannekerventures.com; 'Lewin', 'Devorah'; 'Flynn', 'Guy'; 'Bryant', 'Seth'
Subject: RE: Howard/Shaw-Florida Avenue Project - JDA/Lease Comments

Thank you.

Omar

-----Original Message-----

From: Rosalyn Doggett [mailto:rdoggett@wmata.com]
Sent: Tuesday, December 02, 2008 9:18 AM
To: Omar A. Karim
Subject: RE: Howard/Shaw-Florida Avenue Project - JDA/Lease Comments

I had expected it to go out Wed or yesterday. I am following up.

>>> "Omar A. Karim" <okarim@bannekerventures.com> 12/1/2008 3:51 PM >>>
Ms. Doggett,

Any word on comments to the JDA/Lease?

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

-----Original Message-----

From: Rosalyn Doggett [mailto:rdoggett@wmata.com]
Sent: Friday, November 21, 2008 4:22 PM
To: Omar A. Karim
Cc: thicks@bannekerventures.com; Devorah 'Lewin'; Guy 'Flynn'; Seth 'Bryant'; Joel R. Washington; Joshua W. Montague
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Ms. Doggett,

Our counsel believes it would be best to meet after we have received the redlined version of your comments. As such, if you are able to provide them by today or early Monday, we could meet Tuesday morning. Otherwise, lets meet after Josh has received and incorporated all your comments.

Thanks.

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Tuesday, December 02, 2008 9:18 AM
To: Doggett, Rosalyn
Subject: Fwd: RE: Howard/Shaw-Florida Avenue Project - JDA/Lease Comments

Hi Roz,

I am meeting with Carol/Bruce today at 11am. I will give you an update as soon as I am done.

Barring any major changes, I am hoping to have drafts for Mr. Karim early this afternoon.

I am also putting together a list of "clarifications" regarding treatment of the tunnel, our tax-exempt status, etc. The idea is to clear up any confusion on issues unique to WMATA (and to take these issues off of the bargaining table). Do you have anything that you think should be added to this list?

Thanks,

Josh

>>> Rosalyn Doggett 12/2/2008 9:09 AM >>>

>>> "Omar A. Karim" <okarim@bannekerventures.com> 12/1/2008 3:51 PM >>>

Ms. Doggett,

Any word on comments to the JDA/Lease?

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

-----Original Message-----

From: Rosalyn Doggett [<mailto:rdoggett@wmata.com>]
Sent: Friday, November 21, 2008 4:22 PM
To: Omar A. Karim
Cc: thicks@bannekerventures.com; Devorah 'Lewin; Guy' 'Flynn; Seth'
'Bryant; Joel R. Washington; Joshua W. Montague
Subject: Re: Howard/Shaw-Florida Avenue Project - JDA/Lease Comments

We'll do what you suggest in your last sentence. I would hope that we can get you our comments later next week and meet the following week. We will aim for that.

>>> "Omar A. Karim" <okarim@bannekerventures.com> 11/21/2008 9:35 AM >>>

Ms. Doggett,

Our counsel believes it would be best to meet after we have received the redlined version of your comments. As such, if you are able to provide them by today or early Monday, we could meet Tuesday morning. Otherwise, lets meet after Josh has received and incorporated all your comments.

Thanks.

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700

Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Monday, December 01, 2008 3:52 PM
To: Doggett, Rosalyn
Cc: thicks@bannekerventures.com; 'Lewin', 'Devorah'; 'Flynn', 'Guy'; 'Bryant', 'Seth'; Montague, Joshua W.; Washington, Joel R.
Subject: RE: Howard/Shaw-Florida Avenue Project - JDA/Lease Comments

Ms. Doggett,

Any word on comments to the JDA/Lease?

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

-----Original Message-----

From: Rosalyn Doggett [<mailto:rdoggett@wmata.com>]
Sent: Friday, November 21, 2008 4:22 PM
To: Omar A. Karim
Cc: thicks@bannekerventures.com; Devorah 'Lewin; Guy' 'Flynn; Seth'
'Bryant; Joel R. Washington; Joshua W. Montague
Subject: Re: Howard/Shaw-Florida Avenue Project - JDA/Lease Comments

We'll do what you suggest in your last sentence. I would hope that we can get you our comments later next week and meet the following week. We will aim for that.

>>> "Omar A. Karim" <okarim@bannekerventures.com> 11/21/2008 9:35 AM >>>
Ms. Doggett,

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Thanks.

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Wednesday, November 26, 2008 12:17 PM
To: Doggett, Rosalyn
Subject: Updates - Florida Avenue
Attachments: Shaw-Howard Joint Development Agreement - Draft 112608.doc; Shaw-Howard Lease - Draft 112608.DOC

Hi Roz,

Here are my updates. The rest I have flagged for us to discuss at 1:30.

Thanks,

Josh

Doggett, Rosalyn

From: ngw@postmaster.po
Sent: Tuesday, November 25, 2008 3:32 PM
To: Washington, Joel R.; Doggett, Rosalyn
Cc: SantosYoung, Valerie (EOM); Welch, Kermit A.; Burns, Bob
Subject: RE: 7th & St Streets Current Asking Price

Joel and Roslyn,

I hope things are going well and wanted to check on how much progress has been made on the Radio One project since Neil Last met with Emeka (has been over 30 days now)? I also wanted to follow up with you both on the request that Neil Albert had as a Board Member (when he met with Emeka) regarding the original Appraisal which was done by WMATA. In addition, I would also like to request the new review appraisal which was commissioned by WMATA. It is my understanding that WMATA has received a review appraisal and is seeking addendums to the same. I would appreciate if you could please send us the following appraisals by COB tomorrow:

- Original Appraisal (Summer 2008) and
- New Review Appraisal (one already received without the additional addendums requested by WMATA – November 2008)

We would also like to know when do WMATA expect to receive the revised Review Appraisal with the additional addendums? And would like to get a copy of the same.

Thanks,
Ketan

Ketan Gada

Project Manager

District of Columbia Government

Office of the Deputy Mayor for Planning and Economic Development (DMPED)

The John A. Wilson Building

1350 Pennsylvania Avenue NW, Suite 317

Washington, D.C. 20004

O: (202) 727-6778

M: (202) 538-1259

E: ketan.gada@dc.gov

From: Cassell, Steven [<mailto:scassell@fourpointslc.com>]
Sent: Monday, November 24, 2008 2:55 PM
To: Bob Burns
Cc: Joel R. Washington; Kermit A. Welch; Rosalyn Doggett; Gada, Ketan (EOM); Voudrie, Stan
Subject: RE: 7th & St Streets Current Asking Price

Bob,

As a follow up to our conversation a couple weeks ago, please let me know if there has been any progress on the review appraisal. We are getting concerned about the amount of time that has transpired since you ordered the review. Please let me know if we should anticipate your feedback anytime soon.

Thanks and best regards,

Steven C. Cassell

Four Points, LLC
202-521-2529 (O)
202-250-1709 (C)
scassell@fourpointslc.com

From: Bob Burns [<mailto:rburns@wmata.com>]
Sent: Tuesday, September 30, 2008 4:14 PM
To: Cassell, Steven
Cc: Joel R. Washington; Kermit A. Welch; Rosalyn Doggett
Subject: 7th & St Streets Current Asking Price

Steve,

As a follow-up to our recent meeting regarding the sale of various easements on WMATA's 7th & S Streets property at the Shaw-Howard University Metrorail station, our current asking price is \$864,000. Again, our position is that as a result of WMATA's conveyance of the underground and air rights easements required for your development project, WMATA's property will be encumbered to the extent that WMATA will be left with an uneconomic remnant and the fair market value of the property should be the value before the conveyance. Therefore, the price of the property should reflect its current value before any adjacent development.

If you agree with this price, please contact me and we will prepare the appropriate conveyance documents for this transaction as soon as possible.

Bob Burns
202-962-2392

Doggett, Rosalyn

From: Cassell, Steven [scassell@fourpointslc.com]
Sent: Monday, November 24, 2008 2:55 PM
To: Burns, Bob
Cc: Gada, Ketan (EOM); Voudrie, Stan; Welch, Kermit A.; Washington, Joel R.; Doggett, Rosalyn
Subject: RE: 7th & St Streets Current Asking Price

Bob,

As a follow up to our conversation a couple weeks ago, please let me know if there has been any progress on the review appraisal. We are getting concerned about the amount of time that has transpired since you ordered the review. Please let me know if we should anticipate your feedback anytime soon.

Thanks and best regards,

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202-521-2529 (O)
202-250-1709 (C)
scassell@fourpointslc.com

From: Bob Burns [<mailto:rburns@wmata.com>]
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To: Cassell, Steven
Cc: Joel R. Washington; Kermit A. Welch; Rosalyn Doggett
Subject: 7th & St Streets Current Asking Price

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If you agree with this price, please contact me and we will prepare the appropriate conveyance documents for this transaction as soon as possible.

Bob Burns
202-962-2392

Doggett, Rosalyn

From: <okarim@bannekerventures.com> [okarim@bannekerventures.com]
Sent: Friday, November 21, 2008 8:04 PM
To: okarim@bannekerventures.com; Doggett, Rosalyn
Cc: Hicks, Tiwana Clark; Lewin, Devorah; Flynn, Guy; Bryant, Seth; Montague, Joshua W.; Washington, Joel R.
Subject: Re: Howard/Shaw-Florida Avenue Project - JDA/Lease Comments

Sounds like a plan. If we receive the comments by Tues, we could be ready to meet toward the end of the following week, say Thurs or Fri.

Thank you and have an enjoyable weekend.

Omar

-----Original Message-----

From: Rosslyn Doggett
Sender:
To: Omar A. Karim
Cc: Tiwana Clark Hicks
Cc: Devorah Lewin
Cc: Guy Flynn
Cc: Seth Bryant
Cc: Joel Washington
Cc: Joshua W. Montague
Subject: Re: Howard/Shaw-Florida Avenue Project - JDA/Lease Comments
Sent: Nov 21, 2008 4:22 PM

We'll do what you suggest in your last sentence. I would hope that we can get you our comments later next week and meet the following week. We will aim for that.

>>> "Omar A. Karim" <okarim@bannekerventures.com> 11/21/2008 9:35 AM >>>
Ms. Doggett,

Our counsel believes it would be best to meet after we have received the redlined version of your comments. As such, if you are able to provide them by today or early Monday, we could meet Tuesday morning. Otherwise, lets meet after Josh has received and incorporated all your comments.

Thanks.

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

Sent from my BlackBerry® smartphone with SprintSpeed

Doggett, Rosalyn

From: Flynn, Guy [guy.flynn@dlapiper.com]
Sent: Friday, November 21, 2008 4:22 PM
To: Doggett, Rosalyn
Subject: Out of Office AutoReply: Howard/Shaw-Florida Avenue Project - JDA/Lease Comments

Guy Flynn will be overseas on business travel until Monday, November 24, with irregular access to e-mail. If you need immediate assistance, please contact Debbie Donning at 410-580-4594 or deborah.donning@dlapiper.com. Thank you.

Please consider the environment before printing this email.

The information contained in this email may be confidential and/or legally privileged. It has been sent for the sole use of the intended recipient(s). If the reader of this message is not an intended recipient, you are hereby notified that any unauthorized review, use, disclosure, dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please reply to the sender and destroy all copies of the message. To contact us directly, send to postmaster@dlapiper.com. Thank you.

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Friday, November 21, 2008 11:52 AM
To: Doggett, Rosalyn
Subject: Fwd: Howard/Shaw-Florida Avenue Project - JDA/Lease Comments

Hi Rosalyn,

I am free early Monday. Can you meet anytime before 2pm?

Josh

>>> "Omar A. Karim" <okarim@bannekerventures.com> 11/21/2008 9:35 AM >>>
Ms. Doggett,

Our counsel believes it would be best to meet after we have received the redlined version of your comments. As such, if you are able to provide them by today or early Monday, we could meet Tuesday morning. Otherwise, lets meet after Josh has received and incorporated all your comments.

Thanks.

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Friday, November 21, 2008 9:36 AM
To: Doggett, Rosalyn
Cc: thicks@bannekerventures.com; 'Lewin, Devorah'; 'Flynn, Guy'; 'Bryant, Seth'; Montague, Joshua W.; Washington, Joel R.
Subject: Howard/Shaw-Florida Avenue Project - JDA/Lease Comments
Importance: High

Ms. Doggett,

Our counsel believes it would be best to meet after we have received the redlined version of your comments. As such, if you are able to provide them by today or early Monday, we could meet Tuesday morning. Otherwise, lets meet after Josh has received and incorporated all your comments.

Thanks.

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Monday, November 17, 2008 9:22 AM
Subject: Fwd: Metro News Clips - Monday, November 17, 2008
Attachments: wtopnews1.pdf; wtopnews2.pdf; WPOST3.pdf; WPOST4.pdf; WPOST5.pdf; WPOST6.pdf; dcexaminer7.pdf; bondbuyer8.pdf; reuters9.pdf; ap10.pdf; nydailynews1.pdf; nydailynews2.pdf; abclocal.go3.pdf; boston4.pdf; ap5.pdf; bloomberg6.pdf; philly7.pdf; philly8.pdf

>>> Steven Taubenkibel 11/17/2008 9:06 AM >>>
To all:

Metro News

- 1) Metro Could Sell SmarTrip Cards At CVS, WTOP News, November 17
- 2) DC Transit, Bank Reach Deal On AIG-Tied Funds, WTOP News, November 14
- 3) Dr. Gridlock: Split Of Metro Line Has Many Riders Singing The Blues, Washington Post, November 16
- 4) Closer To Home: Guard Your Rights At Metro Station, Washington Post, November 16
- 5) Editorial: Full Speed Ahead, Washington Post, November 16
- 6) Metro, Bank Make A Deal, Washington Post, November 15
- 7) Metro, Belgian Bank Strike Deal, Washington Examiner, November 16
- 8) KBC, WMATA Reach Agreement, Bond Buyer, November 17
- 9) KBC, Washington Transit Agency resolve Dispute, Reuters, November 14
- 10) DC Transit, Bank Reach Deal, Associated Press, November 14

US Transit News

- 1) Closing Token Booths Part Of MTA's Doomsday Budget Plan, New York Daily News, November 16
- 2) Editorial: Make Subway Workers Stop Goofing Off And Get Back On The Job, New York Daily News, November 17
- 3) Investigation Into MTA Track Workers, <http://abclocal.go.com/wabc/story?section=news/investigators&id=6506742> (see news story), WABC-TV 7 New York, November 14
- 4) Getting The Weight Off The Force, Boston Globe, November 16
- 5) Amtrak CEO Steps Down, Associated Press, November 15
- 6) Amtrak Chief Kumant Said To Be Leaving Railroad, Bloomberg News, November 14
- 7) Winging It: Amtrak Will Be Key Part Of Obama's Plans, Philadelphia Inquirer, November 17
- 8) SEPTA Looks To Keep Pension Fund Healthy, Philadelphia Inquirer, November 17

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Friday, November 14, 2008 5:22 PM
Subject: Board Items Preparation Milestones - 2008
Attachments: Board Items Preparation Milestones - 2008.xls

Attached.

Doggett, Rosalyn

From: <okarim@bannekervertures.com> [okarim@bannekervertures.com]
Sent: Thursday, November 13, 2008 12:33 PM
To: okarim@bannekervertures.com; Seidman, Todd
Cc: Orr, Robert B.; Washington, Joel R.; Doggett, Rosalyn
Subject: Re: Shaw/Howard and U Steet Metro Stations

Thank you.

Omar

Sent from my BlackBerry® smartphone with SprintSpeed

-----Original Message-----

From: "Todd Seidman" <tseidman@wmata.com>

Date: Thu, 13 Nov 2008 11:52:27

To: <okarim@bannekervertures.com>

Cc: Joel R. Washington<jrWASHINGTON@wmata.com>; Rosalyn Doggett<rdoggett@wmata.com>; Robert B. Orr<rORR@wmata.com>

Subject: Shaw/Howard and U Steet Metro Stations

Mr. Karim

The attached file contains boarding and alighting counts by route and bus stop, for those stops in the immediate vicinity of Shaw/Howard University and U Street/Cardozo Metro Stations- including the stop at Georgia Ave//7th Street at Florida Avenue.

Todd Seidman

Bus Operations Analyst

Office of Operations Planning and Administrative Support (OPAS)

Washington Metropolitan Area Transit
Authority (WMATA)
600 Fifth Street, NW
Washington, DC 20001
Tel. (202) 962-2448
Fax. (202) 962-1277

Doggett, Rosalyn

From: Seidman, Todd
Sent: Thursday, November 13, 2008 11:52 AM
To: okarim@bannekervertures.com
Cc: Orr, Robert B.; Washington, Joel R.; Doggett, Rosalyn
Subject: Shaw/Howard and U Steet Metro Stations
Attachments: ShawHowardUStreetStations.xls

Mr. Karim

The attached file contains boarding and alighting counts by route and bus stop, for those stops in the immediate vicinity of Shaw/Howard University and U Street/Cardozo Metro Stations- including the stop at Georgia Ave//7th Street at Florida Avenue.

Todd Seidman
Bus Operations Analyst
Office of Operations Planning and Administrative Support (OPAS)

Washington Metropolitan Area Transit
Authority (WMATA)
600 Fifth Street, NW
Washington, DC 20001
Tel. (202) 962-2448
Fax. (202) 962-1277

Doggett, Rosalyn

From: <okarim@bannekerventures.com> [okarim@bannekerventures.com]
Sent: Thursday, November 13, 2008 10:50 AM
To: okarim@bannekerventures.com; Doggett, Rosalyn
Cc: Alston, Chamise; Hicks, Tiwana Clark; Smart, Eric; Washington, Joel R.
Subject: Re: Fwd: Ridership0 Information for Shaw/Howard Metro and UStreet Metro

Next Tues would be great. Anytime after 1 would be great.

Omar

Sent from my BlackBerry® smartphone with SprintSpeed

-----Original Message-----

From: "Rosalyn Doggett" <rdoggett@wmata.com>

Date: Thu, 13 Nov 2008 10:04:37

To: <okarim@bannekerventures.com>

Cc: <eric.smart@bolansmart.com>; Joel R. Washington<jrWASHINGTON@wmata.com>

Subject: Re: Fwd: Ridership Information for Shaw/Howard Metro and U Street Metro

i
in case Joel Washington has not already sent this...

yes, we did get a response from FTA
essentially we cannot reduce the rent to that below the next highest offer, irrespective of whether it included affordable housing while this can allow for some reduction in rent, it cannot achieve the targets you were looking for however, our consultant thinks that by reasonably changing some pro forma assumptions we can reach a midpoint that can serve us both otherwise, other subsidy would be required if you would like to get together to discuss this, say next Tuesday, I can try to arrange

>>> Robert E. Stedman 11/13/2008 9:11 AM >>>

>>> Joel R. Washington 11/10/08 2:06 PM >>>
Bob,

Can you provide the information requested from our selected development partner?

Joel

>>> "Omar A. Karim" <okarim@bannekerventures.com> 11/10/2008 1:30:46 PM
>>> >>>

Ms. Doggett and Mr. Washington, Can you please send us ridership information for the Shaw/Howard Metro stop (north-east entrance) and U Street/Cardozo Metro stop (11th Street entrance), as well as the bus ridership information for 7th and Florida Avenue. Thank you. Also, any word on your discussions with the FTA? Omar Omar A. KarimBanneker Ventures, LLC700 12th Street, NW, Suite 700Washington, DC 20005(202) 667-4110 office(301) 523-1810 cellokarim@bannekerventures.com

Doggett, Rosalyn

From: <okarim@bannekerventures.com> [okarim@bannekerventures.com]
Sent: Thursday, November 13, 2008 10:49 AM
To: okarim@bannekerventures.com; Washington, Joel R.
Cc: Doggett, Rosalyn
Subject: Re: Fwd: Ridership Information for Shaw/Howard Metro and UStreet Metro

Thank you!

Omar

Sent from my BlackBerry® smartphone with SprintSpeed

From: "Joel R. Washington" <jrwwashington@wmata.com>
Date: Thu, 13 Nov 2008 10:29:48 -0500
To: Omar A. Karim <okarim@bannekerventures.com>
CC: Rosalyn Doggett <rdoggett@wmata.com>
Subject: Re: Fwd: Ridership Information for Shaw/Howard Metro and U Street Metro
Omar,

The rail data is attached.

Joel

>>> Robert E. Stedman 11/13/2008 9:11 AM >>>

>>> Joel R. Washington 11/10/08 2:06 PM >>>
Bob,

Can you provide the information requested from our selected development partner?

Joel

>>> "Omar A. Karim" <okarim@bannekerventures.com> 11/10/2008 1:30:46 PM >>>

Ms. Doggett and Mr. Washington, Can you please send us ridership information for the Shaw/Howard Metro stop (north-east entrance) and U Street/Cardozo Metro stop (11th Street entrance), as well as the bus ridership information for 7th and Florida Avenue. Thank you. Also, any word on your discussions with the FTA? Omar Omar A. KarimBanneker Ventures, LLC700 12th Street, NW, Suite 700Washington, DC 20005(202) 667-4110 office(301) 523-1810 cell okarim@bannekerventures.com

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Thursday, November 13, 2008 10:30 AM
To: Karim, Omar A.
Cc: Doggett, Rosalyn
Subject: Re: Fwd: Ridership Information for Shaw/Howard Metro and U Street Metro
Attachments: Shaw n U St.xls

Omar,

The rail data is attached.

Joel

>>> Robert E. Stedman 11/13/2008 9:11 AM >>>

>>> Joel R. Washington 11/10/08 2:06 PM >>>

Bob,

Can you provide the information requested from our selected development partner?

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Doggett, Rosalyn

From: Washington, Joel R.
Sent: Thursday, November 13, 2008 10:26 AM
To: Karim, Omar A.; Doggett, Rosalyn
Subject: Fwd: Ridership Information for Shaw/Howard Metro and U Street Metro
Attachments: Fwd: Ridership Information for Shaw/Howard Metro and U Street Metro.txt

FYI

>>> Robert B. Orr 11/13/2008 8:59 AM >>>
Joel,

I forwarded this e-mail to Bob Stedman for the rail ridership and Todd Seidman for bus ridership yesterday 11/12/08.
Todd and Bob please answer the attached e-mail.

Thanks
Bob

Doggett, Rosalyn

From: Stedman, Robert E.
Sent: Thursday, November 13, 2008 9:11 AM
To: Orr, Robert B.; Washington, Joel R.
Cc: Doggett, Rosalyn
Subject: Re: Fwd: Ridership Information for Shaw/Howard Metro and U Street Metro
Attachments: Shaw n U St.xls

>>> Joel R. Washington 11/10/08 2:06 PM >>>
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Doggett, Rosalyn

From: Washington, Joel R.
Sent: Monday, November 10, 2008 2:07 PM
To: Orr, Robert B.
Cc: Doggett, Rosalyn
Subject: Fwd: Ridership Information for Shaw/Howard Metro and U Street Metro

Bob,

Can you provide the information requested from our selected development partner?

Joel

>>> "Omar A. Karim" <okarim@bannekerventures.com> 11/10/2008 1:30:46 PM >>>
Ms. Doggett and Mr. Washington,

Can you please send us ridership information for the Shaw/Howard Metro stop (north-east entrance) and U Street/Cardozo Metro stop (11th Street entrance), as well as the bus ridership information for 7th and Florida Avenue. Thank you.

Also, any word on your discussions with the FTA?

Omar

Omar A. Karim
Baneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Monday, November 10, 2008 1:31 PM
To: Washington, Joel R.; Doggett, Rosalyn
Subject: Ridership Information for Shaw/Howard Metro and U Street Metro
Importance: High

Ms. Doggett and Mr. Washington,

Can you please send us ridership information for the Shaw/Howard Metro stop (north-east entrance) and U Street/Cardozo Metro stop (11th Street entrance), as well as the bus ridership information for 7th and Florida Avenue. Thank you.

Also, any word on your discussions with the FTA?

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Thursday, November 06, 2008 5:41 PM
To: Heppen, Bruce P.; Doggett, Rosalyn
Subject: Florida Avenue - Blackline JDA / Lease
Attachments: Florida Avenue - altered terms.doc; DV_Comparison_#42197999v1_EAST_ - Development Agreement (Banneke-#42197999v3_EAST_ - Development Agreement (Banneke.doc; DV_Comparison_#42209240v1_EAST_ - Ground Lease [WMATA FORM]-#42202491v2_EAST_ - Banneker_WMATA Ground Lease (G.doc

Here are the Developer's responses to our initial JDA and Lease.

I have also included a table that I have drafted to compare the terms of the approved term sheet, our initial draft, and their blackline replies.

Josh

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Tuesday, November 04, 2008 3:51 PM
To: McLaughlin, Janice A.
Cc: Requa, Jack; Malasky, Gary; Burns, Bob; Bottigheimer, Nat; Doggett, Rosalyn
Subject: Status of Current Projects 8A revised 11_04_08.doc
Attachments: Status of Current Projects 8A revised 11_04_08.doc

Janice,

I revised the status report based on the comments I received in today's pre-brief.

Joel

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Friday, October 24, 2008 4:14 PM
To: McLaughlin, Janice A.
Cc: Malasky, Gary; Montague, Joshua W.; Welch, Kermit A.; Chu, Mable; Biondi, Marc E.; Burns, Bob; Dickerson, Tracie S.; Johnson, Shariyka; Doggett, Rosalyn
Subject: FTA Quarterly Status of Current Projects 10-24-08__1.doc
Attachments: FTA Quarterly Status of Current Projects 10-24-08__1.doc

Janice,

I had to revise this report due to actions taken this afternoon.

Joel

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Tuesday, October 21, 2008 11:50 AM
To: Doggett, Rosalyn
Subject: Re: Fwd: Howard-Shaw/Florida Avenue Meeting

I am free.

>>> Rosalyn Doggett 10/21/2008 11:48 AM >>>
Josh- are you free Friday at 2. Joel is not but said to go on without him

>>> "Omar A. Karim" <okarim@bannekerventures.com> 10/20/2008 4:29 PM >>>
Ms. Doggett,

Last week when we discussed having the follow-up meeting this Thursday, I did not have my calendar with me. As I look at it for this week, I will not be able to meet with you all on Thursday. Would it be possible for us to meet on Wednesday (anytime) or Friday (anytime after 2pm). Thank you for your understanding.

Omar

Omar A. Karim

Banneker Ventures, LLC

700 12th Street, NW, Suite 700

Washington, DC 20005

(202) 667-4110 office

(301) 523-1810 cell

okarim@bannekerventures.com

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Tuesday, October 21, 2008 11:49 AM
To: Talaia, Anabela; Malasky, Gary; Burns, Bob; McElhenny-Smith, Robin; Meister, Mark K.; Doggett, Rosalyn
Cc: Montague, Joshua W.; Welch, Kermit A.; Chu, Mable; Dickerson, Tracie S.; Scales, Phillip
Subject: Status of Current Projects 8A revised 10_21_08.doc
Attachments: Status of Current Projects 8A revised 10_21_08_1.doc

All,

Please review the attached status report, I edited the Rhode Island Station, Minnesota Avenue, U Street/Cardoza, and DC Land Swap items. The FTA Quarterly pre-brief is scheduled for Tuesday, November 4th. I need to submit the report to Jack Requa's office by this Friday.

Thanks,

Joel

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Monday, October 20, 2008 4:29 PM
To: Doggett, Rosalyn
Cc: Washington, Joel R.
Subject: Howard-Shaw/Florida Avenue Meeting

Ms. Doggett,

Last week when we discussed having the follow-up meeting this Thursday, I did not have my calendar with me. As I look at it for this week, I will not be able to meet with you all on Thursday. Would it be possible for us to meet on Wednesday (anytime) or Friday (anytime after 2pm). Thank you for your understanding.

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Monday, October 20, 2008 1:25 PM
Subject: Board Document Preparation Milestones - Updated 10/20/08
Attachments: Board Items Preparation Milestones - 2008.xls

FYI and action as appropriate.

The immediate focus are the 11/20/08 PD&RE Cmte and Board meetings.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Friday, October 17, 2008 4:45 PM
Subject: Board Documents Preparation Milestones - Updated 10/17/08
Attachments: Board Items Preparation Milestones - 2008.xls

Updated milestones are attached.

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, October 15, 2008 3:52 PM
Subject: Board Documents Preparation Milestones - Updated
Attachments: Board Items Preparation Milestones - 2008.xls

Latest update.

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, October 15, 2008 2:48 PM
To: Kennedy, Sean; Doggett, Rosalyn
Subject: Re: Fwd: PLJD Board Preparation Calendar - Updated 10/7/08
Attachments: Board Items Preparation Milestones - 2008.xls

Roz and Sean,

Guys, your e-mails are a bit inside baseballish. Assume I know absolutely nothing about this item, which is pretty much the truth, and let's please try this again:

When do you want to take this to the PD&RE Committee? 20 November 2008?

Action or information item? I sense action.

Who owns this item? PLAN (Sean) or SAAM (Roz)?

I see that the title of MEAD 100176 is "Prince George's Plaza Retail Lease Amendment" and that Roz is the Originator; i.e., Roz is the only person who can edit it.

What is the official title of this item; i.e., the one you want to use for the Board Agenda Review (BAR)?

The pre-brief for Nat for the 11/20/08 PD&RE Cmte meeting is on 10/21/08 at 1:00 PM. Whoever owns this item needs to bring hard copies of the BAIS and PowerPoint presentation to the pre-brief.

Thanks.

Sid

>>> Rosalyn Doggett 10/15/2008 2:24 PM >>>
Joel says this will be a PDRE item since it is a jd contract amendment

>>> Rosalyn Doggett 10/15/2008 1:20 PM >>>
just to make sure, I am expecting you to do the power point but can shoot you a template if needed

>>> Sean Kennedy 10/15/2008 1:17 PM >>>
Excellent! Thanks Ros...

Sean Kennedy, AICP
Office of Long Range Planning
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001
202-962-1575
202-962-1409 (fax)

>>> Rosalyn Doggett 10/15/2008 1:15 PM >>>
In answer to your question about MEAD 100176 and power point for PGP Marriott parking in the WMATA garage, I have done the MEAD (the BAIS is a derivative-- to use a dishonored word, now-- of the MEAD)

The attached calendar indicates that the briefings with Nat and Jack Requa are on Tuesday Oct 21 so the power point draft can be done probably on Monday the 20th-- early

I have asked Joel which committee this item would go to, I am thinking Ops and not PDRE but have asked Joel to confirm

I don't know if Sid has any updates about briefing dates and times.....

>>> Sid Mohsberg 10/7/2008 6:10 PM >>>
Attached.

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Wednesday, October 15, 2008 12:32 PM
Subject: Fwd: Metro News Clips - Wednesday, October 15, 2008
Attachments: WPOST1.pdf; WPOST2.pdf; dcexaminer3.pdf; wtopnews4.pdf; wjla5.pdf; wjla6.pdf; gazette7.pdf; nytimes1.pdf; sfgate2.pdf; insidebayarea3.pdf; nbc11.com4.pdf; boston5.pdf; wbztv6.pdf; chicagotribune7.pdf; suntimes8.pdf

>>> Steven Taubenkibel 10/15/2008 8:36 AM >>>
To all:

Metro News

- 1) Random Acts: From One Metro Ride, Several Acts, Washington Post, October 15
- 2) District Briefing: Ridership To Nats Games Tops Past Seasons, Washington Post, October 15
- 3) Metro Considers Expanding Express Routes, Washington Examiner, October 15
- 4) Over Half of Nats Fans Used Metro To Attend Games, WTOP News, October 14
- 5) Two separate Accidents Involve Metro, WJLA-TV 7, October 14
- 6) On Your Side: Metrobus Accident Settlement, (see news story)<http://www.wjla.com/news/stories/1008/561387.html> , WJLA-TV 7, October 14
- 7) MTA To Hold Hearings On Purple Line, Gazette Newspapers, October 15

US Transit News

- 1) To Stimulate Bond Sales, The MTA Tries A Radio Pitch By Koch, New York Times, October 15
- 2) BART Train Kills Worker On Tracks In Concord, San Francisco Chronicle, October 15
- 3) Concord-Area BART Service Restored After Morning Accident Kills Track Worker, Inside Bay Area, October 15
- 4) BART Train Strikes, Kills Employee, <http://www.nbc11.com/news/17713245/detail.html> (see news story), NBC 11, Oakland/San Francisco, October 14
- 5) Mind Your Manners, T Urges Riders, Boston Globe, October 15
- 6) MBTA Looks To Teach Riders Some Manners, <http://wbztv.com/local/mbta.manners.subway.2.840611.html> (see news story), WBZ-TV Boston, October 14
- 7) CTA Unveils System To Keep Passengers Well Informed About Service Changes, Chicago Tribune, October 15
- 8) CTA Offers E-Mail Alerts To Riders, Chicago Sun-Times, October 15

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Friday, October 10, 2008 1:09 PM
To: okarim@bannekerventures.com; Doggett, Rosalyn
Subject: Accepted: Shaw Howard Florida Avenue JDA and Lease Form
Attachments: meeting.ics

Doggett, Rosalyn

From: 5B Land Conference Room [Room JGB 5B Land Conference Room@wmata.com]
Sent: Friday, October 10, 2008 12:43 PM
To: Doggett, Rosalyn
Subject: Re: Shaw Howard Florida Avenue JDA and Lease Form

Please be advised that this space is designated for Planning and Joint Development.

Please contact Shariyka Johnson (Ext. 1273), Maria Wallace (Ext. 2330), or Sid Mohsberg (Ext. 1755) for availability.

>>> rdoggett 10/10/08 12:42 >>>

Omar, if you can have your attorneys provide a red line of the documents, it would be helpful. Please let me know.

Doggett, Rosalyn

Subject: Shaw Howard Florida Avenue JDA and Lease Form
Location: 5B Land Conference Room
Start: Thu 10/16/2008 12:33 PM
End: Thu 10/16/2008 2:33 PM
Show Time As: Tentative
Recurrence: (none)
Meeting Status: Not yet responded
Organizer: Doggett, Rosalyn

Omar, if you can have your attorneys provide a red line of the documents, it would be helpful. Please let me know.

Doggett, Rosalyn

From: Burns, Bob
Sent: Wednesday, October 08, 2008 3:07 PM
To: Washington, Joel R.
Cc: Welch, Kermit A.; Marshall, Malcolm; Doggett, Rosalyn
Subject: 7th & S Streets, Shaw-Howard Univ Catoe Memo
Attachments: 7th & S Catoe mo.wpd; 7th&Sst price short.xls

See attached memo and value estimates

Doggett, Rosalyn

From: Burns, Bob
Sent: Wednesday, October 08, 2008 11:45 AM
To: Bellamy, Michelle A.
Cc: Washington, Joel R.; Wallace, Maria A; Mohsberg, Sid; Doggett, Rosalyn
Subject: Re: Shaw-Howard U Station documents
Attachments: Board presentation 10-08.ppt

Michelle,

See changes to the MEAD/BAIS (100115) and attached presentation.

Let me know if I missed anything.

Bob Burns
x2392

>>> Michelle A. Bellamy 10/7/2008 3:20 PM >>>
Bob,

I received the package back from SECT about 15 minutes ago with the attached changes. Can you update the document and return ASAP?

I am to provide SECT with the final completed package by 2pm Thursday.

Thank you,
Michelle
x2779

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Tuesday, October 07, 2008 6:11 PM
Subject: PLJD Board Preparation Calendar - Updated 10/7/08
Attachments: Board Items Preparation Milestones - 2008.xls

Attached.

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Tuesday, October 07, 2008 4:40 PM
To: Washington, Joel R.
Cc: Burns, Bob; Doggett, Rosalyn
Subject: Fwd: 10/22/08 PD&RE Cmte Mtg: MEAD 100115 "Transfer of WMATA property rights at Shaw-Howard U"
Attachments: Shaw.Howard.pdf; Shaw Howard U.ppt

10/16/08 not 10/22/08.

>>> Sid Mohsberg 10/7/2008 4:16:44 PM >>>
Joel,

Michelle's message to Bob cc'd only me.

These SECT-directed changes are very straightforward. Bob Burns is Originator/Coordinator of MEAD 100115.

I will be attending training outside the JGB tomorrow.

I need to have the revised SAAM documents for my review by 9:00 AM, Thursday, 10/9/08.

The mailout is this Friday.

Thank you.

Sid

>>> Michelle A. Bellamy 10/7/2008 3:20:25 PM >>>
Bob,

I received the package back from SECT about 15 minutes ago with the attached changes. Can you update the document and return ASAP?

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Thank you,
Michelle
x2779

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Tuesday, October 07, 2008 4:17 PM
To: Washington, Joel R.
Cc: Burns, Bob; Doggett, Rosalyn
Subject: 10/22/08 PD&RE Cmte Mtg: MEAD 100115 "Transfer of WMATA property rights at Shaw-Howard U"
Attachments: Shaw.Howard.pdf; Shaw Howard U.ppt

Joel,

Michelle's message to Bob cc'd only me.

These SECT-directed changes are very straightforward. Bob Burns is Originator/Coordinator of MEAD 100115.

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Sid

>>> Michelle A. Bellamy 10/7/2008 3:20:25 PM >>>
Bob,

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I am to provide SECT with the final completed package by 2pm Thursday.

Thank you,
Michelle
x2779

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Tuesday, October 07, 2008 1:15 PM
To: Malasky, Gary; Burns, Bob; McElhenny-Smith, Robin; Meister, Mark K.; Doggett, Rosalyn
Subject: Fwd: FTA Quarterly Review Meeting
Attachments: Draft Agenda.doc; 9A Status of Current Projects.doc; WMATA Quarterly Report Format.doc

FYI-- I believe I sent this email last week. I have Gary's edits, the file is on the shared drive under the JOINT DEVELOPMENT FILE folder.

>>> Janice A. McLaughlin 10/1/2008 4:55:16 PM >>>
Joel,

I have attached a form from Brian Glenn, but I am not sure that pertains to you.

The next FTA Quarterly Review Meeting is scheduled for **Wednesday, November 12, 2008**, at 1:30 p.m. in the lobby level Training Room. Pre-brief for this meeting will be **Tuesday, November 4, 2008 at 2:00 p.m.** in the General Manager's Conference Room.

Attached is a copy of the draft agenda and the response(s) submitted for the August 2008 FTA meeting. Please update this information using the attached form(s) and forward your response(s) to me no later than Noon on **Friday, October 24, 2008**, to allow time for coordination and review prior to pre-brief and advance mail out to Brian Glenn.

Should you have any questions, please feel free to contact me on extension 2470.

Thanks,
Janice

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Tuesday, October 07, 2008 11:56 AM
To: Malasky, Gary; Burns, Bob; McElhenny-Smith, Robin; Doggett, Rosalyn
Subject: Status of Current Projects 8A revised 7_22_08.doc
Attachments: Status of Current Projects 8A revised 7_22_08.doc

We need to update this report for the upcoming FTA Quartely meeting. The file is on the shared drive at JOINT DEVELOPMENT FILE/Status of Current Projects 8A revised 7_22_08.doc.

Thanks,

joel

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Tuesday, October 07, 2008 10:49 AM
To: okarim@bannekerventures.com
Cc: Devorah.Lewin@dlapiper.com; Doggett, Rosalyn
Subject: Florida Avenue: Draft of the JDA / Lease
Attachments: Shaw-Howard Joint Development Agreement - Draft 100708.doc; Shaw-Howard Lease - Draft 100708.DOC

Hi Omar,

Here is the draft of the Joint Development Agreement and Lease for the development of the Florida Avenue properties.

Please do not hesitate to contact me with any questions or comments.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority 600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

The information contained in this email may be confidential and/or legally privileged. It has been sent for the sole use of the intended recipient(s). If the reader of this message is not an intended recipient, you are hereby notified that any unauthorized review, use, disclosure, dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please contact the sender by reply email and destroy all copies of the original message.

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Monday, October 06, 2008 5:07 PM
To: Doggett, Rosalyn
Subject: Re: Updated docs for Florida Avenue
Attachments: Shaw-Howard Lease - Draft 100608.DOC; Shaw-Howard Joint Development Agreement - Draft 100608.doc

It should be highlighted. I have re-attached.

The changes in the documents encompass your comments. I will bring your tabbed documents back up so that you can find easily.

Let me know if you still can't see the highlights.

>>> Rosalyn Doggett 10/6/2008 5:00:58 PM >>>
Josh, where did you make changes, i.e., where should I look?

>>> Joshua W. Montague 10/6/2008 4:52 PM >>>
Hi Rosalyn,

Here are blackline versions of the JDA/Lease. Please take a look and let me know what you think.

Josh

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Monday, October 06, 2008 4:52 PM
To: Doggett, Rosalyn
Subject: Updated docs for Florida Avenue
Attachments: Shaw-Howard Joint Development Agreement - Draft 100608.doc; Shaw-Howard Lease - Draft 100608.DOC

Hi Rosalyn,

Here are blackline versions of the JDA/Lease. Please take a look and let me know what you think.

Josh

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Monday, October 06, 2008 3:28 PM
To: Doggett, Rosalyn
Subject: Re: Shaw Howard FL Ave

We are still meeting so I will not be coming back today. Let's talk early tomorrow am.

Joel

-----Original Message-----

From: Rosalyn Doggett
To: Washington, Joel R. <jr.washington@wmata.com>

Sent: 10/6/2008 3:26:10 PM
Subject: Shaw Howard FL Ave

If you get back from MoCo today or else tomorrow a.m. I would like to coordinate a response to Omar. I did give his requests some thought over the weekend and would like to take the simple approach we talked about in the meeting with Carol and Nat.

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Wednesday, October 01, 2008 4:59 PM
To: Malasky, Gary; Scales, Phillip; Meister, Mark K.; Doggett, Rosalyn
Subject: Fwd: FTA Quarterly Review Meeting
Attachments: Draft Agenda.doc; 9A Status of Current Projects.doc; WMATA Quarterly Report Format.doc

FYI

>>> Janice A. McLaughlin 10/1/2008 4:55:16 PM >>>
Joel,

I have attached a form from Brian Glenn, but I am not sure that pertains to you.

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Should you have any questions, please feel free to contact me on extension 2470.

Thanks,
Janice

Doggett, Rosalyn

From: Cassell, Steven [scassell@fourpointsllc.com]
Sent: Wednesday, October 01, 2008 4:07 PM
To: Albert, Neil (EOM); Washington, Joel R.
Cc: Gada, Ketan (EOM); Voudrie, Stan; Marshall, Malcolm; Burns, Bob; Doggett, Rosalyn
Subject: Purchase of Easement Rights at Shaw-Howard Metro
Attachments: WMATA BCO Easement Counter Offer (10-1-08).pdf

Mr. Washington,

Please see the attached letter regarding the proposed purchase of easement rights at the Shaw-Howard metro station.

Best regards,

Steven C. Cassell
Four Points, LLC
202-521-2529 (O)
202-250-1709 (C)
scassell@fourpointsllc.com

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Wednesday, October 01, 2008 12:29 PM
To: Doggett, Rosalyn
Subject: Updated JDA/Lease - Florida Avenue
Attachments: Shaw-Howard Joint Development Agreement - Draft 100108.doc; Shaw-Howard Lease - Draft 100108.DOC

Here are blackline versions of both the JDA and Lease. I did make some minor adjustments to the JDA since I sent it to you this morning.

Please let me know what you think.

Thanks!

Josh

Doggett, Rosalyn

From: Bottigheimer, Nat
Sent: Wednesday, October 01, 2008 11:29 AM
To: Washington, Joel R.; Moneme, Emeka
Cc: Marshall, Malcolm; Burns, Bob; Doggett, Rosalyn
Subject: Re: Fwd: Marcus WMATA Easement Valuation Report for 7th & S Streets

Joel--

Could we have more detailed information, please? Also a timetable? How does the review appraiser's schedule affect our ability to talk with Broadcast One? Also, given that I thought we had a negotiating strategy (split the difference in the value of the development rights foregone after deducting for the value of the incursion), does having the review appraiser help us in our negotiation, or does it help us explain our position to the Board? What communications have we had with Broadcast Partners since we met with them last Friday? Have we communicated to them our strategy and the reasoning behind it? Both Emeka and I need this greater level of detail.

Nat

>>> Joel R. Washington 9/30/2008 11:06 AM >>>
Emeka,

I met with Malcolm Marshall and Bob Burns this morning to review the new offer we will present to Broadcast Partners this afternoon. Malcolm is also ordering a new review appraisal that will hopefully substantiate our offer since the only valid appraisal we currently have justifies a value of \$1.8 million. Keep in mind that we have to justify the appraisal and FTA will have to approve the appraisal. Malcolm will ask the appraiser to expedite the his analysis in order to meet the October 16th PD&RE Committee meeting date. We anticipate further negotiations later this week with Steve Cassell of Broadcast partners/Four Points.

Joel

>>> Emeka Moneme 9/30/2008 8:16:29 AM >>>
Joel,

What is the latest on this deal?

EM

>>> Nat Bottigheimer 09/21/08 7:54 PM >>>
Shiva--

I wanted to make sure that John knows prior to the pre-brief that there is a potential issue relating to the sale of property of ours at the Shaw - Howard station to Broadcast Partners / Radio One.

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I feel that we have been very accommodating in setting a Board date and in communicating terms we would accept, but I observe based on the attached email I'm forwarding that Broadcast Partners / Radio One is going in the opposite direction. To a lower assessment of the property's value than even they had estimated previously. My good will has therefore evaporated -- however, I recognize we don't need yet another spat with the District.

I spoke with Emeka on Friday, and he indicated that he would contact Neil Albert about this. We agreed that the message should be as follows:

" We would really like to be able to take an item to the Board on Thursday - we want to respect the Mayor's October 20th deadline for a deal, and we've been trying to meet that, both from a scheduling point of view and from a negotiating point of view.

"However, we are frankly insulted by the proposal that has been presented to us by Broadcast Partners / Radio One, and as staff can not represent that it is a fair deal to Metro. More

importantly, there are reasons to believe the Board would not approve this - it is unprecedented to request authorization to negotiate and execute a land sale, the Board always approves terms and never gives us a blank check. It's hard to imagine the Board approving a blank check when the parties are not even close. In addition, we're not at all confident that FTA would approve a sale at the price proposed. Therefore, we are not confident that this item can or should go forward at all on Thursday. Neil, what can you do to help us move this forward?"

The other approach would be to simply pull the item without consulting Mr. Albert. This is a staff forwarded item, there is no written communication from the District to the GM specifically requesting anything related to this project, and so we could simply not forward to the Board something we're this uncomfortable with.

Shiva, I would like your counsel, and Emeka I would like your feedback from Neil, as soon as possible. Of course, since this property is in Mr. Graham's ward, so there is that dynamic, too. There is also the dynamic that Art has articulated, specifically that Radio One is troubled anyway, why should Metro be the fall guy for something that might not ever happen anyway?

Thanks,

Nat

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Wednesday, October 01, 2008 9:27 AM
To: Doggett, Rosalyn
Subject: Updated JDA
Attachments: Shaw-Howard Joint Development Agreement - Draft 100108.doc

The blackline lease will be following shortly. Please let me know what you think.

Thanks,

Josh

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Wednesday, October 01, 2008 9:04 AM
Subject: Fwd: Metro News Clips - Wednesday, October 1, 2008
Attachments: WPOST1.pdf; WPOST2.pdf; dcexaminer3.pdf; wtopnews4.pdf; washington.bizjournals5.pdf; nydailynews1.pdf; ajc2.pdf; boston3.pdf

>>> Steven Taubenkibel 10/1/2008 8:40 AM >>>
To all:

Metro News

- 1) John Kelly: Minding The Cultural Gap Between London, Metro Subways, Washington Post, October 1
- 2) District Briefing: Bus Driver In Fatal Crash On Job Four Months, Washington Post, September 30
- 3) \$1.5B Metro Funding Bill Passes Key Senate Vote, Washington Examiner, September 30
- 4) Metro Posts Track Work For Month, WTOP News, September 29
- 5) Justice Department Files Religious Discrimination Suit Against Metro, Washington Business Journal, October 1

US Transit News

- 1) Would Cost NYC Transit \$100M To Shine Subways, New York Daily News, September 30
- 2) Mass Transit Getting More Crowded, Atlanta Journal Constitution, September 30
- 3) Nonunion T Workers File Suit Over Raises, Boston Globe, October 1

Doggett, Rosalyn

From: Burns, Bob
Sent: Tuesday, September 30, 2008 4:14 PM
To: Cassell, Steven
Cc: Welch, Kermit A.; Washington, Joel R.; Doggett, Rosalyn
Subject: 7th & St Streets Current Asking Price

Steve,

As a follow-up to our recent meeting regarding the sale of various easements on WMATA's 7th & S Streets property at the Shaw-Howard University Metrorail station, our current asking price is \$864,000. Again, our position is that as a result of WMATA's conveyance of the underground and air rights easements required for your development project, WMATA's property will be encumbered to the extent that WMATA will be left with an uneconomic remnant and the fair market value of the property should be the value before the conveyance. Therefore, the price of the property should reflect its current value before any adjacent development.

If you agree with this price, please contact me and we will prepare the appropriate conveyance documents for this transaction as soon as possible.

Bob Burns
202-962-2392

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Tuesday, September 30, 2008 11:07 AM
To: Moneme, Emeka
Cc: Marshall, Malcolm; Burns, Bob; Bottigheimer, Nat; Doggett, Rosalyn
Subject: Re: Fwd: Marcus WMATA Easement Valuation Report for 7th & s Streets

Emeka,

I met with Malcolm Marshall and Bob Burns this morning to review the new offer we will present to Broadcast Partners this afternoon. Malcolm is also ordering a new review appraisal that will hopefully substantiate our offer since the only valid appraisal we currently have justifies a value of \$1.8 million. Keep in mind that we have to justify the appraisal and FTA will have to approve the appraisal. Malcolm will ask the appraiser to expedite his analysis in order to meet the October 16th PD&RE Committee meeting date. We anticipate further negotiations later this week with Steve Cassell of Broadcast Partners/Four Points.

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Thanks,

Nat

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, September 24, 2008 11:22 AM
Subject: Board Preparation Milestones - 9/24/08 11:20 AM Status
Attachments: Board Items Preparation Milestones - 2008.xls

All,

Attached is the status of PLJD's preparation for the 9/08 and 10/08 committees and Boards.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Tuesday, September 23, 2008 9:00 AM
To: Erion, David F.; Sevier, John; Talala, Anabela; Bums, Bob; Haldeman, Kristin M.; Meister, Mark K.; Doggett, Rosalyn
Cc: Hughes, James; Washington, Joel R.; Harrington, Thomas
Subject: 9/25/08 PD&RE Cmte and Board Meetings: Dry run for Emeka and Nat
Attachments: Board Items Preparation Milestones - 2008.xls; BAR 9-23-08.pdf

All,

For the benefit of Emeka and Natt, this morning at 11:00 AM in the SAAM conference room there will be a dry run for this Thursday's (9/25/08) PD&RE Cmte and Board meetings.

Please bring 15 copies (5 color, 10 black and white) of your presentation, BAIS, resolution, etc. to this meeting.

Please see the SEP08 tab of the attached spreadsheet for who owns which of the eight items:

Committees:
PD&RE Cmte: 6

Board:
PD&RE: 6
FAO: 1
Admin: 1

Total: 8

Thanks.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Tuesday, September 23, 2008 8:32 AM
Subject: Future PD&RE Cmte Agenda Items
Attachments: BAR 9-23-08.pdf

All,

PLJD currently has no items scheduled for the PD&RE Cmte after 10/08 (see attached copy of the BAR).

If you have any items to propose, please forward them to Nat via your chain of command and cc me.

Thanks.

Sid

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Monday, September 22, 2008 1:05 PM
To: Doggett, Rosalyn
Subject: Updated JDA - Florida Avenue
Attachments: Shaw-Howard Joint Development Agreement - Draft 092208.doc

Hi Rosalyn,

I met with Carol and Bruce this morning. Here is an updated JDA incorporating their comments. Please delete the previous version. There were no changes to the Lease at this time.

Hope you had a nice trip!

Josh

Doggett, Rosalyn

From: Bottigheimer, Nat
Sent: Sunday, September 21, 2008 7:54 PM
To: Pant, Shiva K.; Moneme, Emeka
Cc: Marshall, Malcolm; Burns, Bob; Lawson, Arturo V.; Heppen, Bruce P.; O'Keeffe, Carol B.; Washington, Joel R.; Meister, Mark K.; Doggett, Rosalyn
Subject: Fwd: Marcus WMATA Easement Valuation Report for 7th & S Streets
Attachments: Mail.txt

Shiva--

I wanted to make sure that John knows prior to the pre-brief that there is a potential issue relating to the sale of property of ours at the Shaw - Howard station to Broadcast Partners / Radio One.

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Thanks,

Nat

Doggett, Rosalyn

From: Cassell, Steven [scassell@fourpointslc.com]
Sent: Friday, September 19, 2008 4:29 PM
To: Welch, Kermit A.; Burns, Bob; Medina, Ed; Meister, Mark K.; Doggett, Rosalyn
Cc: Voudrie, Stan; Buerger, Christian A.
Subject: FW: BROADCAST CENTER ONE -AIR-RIGHTS EASEMENT
Attachments: DESC - Air Right Easement 405 sf JJG091808dbn.pdf; REVISED 405 SQFT AIR-RIGHTS BROADCAST CENTER ONE EXHIBITS Model (1).pdf

All -

Attached is the revised description and survey of the 5' x 81' easement area over the escalator parcel. As communicated in a prior email, we had a miscommunication with our architects and the building doesn't actually encroach into your parcel, but we did require an easement area to accommodate the window washing function.

Please share any comments on these exhibits.

Thanks,
Steve

Steven C. Cassell

Four Points, LLC
202-521-2529 (O)
202-250-1709 (C)
scassell@fourpointslc.com

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Friday, September 19, 2008 4:11 PM
To: Doggett, Rosalyn
Subject: Florida Ave Documents for your review
Attachments: Florida Avenue Current Issues.doc; Shaw-Howard Joint Development Agreement - Draft 091908.doc; Shaw-Howard Lease and Construction Agreement - Draft 091908.DOC

Hi Rosalyn,

Here are the documents. Please let me know what you think.

Thanks,

Josh

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Friday, September 19, 2008 12:18 PM
To: Bottigheimer, Nat
Cc: Marshall, Malcolm; Burns, Bob; Washington, Joel R.; Doggett, Rosalyn
Subject: Fwd: Marcus WMATA Easement Valuation Report for 7th & S Streets
Attachments: Report_Broadcast_Center_One_Easement_Draft.pdf

Nat,

See Malcolm's email below. Recommend a meeting early next week with Malcolm, Ros and Bob to discuss where we go from here and what to tell the Board.

Mark

>>> Malcolm Marshall 9/19/2008 11:33 AM >>>
The concluded value of the proposed acquisition in the above appraisal is \$133,000 as compared with the previous appraisal performed by another appraiser that concluded a value of \$2,413,000. Part of this difference may be explained by a reduction in the area of the air rights to be acquired, and the subsurface rights are not evaluated in the Marcus report. A cursory review of the appraisal raises the following issues:

1. The scope of work asks for the fair market value of the WMATA interests before and after the proposed disposition, and neither value is provided. These values must be addressed in any appraisal involving a partial acquisition.
2. A more detailed highest and best use (HBU) analysis is necessary with an explanation as to why the HBU is not considered to be assemblage when, in fact, the purpose of the proposed acquisition is for assemblage for the proposed development. There is no highest and best use analysis before and after the proposed disposition.
3. The appraiser concludes that the maximum height for development of the sites is two stories when the remainder of the block has apparently been approved for 8 stories and a 6.3 FAR. He further concludes, without explanation, that any use (building, sign, billboard, etc.) of the larger WMATA site containing the escalator would be limited to 2 stories.
4. None of the comparable sales are located in the immediate vicinity of the subject property. A prior appraisal performed by another appraiser provided sales information on a property located 2 blocks from the subject property that sold for a price of \$129 per sq. ft. of FAR. Marcus concludes that the FAR value of the property is \$62 per sq. ft. of FAR.

It appears that even if the above issues are addressed and the areas of the acquisition are revised for both appraisals, revised appraisal reports by the two appraisers will likely continue to result in very divergent concluded values for the WMATA interests proposed for disposition.

>>> Mark K. Meister 9/18/2008 10:29 AM >>>
Our first work product from M&B. No surprises here.

>>> "Cassell, Steven" < scassell@fourpointsllc.com > 9/18/2008 10:05 AM
>>> >>>
Gentlemen,

Please see the attached (Draft) Easement Report on Broadcast Center One from M & B Appraisal Services. They will be issuing the final report later today with their signatures without any modifications. Please let me know if you would like to schedule a call or meeting to discuss their findings.

Best regards,

Steven C. Cassell
Four Points, LLC
202-521-2529 (O)
202-250-1709 (C)
scassell@fourpointsllc.com

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Friday, September 19, 2008 12:11 PM
To: Hughes, James; Talaia, Anabela; Burns, Bob; Washington, Joel R.; Harrington, Thomas; Meister, Mark K.; Bottigheimer, Nat; Doggett, Rosalyn
Subject: Fwd: PDRE (9.25.08) PDF files - Open Session
Attachments: Agenda.pdf; Minutes 7.24.08.pdf; Exec Session.pdf; Keystar Spring LLC.pdf; WMATA HQ Relocation.pdf; Sub Agenda.pdf

FYI.

Sid

>>> Michelle A. Bellamy 9/18/2008 5:19 PM >>>
see attached.....

Not included: 7000 Series Railcar & FY 2011 - 2020 Capital Needs Inventory

Doggett, Rosalyn

From: Marshall, Malcolm
Sent: Friday, September 19, 2008 11:34 AM
To: Meister, Mark K.
Cc: Burns, Bob; Washington, Joel R.; Doggett, Rosalyn
Subject: Marcus WMATA Easement Valuation Report for 7th & Streets
Attachments: Report_Broadcast_Center_One_Easement_Draft.pdf

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202-521-2529 (O)
202-250-1709 (C)
scassell@fourpointsllc.com

Doggett, Rosalyn

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Sent: Thursday, September 18, 2008 10:05 AM
To: Welch, Kermit A.; Burns, Bob; Washington, Joel R.; Meister, Mark K.; Doggett, Rosalyn
Cc: Voudrie, Stan; Buerger, Christian A.
Subject: FW: WMATA Easement Valuation Report
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scassell@fourpointslc.com

Doggett, Rosalyn

From: Doggett Mimi [Doggett.Mimi@bcg.com]
Sent: Monday, September 15, 2008 5:17 PM
To: Doggett, Rosalyn
Subject: RE: NCAC Chapter Announcements (2 Events)

nope - and neither has Matt

-----Original Message-----

From: Rosalyn Doggett [mailto:rdoggett@wmata.com]
Sent: 15 September 2008 20:56
To: Doggett Mimi
Subject: Fwd: NCAC Chapter Announcements (2 Events)

Ever hear of Jan Gehl? Not I.

>>> <ncacapa@ncac-apa.org> 9/12/2008 7:55 PM >>>
Sender: ncacapa@ncac-apa.org
Received: from host.thedotcomcompany.net (host.thedotcomcompany.net [72.52.158.185])
by liaag2an.mx.compuserve.com (8.13.6/8.13.4/g1.2) with ESMTTP id m8CNSXvm028241
for <doggettgroup@compuserve.com>; Fri, 12 Sep 2008 19:54:33 -0400
Received: from localhost ([127.0.0.1]:49436)
by host.thedotcomcompany.net with esmtpa (Exim 4.69)
(envelope-from <ncacapa@ncac-apa.org>)
id 1keINr-0005U7-HK; Fri, 12 Sep 2008 19:49:03 -0400
Received: from 71.163.121.6 ([71.163.121.6]) by host.thedotcomcompany.net (Horde MIME library) with HTTP; Fri, 12 Sep 2008 19:48:55 -0400
Message-ID: <20080912194855.szc676c38gcskwwk@host.thedotcomcompany.net>
Date: Fri, 12 Sep 2008 19:48:55 -0400
From: ncacapa@ncac-apa.org
To: sabell@laa.cc, malaika1913@msn.com, conchita.acupanda@co.saint-marys.md.us;
jenvik1@verizon.net, rpaggarwal@msn.com, vakins@hotmail.com, 8ralex304@earthlink.net, alfonzom@aol.com, bob.alter@phoenixlanddesign.com, amatyap@gmail.com, christopher.anderson@montgomerycountymd.gov, rjanderson@justice.com, tetchanderson@yahoo.com, danderton@lsassociates.net, ena@goroveslade.com, mikea@jhu.edu, sanlian@aua.am, danspacher@vhb.com, mantoine@tortigallas.com, khw@alum.mit.edu, elaranda@yahoo.com, vjaranha@yahoo.com, susi_prdc@yahoo.com, darmstrong@omng.com, engin@artemel.com, nya@gwu.edu, eaulestia@tortigallas.com, tmautrey@aol.com, Bachle.Laura@epamail.epa.gov, Richard.Backlund@dot.gov, lbailey@vinylsiding.org, kbailey@nw.org, terrybdc@yahoo.com, gbaker@mhparkers.org, zorrobballard@yahoo.com, jenn.ballard@co.saint-marys.md.us, ballard-hirsch@gsipt.net, amy.baquia1@navy.mil, paul.barrett@cushwake.com, geoff.baskir@mwa.com, dbassert@nahb.com, edply18@aol.com, uwm1295@comcast.net, mbayonet@rockvillemd.gov, brentbeane@hotmail.com, jrbstanmore@aol.com, kbenfield@nrdc.org, jbnntt@vt.edu, aob@alum.mit.edu, EdwardGBentley@aol.com, dpberlage@venable.com, davebetsy@verizon.net, RBette1299@aol.com, bbickel@vt.edu, charles.bien@hud.gov, robert.bini@dot.gov, carson@tischlerbise.com, sblack@ssd.com, ilonab@takomagov.org, dblaumanis@co.ho.md.us, asb@ssim.net, atbonanno@yahoo.com, jenniferbonnette@hotmail.com, tokey_boswell@nps.gov, bowenga@co.cal.md.us, robert.boyd@abconsultantsinc.com, fvboyd@mindspring.com, sbradley@bradleysitedesign.com, carol.braegelmann@dot.gov, pbraha@fairfax.va.us, braum@pbworld.com, neil.braunstein@mncppc-mc.org, Alan.Bray@dc.gov, kbrendle@laurel.md.us, kbriechle@conservationfund.org, jbrodie@baltimoredevelopment.com, ldbdc@mac.com, Linda.K.Bronsdon@hud.gov, keith.brooks@ferc.gov, richard@broun.org, kbrown@bbpa.com, rinabrula@gmail.com, Bbrumby@gmail.com, mike.bryan@navy.mil, henrika9@aol.com, dgburke@verizon.net, patrickcindyb@yahoo.com, lbyala@agsamuel.com, kcahill39@comcast.net, bcaldwell@rtkl.com, stephanie.r.campbell@navy.mil, blueplanet42@yahoo.com, timcamp@vt.edu, tcanan@mwcog.org, cannon@access-board.gov, pzc44@aacounty.org, kcarpenter@apexcos.com, vcarrasco@arec.umd.edu,

johndercarter@aol.com, ronald.cashion@mncppc-mc.org,
yvonne.chaillet@co.saint-marys.md.us, echaisson@cityofbowie.org,
kathryn.chaney@co.saint-marys.md.us,
joseph.chang@ppd.mncppc.org,
cchasten@rockvillemd.gov, achen@umd.edu, chzhiyu@mit.edu,
s_chewie@yahoo.com, dchieco@nomabid.org, smeyer@tccsmd.org,
raka.choudhury@alexandriava.gov, mingruc@gmail.com,
gr.cichy@verizon.net, laine.cidlowski@gmail.com, frank.clark@dot.gov,
ccalay@cns.gov, jclemens@hntb.com, cochranwdc@earthlink.net,
lbcoffin@aol.com, max.coffman@gmail.com, hcohen@wittassociates.com,
jcohen@ursp.umd.edu, alisa.cohen@econres.com, ocondon@zgf.com,
sconscha@yahoo.com, jill.cooper@hklaw.com, shcooper@earthlink.net,
dcorum@rodgers.com, deborah.crain@dc.gov, jcrawford@dewberry.com,
ccraze@greenbeltmd.gov, billcrews@aol.com, bruce_crispell@MCPSMD.org,
somerccross@yahoo.com, kcrown@petersoncos.com, jean.cryor@mncppc-mc.org,
ECUENCO@WORLDWIDE.BANK.ORG, plannermegan@hotmail.com, storm@revitaliz.org,
meghanac@design.upenn.edu, aimees73@yahoo.com, sarad@takomagov.org,
dalbey.matthew@epa.gov, katedavster@gmail.com, Lunanoire21@aol.com,
mcdavis04@hotmail.com, davis9001@yahoo.com,
stuart.a.davis@usace.army.mil, ebdavison@aol.com, ydawson@hotmail.com,
pieter_dejong@urscorp.com, cdelahay@hotmail.com, jjd@linowes-law.com,
jdembner@hntb.com, tom_denes@urscorp.com, Cheryl@SmithFarm.com,
ray.detig.ctr@ang.af.mil, sldettman@yahoo.com, hcdeutsch@earthlink.net,
amydicarlantonio@yahoo.com, cdickers@ucla.edu, jill.diskan@dc.gov,
gdix@vt.edu, Albert.Dobbins@ppd.mncppc.org,
doggettgroup@compuserve.com, dorrierr@edaw.com, dorven@hotmail.com,
Aldea.Douglas@ppd.mncppc.org, gdove@wdgarch.com, ddowney@aia.org,
srdsspring@verizon.net, geduneman@gmail.com, Pamela.Dunn@mncppc-mc.org,
robnyreason@yahoo.com, keby@ggaithersburgmd.gov,
leland@edgecombegroup.com, gtedmonds@aol.com, lvitrano@louisberger.com,
gasthines@aol.com, sue.edwards@mncppc-mc.org, ajeich7776@yahoo.com,
deisman1@gmail.com, teitler@uli.org, cuelias@comcast.net,
jamesbelliott@gmail.com, bellis@kfhgroup.com,
wetienne@bowie-gridley.com, jeewww@aol.com, lasertek1@hotmail.com,
sonja.ewing@ppd.mncppc.org, fabiodunolabode@yahoo.com,
dfarina@mwco.org, mfarrell@mwco.org, chipfaucett@yahoo.com,
pukchon@yahoo.com, jf2230@columbia.edu, ericf@rhodeside-harwell.com,
daniellefelix82@yahoo.com, ajfelttoon@leoadaly.com,
mfennell@fhiplan.com, phil.feola@shawpittman.com, karyn_ferro@nps.gov,
mfertig@apexcos.com, david.feske@jacobs.com,
afinchum@richmondregional.org, hbenfisher@aol.com, tf64@cornell.edu,
mfitch@aiaad.com, RachelFtz@gmail.com, cflerlage@townoflaplata.org,
tomflynn@thomaspoint.com, rfoltz@vt.edu, john.fondersmith@verizon.net,
tlf-apa@treevis.com, fosselman@comcast.net,
Harold.Foster@ppd.mncppc.org, vanessa.francis@mncppc-mc.org,
afrane@vt.edu, sarahafranklin@gmail.com, jsibley@dewberry.com,
ffravel@kfhgroup.com, jordan_friedberg@yahoo.com,
dfriedman@collegeparkmd.gov, mfriis@rodgers.com, mpfuchs@verizon.net,
afultz@earthlink.net, john.funk@ppd.mncppc.org,
pgallagher.aicp@mac.com, geraldine.gardner@dc.gov,
mgarner@abell-and-associates.com, wgauget@particep.com,
tgaunt@jesuit.org, ggeck@mbakercorp.com, g.gentil@juno.com,
roselle.george@mncppc-mc.org, tgeorge@ghgpec.com, frank.giblin@gsa.gov,
mgionet@lsginc.com, james.goetschius@alumni.upenn.edu,
suzette.goldstein@hok.com, lgoldstein@nas.edu, letitia.gomez@navy.mil,
lgonzalez@rodgers.com, tgoodfellow@fredco-md.net,
danielwgoodman@yahoo.com, rob.goodspeed@gmail.com, ggoodwin@mwco.org,
jgorder@louisberger.com, rgorman@g-and-o.com, eric.graye@mncppc-mc.org,
allen.greenberg@fhwa.dot.gov, sgreenb@umd.edu,
matthew.greene@montgomerycountymd.gov, grenier.nick@gmail.com,
sggrev@yahoo.com, jmgriffin@arlingtonva.us, skgriffin@pwcgov.org,
reg.griffith@worldnet.att.net, mgroh@planning.org, Rangross@aol.com,
reweisshd@yahoo.com, ben.gruswitz@gmail.com, sguazzo@erols.com,
guerreroschor@yahoo.com, ngulg@yahoo.com, alan.hachey@hdrinc.com,
elizabeth.hagg@fairfaxcounty.gov, anita.hairston@dc.gov,
faroll.hamer@alexandriava.gov, dhammond.1@starpower.net,
jhammond15@verizon.net, hanousek@earthlink.net,
mcp-chairman@mncppc-mc.org, rharrell@aarp.org, tkharrington@wmata.com,
ezplanr@msn.com, Fatimah.Hasan@ppd.mncppc.org,
colleen.hawkinson@dc.gov, george.hayden@smeco.coop,
brandon@haydensauto.com, thehefferons@hotmail.com,
john.henderson@mncppc.org, lahender@hotmail.com, sherre@verizon.net,
herringjanell@hotmail.com, jhester@usaid.gov, jayhicks@earthlink.net,
bostongjh@hotmail.com, beth.hilkemeyer@loudoun.gov, hilla@amtrak.com,
ttansing@rockvillemd.com, jeff.hinkle@ncpc.gov, oldbuildings@gmail.com,

rhodder@aarp.org, rexb@vt.edu, ahofstra@greenbeltmd.gov,
 chogan@laurel.md.us, luisandsheryl@comcast.net,
 chad.holdsworth@navy.mil, kenglish@vt.edu, mhopkins@designdrift.com,
 ahosier@homesforworkingfamilies.org, mhowland@umd.edu,
 thruby@greenbeltmd.gov, eshuang85@gmail.com, dhudson@cox.net,
 rosallynnhughey@yahoo.com, humphrdk@co.cal.md.us,
 jhurlbutt@rockvillemd.gov, mph@gsatrans.com, rhyman@camsys.com,
 chassmann@verizon.net, mi48@cornell.edu, birps@mbakercorp.com,
 mlisis@rcn.com, Chris.Izzo@ppd.mncppc.org, arlova@hotmail.com,
 mjacobs@leaelliott.com, jaffeson@erols.com, ashraf.jan@verizon.net,
 k_janjic@yahoo.com, g_jeff@msn.com, cwj@mail.umd.edu, cyjeng@aol.com,
 JenkinDM@mda.state.md.us,
 tiffany.williamsjennings@ppd.mncppc.org,
 tjerdon080480@yahoo.com, wjia@wmata.com, ddjiii@yahoo.com,
 shana.johnson@gmail.com, mcjohnson85@gmail.com,
 ljorgenson@planning.org, richard.josephson@alexandriava.gov,
 meredith.judy@dmjmharris.com, juriga@pbworld.com,
 mziegler@aacounty.org, kukaiser@hotmail.com, karenskali@gmail.com,
 mgonzalez@galthersburgmd.gov, ursula.kazarian@gmail.com,
 ckebba@rockvillemd.gov, ckedda@nahb.com, dami_kehinde@yahoo.com,
 kms1123@hotmail.com, mkelly@dchousing.org, john.kidwiler@huroncon.com,
 kihslinger@eli.org, charles.kines@mncppc-mc.org,
 njkingcampbell@aol.com, tkingsle@ui.urban.org,
 dolores.kinney@mncppc-mc.org, ntkirby@gmail.com, wklancher@mwcog.org,
 bklein@planning.org, rcb.klein@montgomerycountymd.gov,
 achittum@aceee.org, jskline@mcanby.com, gknaap@umd.edu,
 rkack@planning.org, dik@mit.edu, kathleen.beeton@alexandriava.gov,
 david.kois@gmail.com, montykolste@comcast.net,
 linda.komes@mncppc-mc.org, marykonsoulis@aol.com,
 julia.koster@ncpc.gov, rose.krasnow@mncppc-mc.org,
 glenn.kreger@mncppc-mc.org, bkrucoff@mbakercorp.com,
 david.kuehn@dot.gov, rkuhns@clarknexsen.com, kulenguski@vika.com,
 dkwan32@yahoo.com, matthew.ladd@fairfaxcounty.gov, mlaible@oaaa.org,
 CEL22@columbia.edu, sophiecantell@gmail.com, mikelancaster79@yahoo.com,
 landfair@vika.com, beklane@hotmail.com, zlarnard@gmail.com,
 laverty@vt.edu, landlaw@verizon.net, matt.legrant@dc.gov,
 jleonard@smartgrowthamerica.org, jlerner@defenders.org,
 levinej@cu.edu, jlm@mindspring.com, RLevitt@uli.org,
 david.levy@ncpc.gov, dlevy@rockvillemd.gov, ivy.lewis@ppd.mncppc.org,
 marcldg@yahoo.com, bli@rtkl.com, jules.lichtenstein@sba.gov,
 brookelinks@yahoo.com, amanda.lloyd@jacobs.com,
 daniel@disasterbound.org, vlocklear@gsipt.net, dloekman@gmail.com,
 jerry.loux@gsa.gov, pastorshaggy@hotmail.com, sflowney@juno.com,
 SuzanneL@takomagov.org, mary.lynch@villanova.edu, del3@duke.edu,
 jmacdonald@planning.org, david.mackinnon@wso.whs.mil,
 CarenMadsen@msn.com, megmaguireconsultant@msn.com,
 lmaher@arlingtonva.us, rmandle@crystalcity.org, cmanjarrez@imls.gov,
 jmanna@post.harvard.edu, qasimmansoor@hotmail.com, papoug@msn.com,
 marjorie.marcus@ncpc.gov, bmartin@jmt.com,
 Jim.Maslanka@alexandriava.gov, johnmataya@gmail.com,
 dmatherly@louisberger.com, kmatsuda@konterra.com, gmaule@rtkl.com,
 jpmayindc@yahoo.com, barbara@bmccann.net, ellen.mccarthy@starpower.net,
 bmcdownell@napawash.org, mcfarland@nlc.org, tmcghee@tortigallas.com,
 dormnccg@gwu.edu, mcintyreja@hotmail.com, emcmahon@uli.org,
 bmcnamara@realtors.org, susan010@md.metrocast.net, stephm1@hotmail.com,
 jamcwhirter@gmail.com, dmccormick@nw.org, jmeany@lozierpartners.com,
 ameese@mwcog.org, hhammett@mehaffeyassociates.com,
 jmeinert@cityofbowie.org, dmellander@rockvillemd.gov,
 raejack@earthlink.net, katherine.mencarini@gmail.com,
 lisa_mendelson-ielmini@nps.gov, diana.mendes@dmjmharris.com,
 rstreetnw@hotmail.com, emessner@umd.edu, _meus@yahoo.com,
 marlene.michaelson@montgomerycountymd.gov, emiles_74@yahoo.com,
 Renee.Miller@mncppc-mc.org, lynn.miller@mindspring.com,
 tmiller@arlingtonva.us, trishabmiller@gmail.com, millerlc3@vcu.edu,
 mmitchell@tortigallas.com, colleenmitch@yahoo.com,
 jmolinaro@realtors.org, mooneyjc@gmail.com, mmoran@mwcog.org,
 scmj18@earthlink.net, elizabeth.morgan@noaa.gov, kwmsdl@cox.net,
 hughxmorris@yahoo.com, pmorris@cherokeefund.com, abmorrison@bae1.com,
 morton05@vt.edu, LMOSURAK@loudoun.gov, nickmotta2@aol.com,
 paul.moyer@edaw.com, srsmyers@earthlink.net, laxmin10@hotmail.com,
 mnagelhouts@hotmail.com, snamio@arlingtonva.us,
 steve.nardella@whihomes.com, trinirolda@hotmail.com, nemethd@saic.com,
 rnettler@yahoo.com, pnicoson@aol.com, raynix@tcgdevelopment.com,
 dnoble@ite.org, jshaunobryan@yahoo.com,
 oconnellrg@efdpac.navfac.navy.mil, abpoconnor@yahoo.com,

goberland@verizon.net, mtovi@verizon.net, laura.ojeda1@gmail.com,
 noriger@alumni.nd.edu, glenn.orlin@montgomerycountymd.gov,
 dborobona@yahoo.com, eortman@morpc.org, Christineosei@verizon.net,
 gossont@gaithersburgmd.gov, aoverman@usa.net, brian.pacino@jacobs.com,
 aranzazu_pacua@urscorp.com, thomas.paquelet@phra.com,
 koreangirilee@hotmail.com, travis.parker@dc.gov,
 samuel.parker@ppd.mncppc.org, pampeckham@mindspring.com,
 acpeet@pbsj.com, pasarch@verizon.net, pereira_amanda@bah.com,
 erpereira@wjeinc.com, sandra.pereira@mncppc-mc.org,
 sjpeterson23@gmail.com, mepetrenko@verizon.net, hal.phipps@verizon.net,
 benpickar@comcast.net, spinkus@gSATrans.com, rpodolske@WORLD BANK.ORG,
 dporter@gmionline.org, david.powell@am.jll.com,
 megan.powell@jacobs.com, jagadish.prakash@gmail.com,
 pi@spatiallink.org, synergiesinc@aol.com, amit.prothi@edaw.com,
 lpruss@gaithersburgmd.gov, jprzygocki@rodgers.com,
 pulleychristian@gmail.com, Dominic.Quattrocchi@mncppc-mc.org,
 Linda.Raab@gmail.com, rapinda@hotmail.com, areamer@brookings.edu,
 sharlene.need@dc.gov, streeves@gmpexpress.net,
 kathy.reilly@mncppc-mc.org, kiprr@aol.com,
 elliotr@rhodeside-harwell.com, jrrial@gmail.com, karina.ricks@dc.gov,
 margaret.rifkin@mncppc-mc.org, sherry.riklin@dot.gov,
 bripinkin@verizon.net, ritterrob@gmail.com, mriver1@umd.edu,
 mrivkin@polaris.umuc.edu, rivkin2@verizon.net, abbey.roberson@hok.com,
 tom_robertson88@hotmail.com, drobertson@mwcog.org,
 rrobinson@gaithersburgmd.gov, art.rodgers@dc.gov,
 angelaocarenas@hotmail.com, rrodriguez@nw.org,
 richard.roisman@gmail.com, mroland@bbpa.com,
 crollins@townoflaplata.org, eromero@tortigallas.com, drood@rodgers.com,
 mroos@hntb.com, marti@palisadesassociates.com, lross@nhc.org,
 gail.rothrock@ppd.mncppc.org, jesse_rounds@hotmail.com,
 brandon.rove@ppd.mncppc.org, krube@smartgrowthamerica.org,
 gregory.russ@mncppc-mc.org, jrussel@rodgers.com, james.russell@gsa.gov,
 Jessica.Ryan@alexandriava.gov, lryan@g-and-o.com, crybicki@rodgers.com,
 lrydland@vt.edu, csale@culturalsite.com, samayeen@yahoo.com,
 brenda.sandberg@mncppc-mc.org, brian.sands@econres.com,
 jason@ipcllc.net, cristina.sasaki@smithgroup.com, asatt@aol.com,
 ascallon@americaspeaks.org, jscher1@comcast.net,
 RSchneider@EnvisionSite.com, aschnitz@umd.edu, leeschoenecker@aol.com,
 mschoenfeld@artsusa.org, mscholl@pratt.edu, tschum@collegeparkmd.gov,
 hkinard@aol.com, scribergv@verizon.net, davidwsears@aol.com,
 jim.sebastian@dc.gov, kelly.seebold@co.saint-marys.md.us,
 jsekerak@g-and-o.com, rserey@dnr.state.md.us, jacobsesker@yahoo.com,
 kaushambis@gmail.com, tshapiro@sqli.org, gsharpe@edensandavant.com,
 mary.shearill-thompson@gsa.gov,
 patricia.shepherd@montgomerycountymd.gov, steven.sher@hkllaw.com,
 kate_shiflet@hotmail.com, jhshin1@umd.edu,
 shubha_shrivastava@urscorp.com, dsiff@gsipt.net, chatulita1@aol.com,
 alison_simon@gallup.com, psmall@gsipt.net, eric.smart@bolansmart.com,
 wsmedley@umd.edu, urbanag2@cs.com, lindsay.smith@ppd.mncppc.org,
 lauragsmith@gmail.com, dsrole@crs.loc.gov, eggsolomo@yahoo.com,
 nsomerville@asla.org, jsoule@planning.org,
 bspalding@millerandsmith.com, jeff@jeffspeck.com, pespoon@co.pg.md.us,
 merrill.stleger-demian@smithgroup.com, lannstanley@gmail.com,
 destarnes@gmail.com, steiner.kurt@gmail.com, tjstevens82@gmail.com,
 cstewart@isc.org, ocstewart@gmail.com, kgstifel@earthlink.net,
 gary.stith@montgomerycountymd.gov, kstorm@bbbarch.com,
 arie.stouten@ppd.mncppc.org, graham@kaysg.com, strum@pbworld.com,
 sharon.suarez@mncppc-mc.org, tamberlysufi@yahoo.com,
 nsullivan@tortigallas.com, mountvictoria@aol.com, dlsuls@hotmail.com,
 david.sumner@bolling.af.mil, sundercv@co.cal.md.us,
 brianCswanson@yahoo.com, sykes.kathy@epa.gov, halcyonplan@msn.com,
 staves@lsassociates.net, philip.taylor@ppd.mncppc.org,
 brooke.taylor@gmail.com, thomas.taylor@usdoj.gov, sat27@columbia.edu,
 elsbett.tesfaye@mncppc-mc.org, mtewari@rockvillemd.gov,
 dthadani@asg-architects.com, karen.thomas@dc.gov,
 hthompson@seafarers.org, cre8ive1029@yahoo.com, reneetho@umd.edu,
 riddlecat@mindspring.com, paul@tischlerbise.com, etombari@nahb.com,
 jtoole@tooleedesign.com, rtorma@rockvillemd.gov,
 kim.w.toufectis@nasa.gov, ctrace@trace-inc.net,
 harriet.tregoning@dc.gov, truppi@pbworld.com,
 jtschiderer@federalrealty.com, cturmer@ovsla.com,
 tustian@earthlink.net, dunnewehr@aiadc.org, jurciolo@comcast.net,
 david_van_horn@urscorp.com, kgv4@cornell.edu, cvaughn@achp.gov,
 sue_veith@co.saint-marys.md.us, cvissering@visseringpardue.com,
 vitaleem@yahoo.com, lucie vogel@hotmail.com, Vogtpr@comcast.net,

evoigt@gaithersburgmd.gov, awallas@rockvillemd.gov,
uselessnose@yahoo.com, wbrattwoman@verizon.net,
cwarren@collegeparkmd.gov, william.washburn@ppd.mncppc.org,
jwasilak@rockvillemd.gov, Kevin.Waskelis@gmail.com,
laura@watchmanconsulting.net, mikewatkins@juno.com,
howardways@hotmail.com, rweaver@apta.com, cweber@federalrealty.com,
nwkp@erols.com, steveandlindaweitz@comcast.net, ed.wells@gmail.com,
jess@micd.org, sterling.wheeler@fairfaxcounty.gov,
nwhite@symmetradesign.com, hwhitlow@caseytrees.org,
vhudgwa@sprintmail.com, ewilcox@jnzell.com, tcwillia5@gmail.com,
jodi.williams@hok.com, cwillia@arlington.va.us, wilsonport@aol.com,
teresa.wilson@co.saint-marys.md.us, wilson@ors.od.nih.gov,
courtneywilson@yahoo.com, dlwinborne@starpower.net,
dwinogradoff@verizon.net, mrw@michaelwinstanley.com,
jwinstel@rockvillemd.gov, jwinter@g-and-o.com, pwitte@umd.edu,
wynnew@comcast.net, jazzyjc@hotmail.com, bwoodhams@arlingtonva.us,
jimwoods23@gmail.com, LEW52841@aol.com, Nicolewynands@web.de,
syadsko@gmail.com, lyaffe@mncbia.org, sandra.youla@mncppc-mc.org,
hillzahm@gmail.com, zartmanbj@aol.com, DZeitlin@thecareoftrees.com,
henry.zhang@ppd.mncppc.org, ziemann@email.unc.edu,
alan.zusman@navy.mil

Subject: NCAC Chapter Announcements (2 Events)

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Content-Type: multipart/mixed;
boundary="_4guaxp9ie3ok"

Content-Transfer-Encoding: 7bit

User-Agent: Internet Messaging Program (IMP) H3 (4.1.6)

X-AntiAbuse: This header was added to track abuse, please include it with any abuse report

X-AntiAbuse: Primary Hostname - host.thedotcomcompany.net

X-AntiAbuse: Original Domain - compuserve.com

X-AntiAbuse: Originator/Caller UID/GID - [47 12] / [47 12]

X-AntiAbuse: Sender Address Domain - ncac-apa.org

X-Virus-Scanned: ClamAV 0.93.3/8228/Fri Sep 12 15:44:48 2008 on liaag2an.mx.compuserve.com

X-Virus-Status: Clean

GREENING THE WORLD'S CAPITAL CITIES

The National Capital Planning Commission is hosting a conference, Greening the World's Capital Cities, for planning officials and policy makers from around the world. Presentation sessions are open to the public, offer AICP continuing education credits, and all are free except for the event at the National Building Museum. Please see the attached flyer for details, or visit www.CapitalsAlliance.org

NCPC is pleased to host Capitals Alliance 2008, a conference for

SAVE THE DATE: Upcoming NCAC Networking and Film Event with AIA and ASLA Local Chapters

On September 16th, you are invited to attend a special night at the movies with colleagues and friends. The film is Cites for People by Jan Gehl, an internationally renowned Danish architect and urban designer. This event is sponsored by the local chapters of AIA, APA and ASLA, so the discussions among professionals involved with city planning and design should be interesting.

Where: The Jack Morton Auditorium, GW University, 805
21st Street, NW. (corner of 21st and H Street)

When: 7:30 pm, September 16th, Tuesday

Cost: \$5 per person

Refreshments and discussion following the film

This e-mail message may contain confidential and/or privileged information. If you are not an addressee or otherwise authorized to receive this message, you should not use, copy, disclose or take any action based on this e-mail or any information contained in the message. If you have received this material in error, please advise the sender immediately by reply e-mail and delete this message. Thank you.

The Boston Consulting Group Limited
Registered in England 958970
Devonshire House, Mayfair Place, London, W1J 8AJ

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Monday, September 15, 2008 9:57 AM
To: Erlon, David F.; Hughes, James; Sevier, John; Burns, Bob; Haldeman, Kristin M.; Meister, Mark K.; Doggett, Rosalyn
Cc: Washington, Joel R.; Harrington, Thomas; Bottigheimer, Nat
Subject: 9/25/08 Board Meeting Supporting Documents
Attachments: Board Items Preparation Milestones - 2008-1.xls

All,

Please see the attached list, which shows highlighted in GREEN the PLJD ACTION items going to the Board on 9/25/08.

If you own one of those, please come to the GM Board Final Review this morning, 9/15/08, at 1000 in the GM's conference room and be prepared to back up Nat's discussion of these items.

The only document the Board will see is the BAIS (which includes a resolution, if applicable). As long as the BAIS for your item in the Board package is correct, you only need to bring yourself to the GM Board Final Review.

If the BAIS for your item in the Board package is not correct, bring 25 copies of the correct BAIS to the GM Board Final Review.

Regret short fuze.

Thanks.

Sid

Doggett, Rosalyn

From: <Thedoggettgroup@cs.com> [Thedoggettgroup@cs.com]
Sent: Sunday, September 14, 2008 12:24 PM
To: Doggett, Rosalyn
Subject: Fwd: NCAC Chapter Announcements (2 Events)
Attachments: Mail.txt

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, September 10, 2008 5:18 PM
Subject: Updated PLJD Board Preparation Calendar
Attachments: Board Items Preparation Milestones - 2008.xls

All,

Attached.

Thanks.

Sid

Doggett, Rosalyn

From: Burns, Bob
Sent: Wednesday, September 10, 2008 12:06 PM
To: Mohsberg, Sid
Cc: Washington, Joel R.; Bellamy, Michelle A.; Doggett, Rosalyn
Subject: Re: 9/25/08 PD&RE Cmte Mtg: "Transfer of WMATA Property Rights at Shaw-Howard U Station" (SAAM)

Corrections made.

Let me know if you need other changes.

Bob Burns
x2392

>>> Sid Mohsberg 9/10/2008 10:18 AM >>>
Bob,

As the originator of MEAD 100115 "Transfer of WMATA property rights at Shaw-Howard U", please make the changes SECT has indicated on the attached marked-up copy of the BAIS and inform the addressees of this message once they are done.

Thanks.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, September 10, 2008 10:18 AM
To: Burns, Bob
Cc: Washington, Joel R.; Bellamy, Michelle A.; Doggett, Rosalyn
Subject: 9/25/08 PD&RE Cmte Mtg: "Transfer of WMATA Property Rights at Shaw-Howard U Station" (SAAM)
Attachments: Shaw.Howard U.pdf

Bob,

As the originator of MEAD 100115 "Transfer of WMATA property rights at Shaw-Howard U", please make the changes SECT has indicated on the attached marked-up copy of the BAIS and inform the addressees of this message once they are done.

Thanks.

Sid

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Friday, September 05, 2008 4:34 PM
To: Malasky, Gary; Doggett, Rosalyn
Subject: Re: Fwd: Shaw-Howard Univ. station property sale Funding Impact

FYI

>>> Carol B. O'Keeffe 9/5/2008 4:26 PM >>>
I think nat has decided jd.

>>> Joel R. Washington 9/5/2008 4:18 PM >>>
Carol/Nat,

Since at various times we have considered this transaction as either joint development or excess property sale, I would just like to get your final decision(s).

Thanks,

Joel

>>> Bob Burns 9/5/2008 4:13 PM >>>
My understanding is that the sale is an excess property sale not joint development project. MEAD currently has Funding Impact stating proceeds of the sale to go into TIIF. If excess property sale, it should go into Capital budget.

Doggett, Rosalyn

From: Burns, Bob
Sent: Friday, September 05, 2008 4:13 PM
To: Washington, Joel R.
Cc: Welch, Kermit A.; Meister, Mark K.; Doggett, Rosalyn
Subject: Shaw-Howard Univ. station property sale Funding Impact

My understanding is that the sale is an excess property sale not joint development project. MEAD currently has Funding Impact stating proceeds of the sale to go into TIIF. If excess property sale, it should go into Capital budget.

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, September 03, 2008 5:10 PM
Subject: Status of Committee and Board Documents Preparation
Attachments: Board Items Preparation Milestones - 2008.xls

All,

Attached is the latest status.

Please provide any missing MEAD numbers; e.g., under 10/08: "Authorize Public Hearing to Discontinue Non-Regional Bus Routs 2W; 12A, C, D-G,L,M,R,S; 20F,W,X, Y"

Thanks.

Sid

Doggett, Rosalyn.

From: Mohsberg, Sid
Sent: Wednesday, September 03, 2008 4:58 PM
To: Talaia, Anabela; Staub, Phillip T.; Burns, Bob; Meister, Mark K.; Doggett, Rosalyn
Cc: Hughes, James; Orr, Robert B.; Washington, Joel R.; Harrington, Thomas; Bottigheimer, Nat
Subject: Fwd: 9/25/08 PD&RE Cmte Items: BAIS, PowerPoint, Resolution

All,

If any changes were made to your PowerPoint presentation, resolution (if applicable) or MEAD (and therefore BAIS) at the 9/2/08 GMGR's pre-brief, please forward your cleaned up documents directly to Michelle Bellamy by COB today, 9/3/08 cc Nat, me, and others as appropriate.

I've already forwarded Michelle the PowerPoint presentation for the "Approve Amended & Restated JDA for Greenbelt Station" item, which Roz updated.

The six items are:

"Small, Local, and Minority Business Enterprise Policies and Guidelines" - COUN (Phil Staub)

"Disposition of WMATA property rights at Shaw-Howard U Station - SAAM (Bob Burns /Roz Doggett)

"Sale of Excess WMATA Property to Keystar Spring Place, LLC" - SAAM (Mark Meister)

"Approve Amended & Restated JDA for Greenbelt Station" - SAAM (Roz Doggett)

"FY 2011-2020 Capital Needs Assessment" - PLAN (Tom Harrington)

"Possible Relocation of WMATA's Headquarters" - SAAM (Anabela Talaia)

Thanks.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Friday, August 29, 2008 1:03 PM
To: Bellamy, Michelle A.
Cc: Burns, Bob; Washington, Joel R.; Bottigheimer, Nat; Doggett, Rosalyn
Subject: Fwd: Disposition of WMATA Property Rights at Shaw-Howard U Station - Presentation
Attachments: Disposition of WMATA Property Rights at Shaw Howard Metrorail Station North Entrance-x.ppt

Michelle,

The subject presentation is attached.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Friday, August 29, 2008 12:36 PM
To: Washington, Joel R.; Doggett, Rosalyn
Subject: Disposition of WMATA Property Rights at Shaw-Howard U Station
Attachments: Disposition of WMATA Property Rights at Shaw Howard Metrorail Station North Entrance-x.ppt

Please confirm by return e-mail that the attached revised presentation is correct so that I can e-mail it to Michelle.

It was due at noon.

Thanks.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Friday, August 29, 2008 12:10 PM
To: Washington, Joel R.; Doggett, Rosalyn
Subject: Disposition of WMATA Property Rights at Shaw-Howard U Station
Attachments: Disposition of WMATA Property Rights at Shaw Howard Metrorail Station North Entrance-x.ppt

Joel and Roz,

Please confirm that the attached presentation is correct so that I can e-mail it to Michelle.

It was due at noon.

Thanks.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Friday, August 29, 2008 11:24 AM
To: Talaia, Anabela; Staub, Phillip T.; Burns, Bob; Harrington, Thomas; Meister, Mark K.; Doggett, Rosalyn
Cc: Washington, Joel R.; Bottigheimer, Nat
Subject: 9/25/08 PD&RE Cmte Items: BAIS, PowerPoint, Resolution

All,

Electronic copies of the PowerPoint, and Resolution (if applicable) for the six items PLJD has going to the 9/25/08 PD&RE Cmte meeting are due to Michelle Bellamy (OPRS) by noon today. She will obtain the BAIS directly from the MEAD system.

Here's the procedure: you e-mail your inputs to me, and I will e-mail them to Michelle.

"Small, Local, and Minority Business Enterprise Policies and Guidelines" - COUN (Phil Staub)

"Disposition of WMATA property rights at Shaw-Howard U Station - SAAM (Bob Burns /Roz Doggett)

"Sale of Excess WMATA Property to Keystar Spring Place, LLC" - SAAM (Mark Meister)

"Approve Amended & Restated JDA for Greenbelt Station" - SAAM (Roz Doggett)

"FY 2011-2020 Capital Needs Assessment" - PLAN (Tom Harrington)

"Possible Relocation of WMATA's Headquarters" - SAAM (Anabela Talala)

Thanks.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Friday, August 29, 2008 11:13 AM
Subject: Fwd: Draft Agenda for Sep 25th Board Meeting
Attachments: Sep 11 - v1.pdf

All,

If you have any changes, please submit them to me, and after coordination with Nat, I will forward them to SECT as appropriate.

Thanks.

Sid

>>> Loyda Sequeira 8/29/2008 11:07:48 AM >>>
Hello,

Please review the attached copy of the draft agenda for the September 25th Board meeting. The GM Committee & Admin items briefing is next Tuesday, September 2nd at 10 am. If you have any updates to the attached draft agenda, please **submit them to us by 2 pm today**.

Thank you,

Loyda Sequeira-Castillo
Board Secretary, Metro
Ph. (202) 962-1816

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Thursday, August 28, 2008 7:40 PM
To: Washington, Joel R.; Doggett, Rosalyn
Subject: Transfer of WMATA Property Rights at Shaw-Howard U Station
Attachments: Disposition of WMATA Property Rights at Shaw Howard Metrorail Station North Entrance-x.ppt

Joel and Roz,

I've cleaned this up from a PowerPoint perspective, but the drawings on slides 3 and 4 don't make sense to me and don't seem to agree with each other.

Please check the wording on each slide as well as the graphics and tell if this is good to go. Once you have approved it, I'll send it to Michelle.

Thanks.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, August 27, 2008 3:33 PM
To: Bottigheimer, Nat
Cc: Washington, Joel R.; Doggett, Rosalyn
Subject: MEAD 100115 - REVISED DRAFT BAIS
Attachments: MEAD 100115 BAIS.doc

Nat,

Attached is a revised BAIS that reflects our discussion earlier this afternoon.

Please let me know if there are any additional changes.

Thanks.

Sid

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Tuesday, August 26, 2008 2:48 PM
To: Doggett, Rosalyn
Subject: BCP Bd presentation.ppt
Attachments: BCP Bd presentation.ppt

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Tuesday, August 26, 2008 12:43 PM
To: Bellamy, Michelle A.
Cc: Ackerman, Heidi; Burns, Bob; Washington, Joel R.; Meister, Mark K.; Bottigheimer, Nat; Doggett, Rosalyn
Subject: Re: PDRE 9/25/08 materials
Attachments: Exec Session Agenda_1.doc

Michelle,

All three Executive Session items should be ACTION rather than INFORMATION.

The title of the "Royal Street" item is:

Replacement of Royal Street Bus Garage (N. Bottigheimer)

Thanks,

Sid

>>> Michelle A. Bellamy 8/26/2008 8:55 AM >>>
Good morning everyone,

The revised agenda for the Public and Executive Sessions are attached.

Please incorporate as many of the changes discussed in yesterday's pre-brief as possible by Friday, August 29th. Also, we need to have electronic copies of the PowerPoint and Resolution documents by 12 noon on Friday so that we can compile the package and make the copies.

Reminder: GM Pre-Brief is Tuesday, September 2nd @ 10am.

Thanks,

Michelle
x2779

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Tuesday, August 26, 2008 12:38 PM
Subject: PLJD Preparation for 9/08 Board Committees
Attachments: Board Items Preparation Milestones - 2008.xls

The latest status is attached.

Next milestone: e-mail updated PowerPoint presentation and resolution (if applicable) to Michelle Bellamy by noon this Friday, 8/29/08. The BAIS needs to be updated by that time as well.

Sid

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Friday, August 22, 2008 4:51 PM
To: Doggett, Rosalyn
Subject: Fwd: PIMS Routing - MEAD(100115) Transfer of WMATA property rights at Shaw-Howard U

FYI

>>> Nat Bottigheimer 8/22/2008 4:27:35 PM >>>
Bob--

How is there no funding impact? You need to characterize the potential outcomes and what would be done with any funds generated...into TIIIF? Available for other capital investment? Please describe.

Also, this write-up is long on the site history, but unless you're an inside ball player, it won't really signify much. Think about what a reviewer from another Department will want to know. I suggest a narrative along the following lines.

- A) The District owns the vast majority of land around a small parcel of land we own at the south entrance of the Shaw Howard station
- B) The District has contracted to sell its land to Broadcast Partners, and is committed to this as an economic development project important to the City
- C) Broadcast Partners has proposed purchasing from Metro the air rights over the small parcel of land we own there
- D) On the grounds that we could not market the property to anyone else, we have been negotiating with Broadcast Partners in recent months to dispose of our rights as proposed
- D') Broadcast Partners does not want to build over our station entrance, but does want its building face to encroach into Metro's air rights, and also wants to ensure that Metro never does anything over its station entrance that would alter or mar the view of the company's building...in other words, desires to control the rights to development over Metro's entrance.
- E) The Mayor has established an October deadline to close with Broadcast Partners on the City property - which would require Metro and Broadcast Partners to also conclude an arrangement by that time
- F) We have not as yet negotiated a deal with Broadcast Partners and the September Board meeting is the last Board meeting, practically speaking, before the Mayor's deadline expires
- G) Metro staff continue to negotiate with Broadcast Partners and have been getting closer together
- H) The principal options are for Broadcast Partners to purchase either (1) all of the rights to develop over Metro's parcel; or (2) only that portion of the air rights owned by Metro that they propose to encroach on
- I) Staff request authorization by the Board to negotiate with Broadcast Partners a sale of air rights arrangement subject to parameters set by the Metro Board of Directors and to subsequent approval by FTA. (BOB, state the parameters: either pay us for what they encroach on and nothing else, or pay us for all the air rights, but if you pay us only for a fraction of the air rights, we keep the rest of the air rights and do what we want with them. Also, use the appraised value of an FAR foot in that market as the basis for establishing the sale price.)

The subject property comprises 4,146 square feet of fee simple and 1,660 square feet of subsurface easement property rights owned by WMATA at the Shaw-Howard University Metrorail station north entrance at 7th and S streets, NW. Because the station entrance (with escalator, canopy, and elevator) and underground facilities are on the site, the majority of the value of the real estate is in the air rights. The highest and best use of the property is the assemblage of the air rights with the adjacent landowner to develop a mixed use office, retail and residential project. Following Board approval of its Work Plan, WMATA offered the site for development in a 2003 Joint Development Solicitation (JDS). One proposal was received but not accepted as it did not meet JDS requirements.

Shortly thereafter, the National Capital Revitalization Corporation (NCRC) which was offering the adjacent, and surrounding, site for development entered into discussions with WMATA about acquiring the subject property but ultimately did not. NCRC did, however, select a contract purchaser of the site, Broadcast Center Partners, LLC (BCP) which is proposing to build a mixed use office, residential and retail building anchored by Radio One. BCP's plan cantilevers an office building over a small portion of the WMATA property and places building foundations within a small portion of WMATA's underground easement. The project is intended to extend revitalization of the U Street area to the still underutilized 7th Street/Georgia Avenue corridor.

Subsequently, BCP initiated negotiations with WMATA to purchase property rights through a letter dated January 18, 2007. Upon completing site investigations and building designs, BCP in February 2008 submitted plans to WMATA defining the real estate interests that it wished to acquire. These amounted to all of WMATA's air rights and limited easement rights below the surface for building foundations. WMATA immediately contracted for an appraisal of the property rights and received those results in June 2008. Since that time, WMATA and the developer have exchanged proposed prices and revised those prices based upon further appraisal reviews; however, there remains a significant difference between the asking and the offering price. For that reason, WMATA has agreed to have BCP contract for a second appraisal using a scope of services approved by both parties and an appraiser approved by WMATA as a means of reaching agreement on price.

>>> < ProcAdmin@wmata.com > 8/22/2008 3:18 PM >>>

TO: JOHN BOTTIGHEIMER
FROM: ROLLIN BURNS JR ()
INIT. ROUTER: ROLLIN BURNS JR ()
DOCUMENT: MEAD(100115) Transfer of WMATA property rights at Shaw-Howard U

SUBJECT: A document from MEAD has been routed to you and requires
your approval at the PIMS web site.

Please go to the MEAD site by clicking on the link below:
http://mead.wmata.com/prod/pimsApprove/approval.cfm?q_route_id=129054&q_empid=007295

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Friday, August 22, 2008 1:49 PM
Subject: Status of PLJD Preparation for 9/08 Committees & Board
Attachments: Board Items Preparation Milestones - 2008.xls

All,

Attached is the current status.

if you have not already e-mailed input for your item to the appropriate committee coordinator, then bring to the respective pre-briefs on 9/25/08 twenty-five hard copies of the BAIS, and if applicable the resolution, and PowerPoint presentation (10 color, 15 black and white).

Questions? Please see me.

Thanks.

Sid

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Thursday, August 21, 2008 8:39 AM
To: Doggett, Rosalyn
Subject: Re: Shaw - Howard ROE

I will definitely compare to those documents. I think I can get to them, but I will let you know if I can't.

Were there any discussions between you and the developer relevant to this? The Term Sheet mentions that the Lease term will begin at construction or 20 months after BOD approval of the JDA, whichever is earlier. It also describes approval processes. Is there anything else that was discussed? Is there anything else that you feel strongly about?

I will check the other files this morning and let you know if that changes my proposed wording.

Josh

>>> Rosalyn Doggett 8/20/2008 4:02:22 PM >>>
because all agreements are different, I suggest that you look at a couple of other development agreements to jog thoughts, e.g., Dunn Loring, Navy Yard East, Twinbrook, etc. I can copy pages if you don't have access electronically to your files.

>>> Joshua W. Montague 8/20/2008 3:51 PM >>>
They have approved our ROE, but they are going to have an added clause for the License(s). I am guessing we won't like it.

That leads me to another pressing matter that I was hoping you could help me resolve in the JDA.

What requirements must the developer achieve before they can enter into the Lease and Construction agreement?

In my "woodshed" version of the JDA, I had the following:

1. Proof of proper single purpose development entity;
2. Proof of sufficient construction financing;
3. Proof developer has obtained all required approvals and permits, including _____
4. Proof all required insurance, bonds, and guaranties are executed and in effect

Are these correct? Is there anything that I am missing?

Please let me know what you think so that we are on the same page.

Thanks,

Josh

>>> Rosalyn Doggett 8/20/2008 3:38 PM >>>
so, have they approved our ROE version?

assertion 2 borders on, if not is, preposterous.

>>> Joshua W. Montague 8/20/2008 2:55 PM >>>
Hi Rosalyn,

I just spoke to Devorah Lewin from DLA Piper regarding the Shaw-Howard project. She informed me of the following:

1. The developer's lender "needs" them to get the Right of Entry signed by Friday.
2. The developer wants to begin construction as soon as the JDA is signed. Therefore they were hoping to have the license(s) terminated.

Please let me know when you will be free to discuss the above (and the security deposit, as mentioned in my previous email).

Thanks!

Josh

Doggett, Rosalyn

From: Bellamy, Michelle A.
Sent: Thursday, August 21, 2008 7:46 AM
To: Mohsberg, Sid
Cc: Washington, Joel R.; Bottigheimer, Nat; Doggett, Rosalyn
Subject: Re: 9/25/08 PD&RE Cmte Mtg: Transfer of WMATA property rights at Shaw-Howard U Station
- Exec Session

BAR updated to reflect change.

>>> Sid Mohsberg 8/20/2008 8:15 PM >>>
Michelle,

Please move the subject action item from the regular session to the executive session.

Thanks.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, August 20, 2008 8:16 PM
To: Bellamy, Michelle A.
Cc: Washington, Joel R.; Bottigheimer, Nat; Doggett, Rosalyn
Subject: 9/25/08 PD&RE Cmte Mtg: Transfer of WMATA property rights at Shaw-Howard U Station - Exec Session

Michelle,

Please move the subject action item from the regular session to the executive session.

Thanks.

Sid

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Wednesday, August 20, 2008 3:51 PM
To: Doggett, Rosalyn
Subject: Re: Shaw - Howard ROE

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Are these correct? Is there anything that I am missing?

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2. The developer wants to begin construction as soon as the JDA is signed. Therefore they were hoping to have the license(s) terminated.

Please let me know when you will be free to discuss the above (and the security deposit, as mentioned in my previous email).

Thanks!

Josh

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Wednesday, August 20, 2008 2:55 PM
To: Doggett, Rosalyn
Subject: Shaw - Howard ROE

Hi Rosalyn,

I just spoke to Devorah Lewin from DLA Piper regarding the Shaw-Howard project. She informed me of the following:

1. The developer's lender "needs" them to get the Right of Entry signed by Friday.
2. The developer wants to begin construction as soon as the JDA is signed. Therefore they were hoping to have the license(s) terminated.

Please let me know when you will be free to discuss the above (and the security deposit, as mentioned in my previous email).

Thanks!

Josh

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Wednesday, August 20, 2008 2:38 PM
To: Doggett, Rosalyn
Subject: Shaw-Howard question

Hi Rosalyn,

One of the more pressing questions that I had for you on the Shaw-Howard project had to do with the treatment of the security deposit.

Paragraphs 6.4 and 6.5 of the Term Sheet seem to be in conflict with each other.

Please let me know whenever you have a free second to discuss and I will run up to your office.

Thanks!

Josh

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, August 20, 2008 1:05 PM
Subject: Status of PLJD Preparation for 9/08 Committees and Board
Attachments: Board Items Preparation Milestones - 2008.xls

All,

As the attached status report indicates, several items require a lot of work to be done prior to the 8/25/08 (next Monday) pre-briefs for Jack Requa (OPRS) for the PD&RE Cmte and Carol Kissal (CFO) for the FAO Cmte.

See in particular the color coded blocks at the right side of the spreadsheet.

Please let me know of any errors, omissions, corrections, etc.

Thanks.

Sid

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Wednesday, August 20, 2008 10:14 AM
To: Pohl, Mark R.
Cc: Doggett, Rosalyn
Subject: Fwd: WMATA/ Banneker- Florida Avenue Project

Hi Mark,

The developer's attorney on the Shaw-Howard project has a few tax-related questions that I would like to discuss with you. Please take a look at the email below and then let me know when you are free.

Thanks!

Josh

>>> "Myers, Paul B." <paul.myers@dlapiper.com> 8/19/2008 3:34 PM >>>
Josh,

Following up on our brief conversation from the week before last (I apologize, BTW, for the delay), I just wanted to give you a heads up about the fundamental tax issues we are thinking about in terms of the Florida Avenue project.

At bottom, the issues are (i) whether Developer will be treated as the lessee of the land for federal tax purposes and (ii) who will be the owner of the improvements for federal tax purposes?

Long term land leases are typically structured so that the lessor retains title for tax purposes of the underlying land (consistent with the form of the transaction) and the lessee never relinquishes title to the improvements. It is quite possible that WMATA has done multiple deals as I have described above and that the Florida Avenue project is intended to be treated consistently. We would like to know whether or not WMATA has considered this issue, and if it has, what is the intended tax characterization from WMATA's perspective?

If WMATA has not considered the issue, the most important factors to consider are:

(i) Is the lease stream for the land at market rates? To the extent that the Developer can be viewed as overpaying for the land the lease can be reconstrued for federal tax purposes as a sale, and the payments under the lease could be reconstrued as seller take back financing.

(ii) Is the land subject to a below market option in Developer's favor at term? Again, if Developer is able to procure title at term for a below market price, this could cause the transaction to be recast as a sale with take back financing.

(iii) What happens with the improvements at term? This will obviously be an important economic issue, but its resolution could have tax consequences as well. If the building reverts to the lessor at termination of the lease (without market consideration) then it is possible that the improvements could be viewed as belonging to WMATA from the inception.

Please let us know if you have considered these issues, and any conclusions you may have drawn. We are certainly happy to discuss any of this further with you.

Thanks,

Paul

<<http://www.dlapiper.com/>>
Paul B. Myers
DLA Piper US LLP
6225 Smith Avenue
Baltimore, Maryland 21209-3600
410.580.4822 T
410.580.3822 F
paul.myers@dlapiper.com
www.dlapiper.com <<http://www.dlapiper.com/>>

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Thank you.

Doggett, Rosalyn

From: Burns, Bob
Sent: Thursday, August 14, 2008 5:13 PM
To: Cassell, Steven
Cc: Gada, Ketan (EOM); Loeffelholz, Dan; Voudrie, Stan; Buerger, Christian A.; Welch, Kermit A.; Marshall, Malcolm; Washington, Joel R.; Meister, Mark K.; Doggett, Rosalyn
Subject: RE: Revised Offer for Purchase of Permanent Air Rights and Subsurface Easements
Attachments: ScopeBroadcastCtrOne_1.pdf

Steve,

See attached revised appraisal scope. Note that we added language regarding improvements which will encumber the property.

Bob Burns

>>> "Cassell, Steven" <scassell@fourpointslc.com> 8/14/2008 5:08 PM >>>
Bob,

I left you a voicemail earlier about adding information to the scope regarding "permanent encumbrances" on your property. This clearly has a meaningful impact on valuation and how an appraiser will approach their task. Could you add some verbiage to the scope regarding these existing facilities?

Thanks,
Steve

Steven C. Cassell
Four Points, LLC
202-521-2529 (O)
202-250-1709 (C)
scassell@fourpointslc.com

From: Bob Burns [<mailto:rlburns@wmata.com>]
Sent: Thursday, August 14, 2008 1:50 PM
To: Cassell, Steven
Cc: Ketan (EOM) Gada; Loeffelholz, Dan; Voudrie, Stan; Christian A. Buerger; Joel R. Washington; Kermit A. Welch; Malcolm Marshall; Mark K. Meister; Rosalyn Doggett
Subject: Re: Revised Offer for Purchase of Permanent Air Rights and Subsurface Easements

Steve,

In response to your counteroffer and as a follow-up to our meeting, as a benchmark for negotiations would you contract an appraiser to value the real estate interests (including any underground easement rights) to be conveyed based on the following scope of services. Also, attached is a list of WMATA approved appraisers. Please contact me with any questions - 202-962-2392. We will need a formal appraisal to justify a negotiated value for both FTA and WMATA Board of Directors' approvals.

Bob Burns

>>> "Cassell, Steven" <scassell@fourpointslc.com> 8/14/2008 9:59 AM >>>
Please see attached PDF showing the air rights required by Broadcast Center Partners above WMATA's Fee-Simple parcels. The two easement areas are 15' x 81' and 15' x 32' respectively, which equates to 1,695 square feet. Although we do not agree that fee simple valuation is applicable in any way to this transaction, we are willing to propose a transaction in which we pay the same \$/FAR foot for the permanent air rights easements that we will pay for the fee-simple interest in the adjacent city-owned land, which is \$47 per FAR foot.

Conversely, we do not believe that it is appropriate to assign any value to the subsurface easements. The subsurface easements have no alternative use or market value and we suggest that those easements be approached in a friendly-neighbor context. As discussed in our recent meeting, we were required to push our foundation wall to the property line in order to obtain the number of legal parking spots required of us under the Land Disposition Agreement with the city. Our structure will not interfere in any way with your existing facilities and we have already received approval from your Adjacent Construction division to proceed with our Sheeting and Shoring plans.

With this in mind, the resulting valuation for the air rights easements would be \$358,493 (1,695 * 4.5 * \$47). This is a 79% premium over our offer of 7/2/08. We recommend that WMATA use the Deputy Mayor's appraisal of the adjacent land as support for this valuation to your Executive Director and Board. I have to mention again that given the nature of this project as a public-private partnership with very limited financial returns and the state of the financial markets, this project simply cannot accommodate an easement transaction that is greater than the numbers we have offered to date. We respectfully request your support of this approach and look forward to hearing from you.

Best regards,

Steven C. Cassell

Four Points, LLC

202-521-2529 (O)

202-250-1709 (C)

scassell@fourpointslc.com

Doggett, Rosalyn

From: Burns, Bob
Sent: Thursday, August 14, 2008 2:53 PM
To: Welch, Kermit A.; Marshall, Malcolm; Washington, Joel R.; Doggett, Rosalyn
Cc: Meister, Mark K.
Subject: CDL's and TDR's

See attached info on TDR's and CDL's (similar to TDR's) including downtown DC regs.

I discussed DC regs with Joel Lawson, DC Planning. Certain DC areas and sites have been given TDR or CDL receiving or sending rights. Our Shaw Howard station area site isn't one. We could participate in a PUD project and transfer density rights, but Broadcast Center One has already received approval for its PUD plans and can't use any more density. The price of TDR's and CDL's is driven by demand and supply. I will discuss market conditions and pricing with Art Rogers, DC Planning expert on TDR's (on vacation), next week. Joel suggested WMATA meet with DC Planning with a list of our properties and discuss opportunities for TDR's and CDL's for our properties. This may be a method of leveraging our properties to increase value, generate revenue, and increase development potential.

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Thursday, August 14, 2008 12:28 PM
To: Doggett, Rosalyn
Subject: Fwd: Florida Avenue Properties
Attachments: Florida Avenue Properties.txt; Flea Market Lease.Redacted.pdf

Hi Rosalyn,

Did you get a copy of the redacted flea market lease for the Shaw-Howard transaction?

The developer's attorney has asked for a copy so that they can assess any liability concerns with the ROE. As you are probably aware, I have worked with Anabela and Keysia Thom (our PARP expert) to come up with a redacted copy that will provide the flea market lease info but also protect our commercial advantage interests.

I got an "OK" from Keysia and Anabela. If you are OK with this, then I will send to Guy Flynn.

Please let me know.

Josh

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Tuesday, August 12, 2008 2:07 PM
To: Doggett, Rosalyn
Subject: Re: JDA Draft
Attachments: Shaw-Howard Joint Development Agreement - Draft.DOC

Here is the corrected JDA. Sorry for any confusion.

Thanks!

Josh

>>> Rosalyn Doggett 8/12/2008 9:36:49 AM >>>
cool

>>> Joshua W. Montague 8/12/2008 9:35 AM >>>
I sent Guy an email this morning. As soon as I hear back, I will send it out. I will cc you on that email.

Josh

>>> Rosalyn Doggett 8/12/2008 9:27:41 AM >>>
I will look at this, hopefully later today. In the meantime, are you sending out the ROE?

>>> Joshua W. Montague 8/11/2008 6:01 PM >>>
Hi Rosalyn,

Here is a draft of the JDA agreement.

Please take a close look since I am a little new to the way WMATA does business.

The parts highlighted in gray were unclear to me. Maybe you could run over these with me when you get a free moment.

Thanks!

Josh

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Monday, August 11, 2008 6:01 PM
To: Doggett, Rosalyn
Subject: JDA Draft
Attachments: Shaw-Howard Joint Development Agreement - Draft.DOC

Hi Rosalyn,

Here is a draft of the JDA agreement.

Please take a close look since I am a little new to the way WMATA does business.

The parts highlighted in gray were unclear to me. Maybe you could run over these with me when you get a free moment.

Thanks!

Josh

Doggett, Rosalyn

From: ngw@postmaster.po
Sent: Monday, August 11, 2008 11:06 AM
To: Washington, Joel R.
Cc: Biondi, Marc E.; Doggett, Rosalyn
Subject: RE: Re: Fw: Broadcast Center One Information
Attachments: Parcel 33 Appraisal Report - May 2007.pdf

Joel,

Per your request, please find attached a PDF copy of the appraisal for the District owned site. I want to emphasize again that this is a fee simple appraisal (not an Air Rights/TDR appraisal) for Parcel 33 (District owned site) and DOES NOT discount for any special construction cost which will have to be factored when building right over the WMATA Escalator parcel. Feel free to call me should you have any questions. I will see you tomorrow.

Regards,

Ketan

Ketan Gada

Project Manager

District of Columbia Government

Office of the Deputy Mayor for Planning and Economic Development (DMPED)

The John A. Wilson Building

1350 Pennsylvania Avenue NW, Suite 317

Washington, D.C. 20004

O: (202) 727-6778

M: (202) 538-1259

E: ketan.gada@dc.gov

From: Joel R. Washington [<mailto:jr.washington@wmata.com>]
Sent: Monday, August 11, 2008 10:07 AM
To: Gada, Ketan (EOM)
Cc: Marc E. Biondi; Rosalyn Doggett
Subject: RE: Re: Fw: Broadcast Center One Information

I need to get concurrence from the Chief Counsel's office that I can share the appraisal.

Joel

>>> "Gada, Ketan (EOM)" <Ketan.Gada@dc.gov> 8/11/2008 10:03 AM >>>

Joel,

As I said I have the document in hard copy so let me see if I can make an electronic copy of the same or get a word copy from the source. In the meantime could you please send me a copy of the appraisal that WMATA commissioned please?

Thanks,

Ketan

Ketan Gada

Project Manager

District of Columbia Government

Office of the Deputy Mayor for Planning and Economic Development (DMPED)

The John A. Wilson Building

1350 Pennsylvania Avenue NW, Suite 317

Washington, D.C. 20004

O: (202) 727-6778

M: (202) 538-1259

E: ketan.gada@dc.gov

From: Joel R. Washington [<mailto:jrashington@wmata.com>]
Sent: Monday, August 11, 2008 9:58 AM
To: Gada, Ketan (EOM)
Subject: Fwd: Re: Fw: Broadcast Center One Information

FYI-- We would need to see the comparables, unit values and other data analyzed to arrive at the \$47 per square foot value.

Joel

>>> Malcolm Marshall 8/11/2008 9:27 AM >>>

This appraisal report appears to contain only a draft of the transmittal letter to the report. The last paragraph of the letter states that the letter "is invalid as an opinion of value if detached from the report, which contains the text, exhibits, and Addenda." Can we get a final draft of the full report?

>>> Joel R. Washington 8/8/2008 5:44 PM >>>

-----Original Message-----

From: "Gada, Ketan (EOM)" <Ketan.Gada@dc.gov>
Cc: Morris, Emily (OAG) <emily.morris@dc.gov>
Cc: Issembert, Matthew (OAG) <matthew.issembert@dc.gov>
To: Washington, Joel R. <jrashington@wmata.com>
Cc: <rdogettt@wmata.gov>

Sent: 8/8/2008 5:09:19 PM
Subject: Broadcast Center One Information

Joel,

Per your request please find attached the Summary of the Appraisal Report which was commissioned May 2007 and Land Disposition Agreement Extension for the project. The LDA had to be extended since they were unable to meet the closing conditions including settlement with WMATA the first time around. Again, I just want to reiterate the importance of getting this project to closing in next two months so the Shaw and LeDroit Park community can finally see their favorite project break ground. The community at large has been waiting for this for a long time and collectively we should help meet that goal sooner. Please share

these documents with Nat (and other people in your office) since he was keen on seeing the LDA expiration date. Also I wanted to ask you if you could share the Appraisal which was commissioned by WMATA for this site and I promise it will not be shared with anyone.

Have a nice weekend.

Regards,

Ketan

Ketan Gada

Project Manager

District of Columbia Government

Office of the Deputy Mayor for Planning and Economic Development (DMPED)

The John A. Wilson Building

1350 Pennsylvania Avenue NW, Suite 317

Washington, D.C. 20004

O: (202) 727-6778

M: (202) 538-1259

E: ketan.gada@dc.gov

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Friday, August 08, 2008 5:45 PM
To: Marshall, Malcolm; Meister, Mark K.; Doggett, Rosalyn
Subject: Fw: Broadcast Center One Information
Attachments: Mail.txt

-----Original Message-----

From: "Gada, Ketan (EOM)" <Ketan.Gada@dc.gov>
Cc: Morris, Emily (OAG) <emily.morris@dc.gov>
Cc: Issembert, Matthew (OAG) <matthew.issembert@dc.gov>
To: Washington, Joel R. <jr.washington@wmata.com>
Cc: <rdoggett@wmata.gov>

Sent: 8/8/2008 5:09:19 PM
Subject: Broadcast Center One Information

Joel,

Per your request please find attached the Summary of the Appraisal Report which was commissioned May 2007 and Land Disposition Agreement Extension for the project. The LDA had to be extended since they were unable to meet the closing conditions including settlement with WMATA the first time around. Again, I just want to reiterate the importance of getting this project to closing in next two months so the Shaw and LeDroit Park community can finally see their favorite project break ground. The community at large has been waiting for this for a long time and collectively we should help meet that goal sooner. Please share these documents with Nat (and other people in your office) since he was keen on seeing the LDA expiration date. Also I wanted to ask you if you could share the Appraisal which was commissioned by WMATA for this site and I promise it will not be shared with anyone.

Have a nice weekend.

Regards,

Ketan

Ketan Gada

Project Manager

District of Columbia Government

Office of the Deputy Mayor for Planning and Economic Development (DMPED)

The John A. Wilson Building

1350 Pennsylvania Avenue NW, Suite 317

Washington, D.C. 20004

O: (202) 727-6778

M: (202) 538-1259

E: ketan.gada@dc.gov

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Friday, August 08, 2008 10:58 AM
To: Doggett, Rosalyn
Subject: Shaw-Howard question

Hi Rosalyn,

Guy Flynn, the attorney for the developer, called me yesterday. We briefly discussed the form of the agreement going forward. He agreed that the simplified JDA with the attached ground lease was acceptable.

He also asked about how we will be treating the tax issues relating to depreciation of the improvements and the implications of the long-term lease. Is this something that you have addressed in these negotiations? How would you like to handle this issue?

Josh

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Friday, August 08, 2008 9:14 AM
To: Doggett, Rosalyn
Subject: Shaw-Howard U Entrance

WMATA paid \$111,900 for 4,146 s.f. in fee simple.

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Thursday, August 07, 2008 11:12 AM
To: Doggett, Rosalyn
Subject: Re: Shaw-Howard question

Thank you!

Would you have time today to go over the "whys" of the ROE? What time would work best?

>>> Rosalyn Doggett 8/7/2008 11:10:22 AM >>>

I do not think that they done much. However, they did mention something about a gas station formerly there so they have at least starting poking into history. They need the ROE (Right of Entry Permit) to do any digging/esting. Normally, our developers do not go beyond a Phase I unless they discover something that suggests they should.

Since this site was I think (need to verify) done with cut and cover, poor soils from the gas station should have been eliminated, but we never know what Phase I will uncover.

>>> Joshua W. Montague 8/7/2008 10:59 AM >>>
Hi Rosalyn,

Do you know if the Developer has completed any/all of the Environmental Due Diligence for this property?

If so, do we have any info on the status? Do we have a copy of the Phase I?

Did/will they do anything more than a Phase I?

Please let me know whenever you get a chance.

As always, if it would be easier for me to run up to your office, just let me know.

Thanks!

Josh

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Thursday, August 07, 2008 11:00 AM
To: Doggett, Rosalyn
Subject: Shaw-Howard question

Hi Rosalyn,

Do you know if the Developer has completed any/all of the Environmental Due Diligence for this property?

If so, do we have any info on the status? Do we have a copy of the Phase I?

Did/will they do anything more than a Phase I?

Please let me know whenever you get a chance.

As always, if it would be easier for me to run up to your office, just let me know.

Thanks!

Josh

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Tuesday, August 05, 2008 2:07 PM
To: okarim@bannekerventures.com; Montague, Joshua W.
Cc: Flynn, Guy; Bryant, Seth; Washington, Joel R.; Doggett, Rosalyn
Subject: Re: Florida Avenue project - Draft JDA/Lease

Josh,

As a follow-up to Marc's email, please advise when we might receive the draft Joint Development Agreement/Lease.

Thank you in advance.

Omar

-----Original Message-----

From: Marc E. Biondi
Sender:
To: Omar A. Karim
To: Joshua W. Montague
Cc: Guy Flynn
Cc: Seth Bryant
Cc: Joel Washington
Cc: Rosalyn Doggett
Sent: Aug 5, 2008 8:56 AM
Subject: Re: Florida Avenue project - Draft JDA/Lease

Omar / Guy,

Thanks for the follow-up. Unfortunately, I don't have an answer to your question.

This project has been transferred to a different attorney in our office. Josh Montague (jwmontague@wmata.com) will be handling this project from here.

I have copied him on this email and forwarded Guy's comments on the Right of Entry.

Marc

Marc Biondi
Assistant General Counsel
Washington Metropolitan Area Transit Authority 600 Fifth Street, NW Washington, DC 20001

Direct Dial: 202-962-1011
Fax: 202-962-2550
mebiondi@wmata.com

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>>> "Omar A. Karim" <okarim@bannekerventures.com> 8/4/2008 4:39:05 PM

>>> >>>

Marc,

Welcome back. Any word on the draft JDA/Lease for the Howard-Shaw/Florida Avenue project?

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell

Doggett, Rosalyn

From: Biondi, Marc E.
Sent: Tuesday, August 05, 2008 8:57 AM
To: Karim, Omar A.; Montague, Joshua W.
Cc: Flynn, Guy; seth.bryant@dlapiper.com; Washington, Joel R.; Doggett, Rosalyn
Subject: Re: Florida Avenue project - Draft JDA/Lease

Omar / Guy,

Thanks for the follow-up. Unfortunately, I don't have an answer to your question.

This project has been transferred to a different attorney in our office. Josh Montague (jwmontague@wmata.com) will be handling this project from here.

I have copied him on this email and forwarded Guy's comments on the Right of Entry.

Marc

Marc Biondi
Assistant General Counsel
Washington Metropolitan Area Transit Authority 600 Fifth Street, NW Washington, DC 20001

Direct Dial: 202-962-1011
Fax: 202-962-2550
mebiondi@wmata.com

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>>> "Omar A. Karim" <okarim@bannekerventures.com> 8/4/2008 4:39:05 PM
>>> >>>
Marc,

Welcome back. Any word on the draft JDA/Lease for the Howard-Shaw/Florida Avenue project?

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Monday, August 04, 2008 4:39 PM
To: Biondi, Marc E.
Cc: Flynn', 'Guy; seth.bryant@dlapiper.com; Washington, Joel R.; Doggett, Rosalyn
Subject: Florida Avenue project - Draft JDA/Lease

Marc,

Welcome back. Any word on the draft JDA/Lease for the Howard-Shaw/Florida Avenue project?

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Monday, August 04, 2008 10:32 AM
Subject: Board Items Preparation Milestones - 2008.xls
Attachments: Board Items Preparation Milestones - 2008.xls

All,

The latest update is attached.

For those preparing an item for the 9/08 committees and/or Board, please e-mail me the number of your MEAD as soon as you start it. Please note that all committee and Board items, both information and action, now require a MEAD.

Thanks.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Thursday, July 31, 2008 6:01 PM
Subject: Fwd: September 2008 Committee and Board Preparation Milestones
Attachments: Board Items Preparation Milestones - 2008.xls

All,

Quick update: the date of the FAO Cmte, PD&RE Cmte, and Admin items pre-brief for Nat is hot off the press and has been added: 5/18/08 at 1000.

Please note that the PD&RE Cmte materials are due to Michelle Bellamy the very next day, 5/19/08, at noon.

Why? Because the pre-brief for Jack Requa is scheduled for the day after that, 8/20/08, at 1030.

Please be sure that you bring a complete package (MEAD, BAIS, PowerPoint presentation, resolution [if applicable]) for each of your items to Nat's pre-brief rather than showing up simply to express your intention to complete them.

Thanks.

Sid

>>> Sid Mohsberg 7/31/2008 5:39 PM >>>
All,

The updated subject milestones are attached.

Please let me know if there are any errors or omissions.

So far, we have six items going to a committee and/or the Board.

The attached spreadsheet only shows one MEAD: 100051 for "SLMBE Program for Joint Development Activities".

Please let me know the remaining five MEAD numbers now.

Who will be preparing the Committee materials for "Adjustments to Metrobus Routes N22 and 98"?

Thanks.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Thursday, July 31, 2008 5:40 PM
Subject: September 2008 Committee and Board Preparation Milestones
Attachments: Board Items Preparation Milestones - 2008.xls

All,

The updated subject milestones are attached.

Please let me know if there are any errors or omissions.

So far, we have six items going to a committee and/or the Board.

The attached spreadsheet only shows one MEAD: 100051 for "SLMBE Program for Joint Development Activities".

Please let me know the remaining five MEAD numbers now.

Who will be preparing the Committee materials for "Adjustments to Metrobus Routes N22 and 98"?

Thanks.

Sid

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Thursday, July 31, 2008 5:16 PM
To: Doggett, Rosalyn
Subject: Re: Shaw-Howard / Florida Avenue

Sounds good! I will come up to your office.

Thanks,

Josh

>>> Rosalyn Doggett 7/31/2008 5:15 PM >>>
yes, how about 2 pm

>>> Joshua W. Montague 7/31/2008 5:12 PM >>>
Hi Rosalyn,

Are you available to meet with me sometime tomorrow to go over the basics of this transaction?

Thanks,

Josh

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Thursday, July 31, 2008 5:13 PM
To: Doggett, Rosalyn
Subject: Shaw-Howard / Florida Avenue

Hi Rosalyn,

Are you available to meet with me sometime tomorrow to go over the basics of this transaction?

Thanks,

Josh

Doggett, Rosalyn

From: Biondi, Marc E.
Sent: Wednesday, July 30, 2008 7:57 AM
To: Scales, Phillip; Doggett, Rosalyn
Cc: Washington, Joel R.
Subject: Fwd: transfers

Roz/Phillip,

As you may know we have hired a new real estate attorney, Josh Montague. Today is his first day in the office. Bruce has re-assigned the following matters to him.

05-286 - Western Bus Garage Proposal

07-171 - Shaw Howard/Florida Ave Solicitation and Sale

08-087 - Grosvenor Station - Parcel F

I will bring Josh by today or tomorrow to introduce him. (Note, as of this email, I do not find him in the groupwise directory.... I'll ask Sherry/Susan about fixing that).

Roz: if you would still like to get the first draft of Fl. Ave out the door this week, let me know what comments you have and I'll work with Josh to get it done.

Marc

Marc Biondi
Assistant General Counsel
Washington Metropolitan Area Transit Authority 600 Fifth Street, NW Washington, DC 20001

Direct Dial: 202-962-1011
Fax: 202-962-2550
mebiondi@wmata.com

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Doggett, Rosalyn

From: Shears, Nicholas C.
Sent: Monday, July 28, 2008 1:21 PM
To: Evans, Eleanor; Doggett, Rosalyn
Subject: Re: Fwd: Shaw Howard Florida Avenue Joint Development Site

Done.

-Nick

>>> Eleanor Evans 07/28/08 1:09 PM >>>

Hi,
Per Rosalyn's request below, could one of you remove the pdf and the link "Current Joint Development opportunities" on this page: <http://www.wmata.com/bus2bus/jd/jointdev.cfm>

I didn't see any language that reference "current joint development opportunities" but please amend the language if you think of another place where it might be referenced.

Thanks,
Eleanor

>>> Sydney E. Garriss 7/28/2008 11:50:50 AM >>>
FYI

Syd Garriss
Electronic Comm. Media Mgr
IT/EWPG
202.962.2389

>>> Rosalyn Doggett 7/28/2008 11:47 AM >>>
Please remove this from the WMATA web site. We have selected a developer, and it is no longer available.
Thanks.

Doggett, Rosalyn

From: Evans, Eleanor
Sent: Monday, July 28, 2008 1:05 PM
To: Doggett, Rosalyn
Subject: Re: Fwd: Shaw Howard Florida Avenue Joint Development Site

Wow, that is buried! I found it, and will have someone remove right away.

Thanks,
Eleanor

>>> Rosalyn Doggett 7/28/2008 12:41:20 PM >>>
It's on the internet under about us, business opportunities, metro real estate, joint development opps., current joint development opps.

Let me know if you cannot find it still.....

Rosalyn

>>> Eleanor Evans 7/28/2008 12:17 PM >>>
Hi Rosalyn,
I've taken on responsibility for the web changes/updates. Can you tell me where this page is located? Perhaps you could provide the URL. I've looked in a couple "obvious" spots, but haven't been able to find it.

Thanks,
Eleanor Evans
Sr. Web Program Manager
WMATA - IT
x1139

>>> Sydney E. Garriss 7/28/2008 11:50:50 AM >>>
FYI

Syd Garriss
Electronic Comm. Media Mgr
IT/EWPG
202.962.2389

>>> Rosalyn Doggett 7/28/2008 11:47 AM >>>
Please remove this from the WMATA web site. We have selected a developer, and it is no longer available.
Thanks.

Doggett, Rosalyn

From: Evans, Eleanor
Sent: Monday, July 28, 2008 12:17 PM
To: Doggett, Rosalyn
Subject: Fwd: Shaw Howard Florida Avenue Joint Development Site

Hi Rosalyn,
I've taken on responsibility for the web changes/updates. Can you tell me where this page is located? Perhaps you could provide the URL. I've looked in a couple "obvious" spots, but haven't been able to find it.

Thanks,
Eleanor Evans
Sr. Web Program Manager
WMATA - IT
x1139

>>> Sydney E. Garriss 7/28/2008 11:50:50 AM >>>
FYI

Syd Garriss
Electronic Comm. Media Mgr
IT/EWPG
202.962.2389

>>> Rosalyn Doggett 7/28/2008 11:47 AM >>>
Please remove this from the WMATA web site. We have selected a developer, and it is no longer available.
Thanks.

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Friday, July 25, 2008 10:17 AM
To: SAAM
Subject: Fwd: Findings of recent ridership growth
Attachments: Findings of recent ridership growth.txt

FYI

>>> Wendy Jia 7/24/2008 5:32 PM >>>
Joel,

Girum and I did some analysis on the recent Metrorail growth and got some interesting findings. I am forwarding to you in case the findings or data attached would be of use to your office.

Wendy

Doggett, Rosalyn

From: Flynn, Guy [guy.flynn@dlapiper.com]
Sent: Friday, July 25, 2008 12:51 AM
To: Biondi, Marc E.; Washington, Joel R.; Doggett, Rosalyn
Cc: Karim, Omar A.; warren@bannekerventures.com; Bryant, Seth
Subject: FW: Access to Shaw-Howard/Florida Avenue site to perform Alta/Topo Surveys
Attachments: WMATA Real Estate Permit (Florida Avenue Parcels).doc

Attached FYI is the ROE previously marked up by Banneker and DLA Piper that Omar received in late June and which Omar forwarded to Mark Meister and Joel on July 2.

See everyone in the morning.

Guy Flynn
DLA Piper
410-580-4149

-----Original Message-----

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Wednesday, July 02, 2008 12:37 PM
To: 'Mark K. Meister'
Cc: 'Joel R. Washington'; Flynn, Guy; Bryant, Seth; warren@bannekerventures.com; 'Joshua Kern'; phinisjones@comcast.net
Subject: RE: Access to Shaw-Howard/Florida Avenue site to perform Alta/Topo Surveys

Mark,

As promised, we attach for your review a revised copy of the Right to Entry Permit for the Shaw-Howard/Florida Avenue Joint Development Project. There are a number of places in the Permit that we had questions which are spelled out in the attached document. Upon review, please call so that we can clear up. If possible, we would love to get the Permit executed by Monday.

Thank you in advance.

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

-----Original Message-----

From: Joel R. Washington [mailto:jrwashington@wmata.com]
Sent: Monday, June 30, 2008 5:30 PM
To: okarim@bannekerventures.com
Cc: Mark K. Meister
Subject: Re: Access to Shaw-Howard/Florida Avenue site to perform Alta/Topo Surveys

Omar,

We can execute a right of entry permit. Send the copy over, I will have Mark Meister work with you to execute it.

Joel

-----Original Message-----

From: "Omar A. Karim" <okarim@bannekerventures.com>
To: Washington, Joel R. <jrwashington@wmata.com>
CC: warren@bannekerventures.com
'Flynn, Guy' <guy.flynn@dlapiper.com>
Bryant', 'Seth <seth.bryant@dlapiper.com> Creation Date: 6/27 10:38 am
Subject: Access to Shaw-Howard/Florida Avenue site to perform Alta/Topo Surveys

Mr. Washington,

While we wait for Rosalyn to return from out of the country, in order to

stay on the schedule that we all discussed back in March, we would like to move forward with getting ALTA and Topo surveys done on the Shaw-Howard/Florida Avenue site. Would it be possible for us to execute the

Right-of-Entry permit (a copy of which we have and are prepared to execute) so that this can happen next week? Thank you in advance.

Omar

Omar A. Karim

Banneker Ventures, LLC

700 12th Street, NW, Suite 700

Washington, DC 20005

(202) 667-4110 office

(301) 523-1810 cell

okarim@bannekerventures.com

</PRE> Please consider the environment before printing this email. <PRE>

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Thank you.

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Thursday, July 24, 2008 2:29 PM
To: Doggett, Rosalyn
Cc: warren@bannekerventures.com; guy.flynn@dlapiper.com; seth.bryant@dlapiper.com; Biondi, Marc E.; Washington, Joel R.
Subject: RE: Howard-Shaw/Florida Avenue Kick-Off Meeting

Rosalyn,

We have executed the Term Sheet and will bring an original to the meeting along with the \$100k Option Fee. Just wanted to make sure we put it on the Agenda to get the signed doc and fee to you all.

As for the ROE Permit, can you resend the document that you sent earlier in MS Word format. We don't have Word Perfect on our systems. Also, does the document reflect our comments sent over a few weeks ago? Not sure if you got them. We believe you may have still been out of town. Finally, would we be receiving a draft of the JDA and Lease tomorrow?

Thanks.

Omar

-----Original Message-----

From: Rosalyn Doggett [mailto:rdoggett@wmata.com]
Sent: Thursday, July 24, 2008 1:29 PM
To: Omar A. Karim
Cc: Joel R. Washington; Marc E. Biondi
Subject: Re: Howard-Shaw/Florida Avenue Kick-Off Meeting

Omar, this agenda looks fine. We have expected that you will be providing the executed Term Sheet and Option Fee tomorrow rather than discussing them! So, I hope that we are in agreement on that item.

Also, I have attached a draft Right of Entry Permit with information for the Florida Avenue site, as well as recent "boilerplate" modifications, incorporated - for your review prior to tomorrow's meeting. Of course, we could not execute this agreement prior to receiving the executed term sheet and the option fee.

Looking forward to seeing you tomorrow, Rosalyn

>>> "Omar A. Karim" <okarim@bannekerventures.com> 7/24/2008 12:34 PM

>>>
Ms. Doggett,

Below please find a draft of what we hope to discuss tomorrow:

- I. Providing Executed Term Sheet & Option Fee

- II. Overview of Project Schedule

- III. Right of Entry Permit
 - a. Comments
 - b. Insurance requirements

- IV. Development Agreement and Lease
 - a. Draft
 - b. Negotiations

c. Major issues

V. Project Design

a. Development Plan

b. Engineering Issues, etc.

VI. Other Issues

We plan on having someone from Torti Gallas and LEAD Engineering (civil and structural firm), in addition to our counsel from DLA Piper, be present tomorrow. Will someone from your design/engineering department be present to answer general questions about design/engineering issues that may be raised? Also, will you have a draft of the JDA and lease to provide us or do you want to send it prior to the meeting? Finally, have you all had an opportunity to review our comments to the ROE permit?

Looking forward to seeing you tomorrow.

Omar

Omar A. Karim

Banneker Ventures, LLC

700 12th Street, NW, Suite 700

Washington, DC 20005

(202) 667-4110 office

(301) 523-1810 cell

okarim@bannekerventures.com

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Thursday, July 24, 2008 12:34 PM
To: Doggett, Rosalyn
Subject: Howard-Shaw/Florida Avenue Kick-Off Meeting

Ms. Doggett,

Below please find a draft of what we hope to discuss tomorrow:

- I. Providing Executed Term Sheet & Option Fee
- II. Overview of Project Schedule
- III. Right of Entry Permit
 - a. Comments
 - b. Insurance requirements
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 - a. Draft
 - b. Negotiations
 - c. Major issues
- V. Project Design
 - a. Development Plan
 - b. Engineering Issues, etc.
- VI. Other Issues

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Looking forward to seeing you tomorrow.

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Johnson, Shariyka
Sent: Monday, July 21, 2008 2:39 PM
To: Doggett, Rosalyn
Subject: Re: Fwd: Shaw/Howard/Florida Avenue project - cancellation of letter of credit

No. Sorry!

>>> Rosalyn Doggett 7/21/2008 2:35 PM >>>
Do you?

>>> Joel R. Washington 7/21/2008 2:07 PM >>>
I think Shariyka has a copy.

Joel

>>> Rosalyn Doggett 7/21/2008 1:36 PM >>>
This looks ok to me. Unfortunately, I did not keep a copy of the original LOC that I sent back so cannot verify the number, but, under the circumstances, I am sure that it is.

>>> Joel R. Washington 7/21/2008 1:30 PM >>>

>>> < Jessica.Hubley@clarkus.com > 7/21/2008 1:11 PM >>>

Hi Joel,
I hope you are having a nice summer. Thanks so much for returning the letter of credit to us relating to the Shaw-Howard/ Florida Avenue project. In order to cancel the letter of credit, Wachovia Bank will need a letter from WMATA, as beneficiary, directing them to do so. I've drafted a letter you can use below. Would you take a look at this letter and if it looks acceptable, sign it and return it to me. Then, I can mail your letter to them with the original letter of credit and officially have them cancel it. Thanks in advance for your help with this! Please call me if you have any questions or concerns. Thanks!!

Jessica M. Hubley
Assistant General Counsel
Phone : 301-657-7155
Fax : 301-654-2564 Clark Enterprises, Inc.
7500 Old Georgetown Road, 15th Floor
Bethesda, Maryland 20814
jessica.hubley@clarkus.com

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Doggett, Rosalyn

From: Washington, Joel R.
Sent: Monday, July 21, 2008 2:08 PM
To: Doggett, Rosalyn
Cc: Biondi, Marc E.
Subject: Re: Fwd: Shaw/Howard/Florida Avenue project - cancellation of letter of credit

I think Shariyka has a copy.

Joel

>>> Rosalyn Doggett 7/21/2008 1:36 PM >>>
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>>> Joel R. Washington 7/21/2008 1:30 PM >>>

>>> <Jessica.Hubley@clarkus.com> 7/21/2008 1:11 PM >>>

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Jessica M. Hubley
Assistant General Counsel
Phone : 301-657-7155
Fax : 301-654-2564 Clark Enterprises, Inc.
7500 Old Georgetown Road, 15th Floor
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jessica.hubley@clarkus.com

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Doggott, Rosalyn

From: Washington, Joel R.
Sent: Monday, July 21, 2008 1:31 PM
To: Doggett, Rosalyn
Subject: Fwd: Shaw/Howard/Florida Avenue project - cancellation of letter of credit
Attachments: Cancellation of LOC.doc

>>> <Jessica.Hubley@clarkus.com> 7/21/2008 1:11 PM >>>

Hi Joel,

I hope you are having a nice summer. Thanks so much for returning the letter of credit to us relating to the Shaw-Howard/ Florida Avenue project. In order to cancel the letter of credit, Wachovia Bank will need a letter from WMATA, as beneficiary, directing them to do so. I've drafted a letter you can use below. Would you take a look at this letter and if it looks acceptable, sign it and return it to me. Then, I can mail your letter to them with the original letter of credit and officially have them cancel it. Thanks in advance for your help with this! Please call me if you have any questions or concerns. Thanks!!

Jessica M. Hubley
Assistant General Counsel
Phone : 301-657-7155
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7500 Old Georgetown Road, 15th Floor
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jessica.hubley@clarkus.com

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Doggett, Rosalyn

From: Biondi, Marc E.
Sent: Thursday, July 17, 2008 11:51 AM
To: Doggett, Rosalyn
Subject: Final Term Sheet
Attachments: Final FL AVE Term Sheet COUN 031808.doc

Here's the final as I have it.

Marc

Marc Biondi
Assistant General Counsel
Washington Metropolitan Area Transit Authority 600 Fifth Street, NW Washington, DC 20001

Direct Dial: 202-962-1011
Fax: 202-962-2550
mebiondi@wmata.com

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Doggett, Rosalyn

From: Johnson, Shariyka
Sent: Thursday, July 17, 2008 10:24 AM
To: SAAM
Subject: Status of Current Joint Development Projects
Attachments: Status of Current Projects 8A revised 7_16.doc

All:

Attached you will find the most up-to-date list regarding the status of current joint development projects.

Thanks,

Shariyka

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Wednesday, July 16, 2008 4:37 PM
To: McLaughlin, Janice A.
Cc: Malasky, Gary; Welch, Kermit A.; Chu, Mable; Biondi, Marc E.; Burns, Bob; Dickerson, Tracie S.; McEhenny-Smith, Robin; Mohsberg, Sid; Meister, Mark K.; Bottigheimer, Nat; Doggett, Rosalyn
Subject: Status of Current Projects 8A revised 7_16_08.doc
Attachments: Status of Current Projects 8A revised 7_16_08.doc

Janice,

The revised status report is attached, there may be a few minor edits by end of next week resulting from meetings occurring this week and early next week.

Joel

Doggett, Rosalyn

From: Biondi, Marc E.
Sent: Wednesday, July 16, 2008 3:23 PM
To: Doggett, Rosalyn
Subject: Re: Fwd: Kick-off meeting for Howard-Shaw/Florida Ave project

Any time on Friday the 25th. I'm at a mandatory VA Bar course on the 24th.

Marc

>>> Rosalyn Doggett 7/16/2008 3:11:55 PM >>>

Marc, what is your availability next Thurs or Friday. I am here. I can also get an execution copy with a letter from Joel out tomorrow, asking them to bring an executed copy in, along with the option fee next Thurs or Fri.

>>> "Omar A. Karim" <okarim@bannekerventures.com> 7/16/2008 8:22 AM >>>
Ms. Doggett,

Welcome back. Hope you had an enjoyable vacation. Wanted to touch basis to schedule a kick-off meeting for the Howard-Shaw/Florida Ave project. Figure there are a couple of items we need to discuss/take care of, including:

- Executing the Term Sheet and posting the Option Fee;
- Discussing, finalizing and executing the Right of Entry Permit (particularly interested in getting clarification on the insurance requirements);
- Discussing a timetable for negotiating and getting the Development Agreement and Lease before the Board for approval;
- Discussing any issues that we should be aware of from Metro (fees, engineering issues, etc) as the project moves forward;
- Having your design team meet with our architect/engineers/Metro consultants (would like to bring Torti Gallas and the engineers to the kick-off mtg to get things started).

In addition to the above issues, of course any other things you all want to discuss would be great as well. Just want to capture as much as possible of the things that need to happen between now and when we break ground.

Would it be possible to schedule this kick-off meeting next week, say Thurs or Fri?

Thank you in advance.

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Wednesday, July 16, 2008 3:04 PM
To: Malasky, Gary; Burns, Bob; Washington, Joel R.; McElhenny-Smith, Robin; Doggett, Rosalyn
Subject: Re: Status of Current Projects 8A revised 7_16_08.doc
Attachments: Status of Current Projects 8A-revised 7_16_08.doc

Joel,

As requested, attached is the Status of Current Joint Development Projects report with updates shown in red.

Mark

>>> Joel R. Washington 7/16/2008 9:36 AM >>>
All,

The FTA Quarterly pre-brief is next week and the update is due tomorrow. Please review and provide updates and save on the LAND shared drive in the JOINT DEVELOPMENT FILE. I may have captured the latest activity but your review is appreciated.

Thanks,

Joel

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Wednesday, July 16, 2008 9:37 AM
To: Malasky, Gary; Burns, Bob; McElhenny-Smith, Robin; Meister, Mark K.; Doggett, Rosalyn
Subject: Status of Current Projects 8A revised 7_16_08.doc
Attachments: Status of Current Projects 8A revised 7_16_08.doc

All,

The FTA Quarterly pre-brief is next week and the update is due tomorrow. Please review and provide updates and save on the LAND shared drive in the JOINT DEVELOPMENT FILE. I may have captured the latest activity but your review is appreciated.

Thanks,

Joel

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Wednesday, July 16, 2008 8:23 AM
To: okarim@bannekerventures.com; Doggett, Rosalyn
Cc: Garcia, David; Williams, Warren
Subject: Kick-off meeting for Howard-Shaw/Florida Ave project

Ms. Doggett,

Welcome back. Hope you had an enjoyable vacation. Wanted to touch basis to schedule a kick-off meeting for the Howard-Shaw/Florida Ave project. Figure there are a couple of items we need to discuss/take care of, including:

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- Discussing, finalizing and executing the Right of Entry Permit (particularly interested in getting clarification on the insurance requirements);
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Thank you in advance.

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell

Doggett, Rosalyn

From: Cassell, Steven [scassell@fourpointslc.com]
Sent: Wednesday, July 02, 2008 4:07 PM
To: Malasky, Gary
Cc: Gada, Ketan (EOM); Buerger, Christian A.; Feola, Phil; Welch, Kermit A.; Burns, Bob; Medina, Ed; Meister, Mark K.; Doggett, Rosalyn
Subject: Proposal for Purchase of Easement Rights at Shaw-Howard Metro
Attachments: WMATA Easement Purchase Proposal.pdf; MREA Easement letter.pdf

Dear Mr. Malasky,

Please see the attached letter outlining our proposal for purchase of easement rights at the Shaw-Howard Metro Station at 7th and S Street, NW in Washington D.C. along with an opinion letter from Millennium Real Estate Advisors regarding valuation methodology for these easement rights. We would sincerely appreciate a prompt response to this proposal.

Best regards,

Steven C. Cassell

Four Points, LLC
202-521-2529 (O)
202-250-1709 (C)
scassell@fourpointslc.com

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Tuesday, July 01, 2008 10:46 AM
To: Weinbaum, Jamie
Cc: Washington, Joel R.; Bottigheimer, Nat; Doggett, Rosalyn
Subject: Florida Avenue Development Presentation
Attachments: Florida Ave Developer Selection Presentation.ppt

Jamie,

A copy of the presentation is attached.

Thanks.

Sid Mohsberg

>>> Nat Bottigheimer 6/29/2008 8:03 PM >>>
Jamie--

It was nice to meet you, too. Sorry it's taken me so long to respond. Perhaps you've already gotten what you need by now?

In any event, I'm going to ask Sid Mohsberg on this email to send you a copy of the presentation that was prepared but never presented, and I'm cc'ing Joel Washington, the head of the program that the project is part of, so that if you have any follow-up questions you can check directly with Joel.

Thanks very much,

Nat

>>> "Weinbaum, Jamison (EOM)" <Jamison.weinbaum@dc.gov> 06/24/08 3:09 PM >>>
Nat, it was nice meeting you earlier today at the meeting with Councilmember Graham.

If you have any general presentations about the Florida Avenue redevelopment, would you mind sending them over? I want to read up on some of the more general guidelines to the project.

Thanks very much,

Jamie

Jamison L. Weinbaum
Project Manager
Office of the Deputy Mayor for
Planning and Economic Development
1350 Pennsylvania Avenue, NW, Suite 317
Washington, DC 20004
Direct: (202) 727-1692
Fax: (202) 727-6703

Doggett, Rosalyn

From: Biondi, Marc E.
Sent: Monday, June 30, 2008 1:19 PM
To: Washington, Joel R.
Cc: Meister, Mark K.; Doggett, Rosalyn
Subject: Re: Fwd: Access to Shaw-Howard/Florida Avenue site to perform Alta/Topo Surveys

No.

An ROE would be appropriate. Whoever going to coordinate the permit should advise Mr. Karim of our new Insurance practices.

Marc

Marc Biondi
Assistant General Counsel
Washington Metropolitan Area Transit Authority 600 Fifth Street, NW Washington, DC 20001

Direct Dial: 202-962-1011
Fax: 202-962-2550
mebiondi@wmata.com

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>>> Joel R. Washington 6/30/2008 1:16 PM >>>
Marc,

Do you see any reason we should not execute the Right-of-Entry permit for Banneker? As I understand past practices, we have allowed prospective developers access to property for surveys, borings, etc., please advise.

Joel

>>> "Omar A. Karim" <okarim@bannekerventures.com> 6/27/2008 10:38:24 AM
>>> >>>

Mr. Washington, While we wait for Rosalyn to return from out of the country, in order to stay on the schedule that we all discussed back in March, we would like to move forward with getting ALTA and Topo surveys done on the Shaw-Howard/Florida Avenue site. Would it be possible for us to execute the Right-of-Entry permit (a copy of which we have and are prepared to execute) so that this can happen next week? Thank you in advance. Omar Omar A. KarimBanneker Ventures, LLC700 12th Street, NW, Suite 700Washington, DC 20005(202) 667-4110 office(301) 523-1810 cellokarim@bannekerventures.com

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Monday, June 30, 2008 1:16 PM
To: Biondi, Marc E.
Cc: Meister, Mark K.; Doggett, Rosalyn
Subject: Fwd: Access to Shaw-Howard/Florida Avenue site to perform Alta/Topo Surveys

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Joel

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700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Monday, June 30, 2008 11:09 AM
To: Johnson, Shariyka
Cc: Biondi, Marc E.; Doggett, Rosalyn
Subject: Fwd: RE: Shaw-Howard Metro (Letter of Credit)
Attachments: IMAGE.gif

Shariyka,

Now that the Board approved the Term Sheet for the Shaw-Howard Florida Avenue parcels, we should mail the letter Of credit back that was posted by Clark Enterprises for the Moddie Turay team.

Thanks,

Joel

>>> "Moddie Turay" <moddie@moddieturay.com> 6/28/2008 12:40:24 PM >>>
Joel,

I hope all is well. Per our conversation on Friday. Please mail Letter of Credit to:

Rebecca L. Owen
Senior Vice President & General Counsel
Clark Enterprises Inc.
7500 Old Georgetown Road
15th Floor
Bethesda, Maryland
20814

Also, our team would like to request a debriefing with you and the appropriate staff in regards to our RFP response at your earliest convenience.

Best,

Moddie Turay



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Checked by AVG Free Edition.
Version: 7.5.516 / Virus Database: 269.21.4/1310 - Release Date: 3/4/2008 8:35 AM

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Version: 7.5.524 / Virus Database: 270.4.2/1523 - Release Date: 6/28/2008 7:00 AM

Doggett, Rosalyn

From: Moddie Turay [moddie@moddieturay.com]
Sent: Saturday, June 28, 2008 12:40 PM
To: moddie@moddieturay.com; Washington, Joel R.
Cc: King.Davidson@clarkus.com; rowen@clarkus.com; Doggett, Rosalyn
Subject: RE: Shaw-Howard Metro (Letter of Credit)
Attachments: image001.gif

Joel,

I hope all is well. Per our conversation on Friday. Please mail Letter of Credit to:

Rebecca L. Owen
Senior Vice President & General Counsel
Clark Enterprises Inc.
7500 Old Georgetown Road
15th Floor
Bethesda, Maryland
20814

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Best,

Moddie Turay



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Version: 7.5.524 / Virus Database: 270,4.2/1523 - Release Date: 6/28/2008 7:00 AM

Doggett, Rosalyn

From: Bottigheimer, Nat
Sent: Wednesday, June 25, 2008 2:39 PM
To: Gates, Angela
Cc: Biondi, Marc E.; Heppen, Bruce P.; Washington, Joel R.; Doggett, Rosalyn
Subject: Florida Avenue Questions from DC Blogger

Angela--

I'm attaching questions submitted by the blogger you'd been working with. Could you vet these and send on to her?

My proposed responses are below. If anyone has thoughts about these proposed responses, please pass them on to Angela and me.

Thanks very much,

Nat

>>> <sarah@dcrealestate.com> 6/25/2008 10:01 AM >>>
Below you will find my questions about the outstanding Shaw-Howard RFP:

Angela said the selection was delayed because the Board of Directors wanted to review the selection process itself - what did the process involve?

THE PROCESS INCLUDED REVIEW OF THE QUALITY OF THE PROPOSALS, THE VALUE OF THE PROPOSALS, THE QUALIFICATIONS AND EXPERIENCE OF THE PROPOSERS, PROJECT IMPLEMENTABILITY AS PROPOSED, AND THE CONSISTENCY OF THE PROPOSALS WITH TRANSIT AGENCY AND / OR LOCAL DEVELOPMENT POLICIES AND NEEDS.

What are the names of the three developers still in the running? If you can't disclose names, are they local developers or international firms? THE DEVELOPERS ARE ALL LOCAL FIRMS

Also, what kind of development is WMATA looking for? - Affordable, mixed-use, arts-related? THE PRIMARY CONSIDERATION IN THIS CASE IS CONSISTENCY WITH THE LOCAL DEVELOPMENT PLAN, WHICH SUPPORTS TRANSIT-ORIENTED DEVELOPMENT USES, PROMOTES MIXED USE, RESIDENTIAL, RETAIL, ETC.

What are the next steps in terms of selection? Is there a timeline and subsequent date by which a PUD would be due? NEXT STEP IS BOARD ACTION ON THE STAFF RECOMMENDATION. I APOLOGIZE, BUT I DON'T KNOW THE ANSWER REGARDING THE PUD DUE DATE - PERHAPS DCOP STAFF COULD RESPOND?

What does WMATA hope the development will bring to the area? REVITALIZATION, INCREASED ACTIVITY AND LIVELINESS, TRANSIT-ORIENTED DEVELOPMENT, CONTINUING U STREET'S REBIRTH AND PROMOTING CENTER CITY LIVING.

Are there any rough sketches available? NONE AT THE MOMENT

Thank you so much for all of your time and assistance. I am on deadline for 1 pm.

Cheers,

Sarah Krouse
dcmud.blogspot.com
DCRealEstate.com
(0)202.719.9102

DCMud is brought to you by the passionate and creative but slightly unhinged folks at DCRealEstate.com - the hardest working marketing and sales team for condos and leasing, and the unequalled real estate resource in the Washington DC area. Hire us to market your next project; we're better than that other team.

Doggett, Rosalyn

From: Bottigheimer, Nat
Sent: Wednesday, June 25, 2008 7:49 AM
To: Requa, Jack; Pant, Shiva K.; O'Keeffe, Carol B.
Cc: Chisholm, Ann; Washington, Joel R.; Chambliss, Leenda M.; Doggett, Rosalyn
Subject: Fw: Proposed Language for Florida Avenue Item
Attachments: Mail.txt

Here's the latest. Now I'm less confident about an agreement...

Doggett, Rosalyn

From: Bottigheimer, Nat
Sent: Tuesday, June 24, 2008 10:39 PM
To: emeka.moneme@dc.gov; Jim@grahamwone.com
Cc: Requa, Jack; O'Keefe, Carol B.
Subject: RE: Proposed Language for Florida Avenue Item

Thank you very much for that feedback, Councilman. I will try to propose more specific language tomorrow morning, and of course would welcome any suggestions that you (or others on this email) might have on wording.

Thinking out loud about how to accommodate your request, I don't think we could go as far as to specify roles for team members in the resolution language by team member name. Should a team member with required expertise elect to resign its role on the winning team, I imagine we'd want to have the flexibility to substitute a new team member with equal expertise. If I'm thinking correctly, the resolution language should anticipate that possibility. As I understood it this morning, the desired language would emphasize that the firm doing the construction would have to have a well demonstrated capability for a project of this type, and would have to be in control of the construction process. That is the sense that I am -- hopefully correctly -- trying to capture. If incorrect, please do advise.

Best wishes,

Nat Bottigheimer

>>> Jim Graham <Jim@grahamwone.com> 06/24/08 10:14 PM >>>
One half unacceptable. I want language on the specific responsibility for construction of the building

-----Original Message-----

From: Nat Bottigheimer [<mailto:nbottigheimer@wmata.com>]
Sent: Tuesday, June 24, 2008 10:10 PM
To: emeka.moneme@dc.gov; Jim Graham
Cc: Carol B. O'Keefe; Jack Requa
Subject: Proposed Language for Florida Avenue Item

Councilman Graham and Director Moneme --

I'm transmitting as you requested our proposed language in support of the outcomes of Tuesday morning's meeting. The language provided below assumes that there would be a motion to approve the item, followed by a friendly amendment. We discussed resolution language this morning, but there is in fact no resolution for this item.

Motion

That the Board of Directors approves the selection of, and term sheet with, the Bancker Ventures LLC development team as developer for the Shaw-Howard University/Florida Avenue joint developments parcels; and authorizes the negotiation of a development agreement that will be presented to the Board for approval, subject to the following, that:

Amendment

(A) Staff provide to the Board documentation (1) establishing the roles and responsibilities of the members of the development team; and (2) matching team members' construction experience to construction responsibility and authority

(B) Staff provide to the Board an updated property appraisal and supporting documentation

Please let us know if this process and language appears correct and/or acceptable and what changes, if any, would be needed.

Thank you very much, and best wishes,

Nat Bottigheimer

Doggett, Rosalyn

From: Bottigheimer, Nat
Sent: Tuesday, June 24, 2008 10:10 PM
To: emeka.moneme@dc.gov; jim@grahamwone.com
Cc: Requa, Jack; O'Keeffe, Carol B.
Subject: Proposed Language for Florida Avenue Item

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Motion

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(B) Staff provide to the Board an updated property appraisal and supporting documentation

Please let us know if this process and language appears correct and/or acceptable and what changes, if any, would be needed.

Thank you very much, and best wishes,

Nat Bottigheimer

Doggett, Rosalyn

From: Biondi, Marc E.
Sent: Tuesday, June 24, 2008 1:59 PM
To: Doggett, Rosalyn
Subject: Recommendation in the MEAD
Attachments: MEAD Reqs.doc

Roz,

As we discussed, draft language is attached. Please revise as appropriate based on your understanding of today's meeting with Jim and Emeka.

Marc

Marc Biondi
Assistant General Counsel
Washington Metropolitan Area Transit Authority 600 Fifth Street, NW Washington, DC 20001

Direct Dial: 202-962-1011
Fax: 202-962-2550
mebiondi@wmata.com

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Doggett, Rosalyn

From: Bottigheimer, Nat
Sent: Friday, June 20, 2008 6:03 PM
To: Gates, Angela; Doggett, Rosalyn
Cc: O'Keeffe, Carol B.
Subject: Re: Followup question about Shaw-Howard U development project

Yes, seems fine...

-----Original Message-----

From: Angela Gates
To: Bottigheimer, Nat <nbottigheimer@wmata.com> Doggett, Rosalyn <rdoggett@wmata.com>
CC: O'Keeffe, Carol B. <cokeeffe@wmata.com> Creation Date: 6/20 5:41 pm
Subject: Re: Followup question about Shaw-Howard U development project

OK to pass along this info. to the reporter?

-----Original Message-----

From: Rosalyn Doggett
To: Gates, Angela <agates@wmata.com>
Bottigheimer, Nat <nbottigheimer@wmata.com>
CC: O'Keeffe, Carol B. <cokeeffe@wmata.com> Creation Date: 6/20 4:56 pm
Subject: Re: Followup question about Shaw-Howard U development project

yes, correct

>> Nat Bottigheimer 6/20/2008 4:55 PM >>>

Angela-

The Board wanted further information on the selection process we used. (Carol, is that ok?)

There were two stages of the proposal. Nine firms originally expressed interest. On the basis of these submissions, six were invited to submit further proposals. In the second round, we had four bidders, which turned into three when two bidders combined forces.

Roz, correct?

Carol, can/should we share the bidder info before the Board item is presented to the Board or not? To me it seems innocuous and if anything is to our advantage...

Thanks,

Nat

-----Original Message-----

From: Angela Gates
To: Bottigheimer, Nat <nbottigheimer.CP5.RTRDOM@wmata.com>
Creation Date: 6/20 4:46 pm
Subject: Followup question about Shaw-Howard U development project

Hi Nat,

The reporter from <http://dcmud.blogspot.com> called again and wants to know why Metro has delayed the decision to find a developer for the joint development project on Florida Avenue between 7th and 9th streets near Shaw-Howard U Metrorail station.

Also, wants to know how many people applied for it.

Thanks for any information you can provide!

Angela

Doggett, Rosalyn

From: Gates, Angela
Sent: Friday, June 20, 2008 5:42 PM
To: Bottigheimer, Nat; Doggett, Rosalyn
Cc: O'Keefe, Carol B.
Subject: Re: Followup question about Shaw-Howard U development project

OK to pass along this info. to the reporter?

-----Original Message-----

From: Rosalyn Doggett
To: Gates, Angela <agates@wmata.com>
Bottigheimer, Nat <nbottigheimer@wmata.com>
CC: O'Keefe, Carol B. <cokeeffe@wmata.com> **Creation Date:** 6/20 4:56 pm
Subject: Re: Followup question about Shaw-Howard U development project

yes, correct

>>> Nat Bottigheimer 6/20/2008 4:55 PM >>>

Angela-

The Board wanted further information on the selection process we used. (Carol, is that ok?)

There were two stages of the proposal. Nine firms originally expressed interest. On the basis of these submissions, six were invited to submit further proposals. In the second round, we had four bidders, which turned into three when two bidders combined forces.

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Thanks,

Nat

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To: Bottigheimer, Nat <nbottigheimer.CP5.RTRDOM@wmata.com>
Creation Date: 6/20 4:46 pm
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Angela

Doggett, Rosalyn

From: Bottigheimer, Nat
Sent: Friday, June 20, 2008 4:55 PM
To: Gates, Angela
Cc: O'Keeffe, Carol B.; Doggett, Rosalyn
Subject: Re: Followup question about Shaw-Howard U development project

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Nat

-----Original Message-----

From: Angela Gates
To: Bottigheimer, Nat <nbottigheimer.CP5.RTRDOM@wmata.com>
Creation Date: 6/20 4:46 pm
Subject: Followup question about Shaw-Howard U development project

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Thanks for any information you can provide!

Angela

Doggett, Rosalyn

From: Chambliss, Leenda M.
Sent: Friday, June 20, 2008 10:09 AM
To: Bellamy, Michelle A.; Mohsberg, Sid; Bottigheimer, Nat; Doggett, Rosalyn
Cc: Pena, Danise
Subject: PDRE E - Florida Avenue.pdf - Adobe Acrobat Professional
Attachments: PDRE E - Florida Avenue.pdf

Attached is the PDRE item for Florida Avenue. I am inclined to wait to post this item, depending on the outcome of the meeting with Mr. Graham and the subsequent Exec session. Please advise.

- Leen'da

Leen'da Chambliss
Office of the Secretary
202-962-2511
202-962-1133 (fax)
lchambliss@wmata.com

Doggett, Rosalyn

From: Bellamy, Michelle A.
Sent: Thursday, June 19, 2008 3:16 PM
To: Doggett, Rosalyn
Cc: Mohsberg, Sid; Meister, Mark K.
Subject: Fwd: Re: Florida Ave
Attachments: Agenda.doc; Florida Avenue Cvr.doc; Exec Session summary.doc

Ms. Doggett,

I found out today that I need to provide documents for tomorrow's mailout.

The attached documents are what would be mailed out but we need to include a BAIS (see Leenda's reply)

>>> Leenda M. Chambliss 6/19/2008 3:01 PM >>>

These are ok for the committee. We also need a "non-sensitive" BAIS (MEAD) to put into the Board package.

>>> Michelle A. Bellamy 6/19/2008 2:38 PM >>>

Leenda,

Please look at what I have that would be going into public session for Florida Avenue. Let me know if this would go in the mailout tomorrow.

Sorry for the delay, it was just brought to my attention that we needed to provide something.

Please advise,
Michelle

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Tuesday, June 17, 2008 1:55 PM
Subject: Fwd: Metro News Clips - Monday, June 16, 2008
Attachments: WPOST1.pdf; blog.washingtonpost2.pdf; WPOST3.pdf; WPOST4.pdf; WPOST5.pdf; WPOST6.pdf; WPOST7.pdf; wtopnews8.pdf; wtopnews9.pdf; wjla10.pdf; nbc4.com11.pdf; myfoxdc12.pdf; nydailynews1.pdf; nydailynews2.pdf; nytimes3.pdf; contracostatimes4.pdf; chicagotribune5.pdf

>>> Steven Taubenkibel 6/16/2008 9:07 AM >>>
To all:

Metro News

- 1) Metro Chief Cuts Barry A Break, Then A Check, Washington Post, June 16
- 2) Get There Blog: Analyzing Metro's Performance II, Washington Post, June 16
- 3) Closer To Home: I Survived The Metro Derailment, Washington Post, June 15
- 4) Dr. Gridlock: Some Days Just Aren't Good Days To Be A Commuter, Washington Post, June 15
- 5) A Transit System That Feels Its Age, Washington Post, June 14
- 6) Power Failure Causes Havoc Downtown, Washington Post, June 14
- 7) \$2.3 Million Settlement Reached In 07 Accident, Washington Post, June 14
- 8) Will You Get A Kick Out Of Metro's Newest Video?, WTOP News, June 16
- 9) Friday The 13th Blackout Hits DC, WTOP News, June 13
- 10) On Your Side: Deadly Metro Accident Continued Coverage
<http://www.wjla.com/news/stories/0608/528212.html> (see news story), WJLA-TV 7, June 13
- 11) Metro Back On Track After Power Outage, <http://www.nbc4.com/news/16596455/detail.html>
(see news story), WRC-TV 4, June 13
- 12) Metro Interrupted By Fire, Power Outages,
<http://www.myfoxdc.com/myfox/pages/Home/Detail;jsessionid=E8370F36C26093F58F0CDB6621F61BAF?contentId=6762686&version=17&locale=EN-US&layoutCode=TSTY&pageId=1.1.1&sflg=1> (see news story), WTTG-TV 5, June 13

US Transit News

- 1) MTA Report: Vacancies May Stall Projects, New York Daily News, June 16
- 2) City's Great Train Robber At It Again: Serial Subway Imposter Caught, New York Daily News, June 15
- 3) Queens Man Obsessed With Trains Arrested Again, New York Times, June 15
- 4) BART Approves Budget With No Service Cuts, Contra Costa Times, June 13
- 5) CTA's Outdated Rail System Puts Burden On Train Operators, Chicago Tribune, June 15

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Monday, June 16, 2008 12:11 PM
To: Pena, Danise; Chambliss, Leenda M.
Cc: Bellamy, Michelle A.; Doggett, Rosalyn
Subject: Fwd: Florida Ave BAIS
Attachments: Florida Ave.pdf

Leen'da and Danise,

MEAD 99972 has been awaiting Board approval at Level 8 since 4/22/08; therefore, it was completed prior to implementation of the MEAD software change on 5/1/08.

My sense is that the electronic conversion generated a couple of hiccups, perhaps even burps.

We'd be happy to fix it, but since it is now in the front office, the MEAD software won't let us. Your help would be appreciated.

Thanks.

Sid

>>> Michelle A. Bellamy 6/16/2008 11:03 AM >>>
Good morning Ms. Doggett,

I printed the BAIS from the MEAD and noticed the formatting is incorrect. I only have access to print the documents otherwise I would be more than happy to make these changes.

Can you change the font to Arial 12pt., alignment should be left and the headings should be arial 12pt bold.

These are the small details that will cause SECT to return the package.

Thanks,
Michelle
x2779

Doggett, Rosalyn

From: Bellamy, Michelle A.
Sent: Monday, June 16, 2008 11:03 AM
To: Mohsberg, Sid; Doggett, Rosalyn
Subject: Florida Ave BAIS
Attachments: Florida Ave.pdf

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Can you change the font to Arial 12pt., alignment should be left and the headings should be arial 12pt bold.

These are the small details that will cause SECT to return the package.

Thanks,
Michelle
x2779

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Friday, June 13, 2008 2:17 PM
Subject: Fwd: Metro News Clips - Friday, June 13, 2008
Attachments: WPOST1.pdf; WPOST2.pdf; WPOST3.pdf; blog.washingtonpost4.pdf; dcexaminer5.pdf; dcexaminer6.pdf; dcexaminer7.pdf; wtopnews8.pdf; wtopnews9.pdf; wjla10.pdf

>>> Steven Taubenkibel 6/13/2008 2:10 PM >>>
To all:

Metro News

- 1) Power Outages Reported Throughout Downtown DC, Washington Post, June 13
- 2) Editorial: Hope At Last For Metro, Washington Post, June 13
- 3) Communication In Derailment Is Criticized, Washington Post, June 13
- 4) Get There: Analyzing Metro's Performance, Washington Post, June 13
- 5) Metro Reports Delays On The Red Line, Washington Examiner/Associated Press, June 13
- 6) Metro Headquarters Move Too Costly, Consultants Say, Washington Examiner, June 13
- 7) Metro Board Slams Officials For Lack Of Communication, Washington Examiner, June 13
- 8) Electricity Restored After Massive Power Outage, WTOP News, June 13
- 9) Board Lashes Out At Metro After Recent Slip Ups, WTOP News, June 13

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Thursday, June 12, 2008 9:32 AM
Subject: Fwd: Metro News Clips - Thursday, June 12, 2008
Attachments: WPOST1.pdf; dcexaminer2.pdf; dcexaminer3.pdf; dcexaminer4.pdf; wtopnews5.pdf; nbc4.com6.pdf; wjla7.pdf; myfoxdc8.pdf; wusa9.com9.pdf; fairfaxtimes10.pdf; nydailynews1.pdf; nytimes2.pdf; cnnmoney4.pdf; boston3.pdf

>>> Steven Taubenkibel 6/12/2008 8:34 AM >>>
To all:

Metro News

- 1) Orange Line Service Restored After Heat Kink, Washington Post, June 12
- 2) Bent Metro Track Replaced; Minor Delays Still Possible, Washington Examiner/Associated Press, June 12
- 3) US House Approves Measure To Provide Metro \$1.5B In Funding, Washington Examiner, June 12
- 4) Metro Funding Passed By House, Washington Examiner/Associated Press, June 11
- 5) Kink Causes Major Delays On Metro's Orange Line, WTOP News, June 11
- 6) Heat Kink In Track Could Cause Orange Line Delays, WRC-TV 4, June 12
- 7) Metro Repairs Orange Line Kink; Reports Minimal Delays, <http://www.wjla.com/news/stories/0608/527582.html> (see news story), WJLA-TV 7, June 12
- 8) Bent Metro Track Replaced; Minor Delays Still Possible, <http://www.myfoxdc.com/myfox/pages/Home/Detail;jsessionid=B97C42BAF21C974DBC1425B79520A2F4?contentId=6747833&version=10&locale=EN-US&layoutCode=TSTV&pageId=1.1.1&sflg=1> (see news story), WTTG-TV 5, June 11
- 9) Metro Track Replaced, <http://www.wusa9.com/news/local/story.aspx?storyid=72707&catid=158> (see news story), WUSA-TV 9, June 11
- 10) Toll Road Lawsuit May Threaten Rail, Fairfax Times, June 11

US Transit News

- 1) Give MTA Billions Or Straphangers Pay Sez Boss, New York Daily News, June 12
- 2) As Revenue Falls, MTA May Raise Fares Again In 09, New York Times, June 12
- 3) Legal Sea Foods Chief Offers MBTA Operators A Sort Of Fishy Apology, Boston Globe, June 12
- 4) Mass Transit Surge; Most Riders Since 1957, CNN, June 11

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Wednesday, June 11, 2008 12:44 PM
Subject: Fwd: Mass Transit News Update - June 11, 2008

>>> "Mass Transit" <webmaster@cygnusb2b.com> 6/11/2008 11:49 AM >>>
To ensure future delivery of Cygnus - Mass Transit e-mail promotions and newsletters to your inbox (not bulk or junk folders) please add our "From" address webmaster@cygnusb2b.com to your address book or e-mail whitelist.

Mass Transit Magazine

Wednesday, June 11, 2008

Sponsored By:

March Networks
http://ad2.firehousezone.com/RealMedia/ads/click_nx.ads/www.masstransitmag.com/newsletterJune08@Newsletter1

Daktronics
http://ad2.firehousezone.com/RealMedia/ads/click_nx.ads/www.masstransitmag.com/newsletterJune08@Newsletter3

USA Today
http://ad2.firehousezone.com/RealMedia/ads/click_nx.ads/www.masstransitmag.com/newsletterJune08@Newsletter8

Top Mass Transit News

Port Authority Transit Ridership Drops Despite Jump in Gas:
<http://www.masstransitmag.com/publication/article.jsp?siteSection=3&id=6271>
The Port Authority of Allegheny County is losing riders at a time when soaring gas prices are spurring more people nationwide to choose mass transit.

Cracks to Sideline Caltrain Cars for Months:
<http://www.masstransitmag.com/publication/article.jsp?siteSection=3&id=6270>
Caltrain will be running shorter trains throughout the summer as it scrambles to repair 14 rail cars that were found to have hairline cracks near their wheel assemblies

Aging SMTD Fleet Causing Concern:
<http://www.masstransitmag.com/publication/article.jsp?siteSection=3&id=6269>
Nearly 60 percent of the Springfield Mass Transit District's 51 buses are at or beyond their 12-year projected lifespan. Among the oldest buses, six date back to 1984, which means they have doubled their life expectancy.

St. Paul Tapped for Community-Planning Pilot Project:
<http://www.masstransitmag.com/publication/article.jsp?siteSection=3&id=6268>
St. Paul will be one of four U.S. cities participating in a pilot community-planning program sponsored by the New York-based Environmental Simulation Center (ESC).

Lakewood Sure has Arrived:
<http://www.masstransitmag.com/publication/article.jsp?siteSection=3&id=6267>

Central Florida Commuter-Rail Costs are in Line With What Others Across U.S. are Paying:
<http://www.masstransitmag.com/publication/article.jsp?siteSection=3&id=6266>

Sumner Parking is Joint Decision, Sound Transit Official Says:
<http://www.masstransitmag.com/publication/article.jsp?siteSection=3&id=6265>

Bay Area Transit Agencies to Receive \$60 Million:
<http://www.masstransitmag.com/publication/article.jsp?siteSection=3&id=6264>

More Daily-Updated Mass Transit News:

http://www.masstransitmag.com/online/archives_topnews.jsp?siteSection=3

Mass Transit Industry Headlines

Init Inc. Receives CUTA's Corporate Recognition Award:

<http://www.masstransitmag.com/publication/article.jsp?siteSection=1&id=6263>

Init, Innovations in Transportation Inc., was honored to receive the Canadian Urban Transportation Association's Corporate Recognition Award on May 27, 2008.

Edmonton Chooses Apollo Video Technology for Canada Transit-Secure Program:

<http://www.masstransitmag.com/publication/article.jsp?siteSection=1&id=6262>

Apollo Video Technology of Woodinville, Wash., has been selected by the Edmonton Transit System in Alberta, Canada to manufacture a video surveillance system for use aboard its bus fleet.

Bendix Visits Washington, D.C., to Advance Safety Agenda:

<http://www.masstransitmag.com/publication/article.jsp?siteSection=1&id=6261>

Commercial vehicle safety system leader continues efforts to improve highway safety.

Confidex Supplies More Than 1 Million Contactless RFID Tickets for the Istanbul Public Transit System:

<http://www.masstransitmag.com/publication/article.jsp?siteSection=1&id=6260>

Contactless PET tickets provide durable and efficient ticketing solution for one of the world's busiest public transportation systems.

More Industry Business Updates:

http://www.masstransitmag.com/online/archives_indusAnnounc.jsp?siteSection=1

Mass Transit: Opinion Poll

Sponsored by: Complete Coach Works

<http://www.completecoach.com/>

Does your agency provide alternative mobility options?

Vote Here

<http://www.masstransitmag.com/index.jsp#poll>

Mass Transit: Expo Daily

More information here - <http://www.masstransitmag.com/online/expodaily/>

Mass Transit: Video Network

<http://www.masstransitmag.com/online/videonetwork/>

Mass Transit: Whitepapers

<http://www.masstransitmag.com/online/whitepapers.jsp>

Mass Transit: Webinars

<http://www.masstransitmag.com/online/webinars/>

Forums

Ontario Public Transportation Assc.

<http://masstransitmag.com/forums/showthread.php?t=28>

Infrastructure Resiliency: Do We Have The Focus Right?
<http://masstransitmag.com/forums/showthread.php?t=27>

Call for Major Amtrak Expansion in West to Alleviate Cutbacks in Regional Jets
<http://masstransitmag.com/forums/showthread.php?t=26>

Guess the Location of the Bus
<http://masstransitmag.com/forums/showthread.php?t=25>

Management Audit in Support of Strategic Program Management
<http://masstransitmag.com/forums/showthread.php?t=24>

Web Extras

People

Jacobs Carter Burgess Hires Transportation Infrastructure Specialist :
<http://www.masstransitmag.com/publication/article.jsp?siteSection=16&id=6238>
Theron Roschen, PE has joined Jacobs Carter Burgess as a program manager in the Transportation division of the Sacramento office.

MTA Picks Howard R. Permut as Next President of Metro-North Railroad:
<http://www.masstransitmag.com/publication/article.jsp?siteSection=16&id=6231>
Original member of Metro-North's management team to become its fourth president in 25 years.

DRI Corp. Introduces Newly Elected Board Member:
<http://www.masstransitmag.com/publication/article.jsp?siteSection=16&id=6229>
Huelon Andrew Harrison brings additional transit and banking experience to the DRI board of directors.

VTX Announces Personnel Changes:
<http://www.masstransitmag.com/publication/article.jsp?siteSection=16&id=6221>
Peter W. McVicker, Q.E.I. named project manager for Vertical Transportation Excellence (VTX),
Shawn E. Johnson, Q.E.I. named area manager of Vertical Transportation Excellence (VTX)
Baltimore and Washington, D.C., offices, and Kenneth G. Hamby, Q.E.I., named principal-in-charge of Vertical Transportation Excellence's (VTX) Technical Design Center.

More People in the News:
http://www.masstransitmag.com/online/archives_people.jsp?siteSection=16

=====
Online Exclusives
CNG Hybrid-Electric Buses:
[http://www.masstransitmag.com/web/online/Online-Exclusives/CNG-Hybrid-Electric-Buses/5\\$6180](http://www.masstransitmag.com/web/online/Online-Exclusives/CNG-Hybrid-Electric-Buses/5$6180)
Combining Two Clean, Fuel-Saving Technologies

'Get Around St. Louis': A Case Study on Municipal Communications:
[http://www.masstransitmag.com/web/online/Online-Exclusives/Get-Around-St-Louis--A-Case-Study-on-Municipal-Communications/5\\$5941](http://www.masstransitmag.com/web/online/Online-Exclusives/Get-Around-St-Louis--A-Case-Study-on-Municipal-Communications/5$5941)

Inside Mass Transit Magazine This Month

* Uniquely San Francisco
What makes the Municipal Transportation Agency different also makes it one heck of a system.

<http://www.masstransitmag.com/publication/article.jsp?pubId=1&id=6160>

* Spanish High-Speed Rail
A model of transportation service.

<http://www.masstransitmag.com/publication/article.jsp?pubId=1&id=6161>

* Beyond 'Light Rail Lite'
<http://www.masstransitmag.com/publication/article.jsp?pubId=1&id=6162>

* Expo 2008
<http://www.masstransitmag.com/publication/article.jsp?pubId=1&id=6169>

* Editor's Notebook
<http://www.masstransitmag.com/publication/article.jsp?pubId=1&id=6175>

* Focus On ...
<http://www.masstransitmag.com/publication/article.jsp?pubId=1&id=6176>

* Maintenance Matters

<http://www.masstransitmag.com/publication/article.jsp?pubId=1&id=6177>
* Manager's Forum
<http://www.masstransitmag.com/publication/article.jsp?pubId=1&id=6178>
* Publisher's Comment
<http://www.masstransitmag.com/publication/article.jsp?pubId=1&id=6179>

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Sustainability Concepts - Enhancing Communities Through TOD

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<http://www.pbworld.com/>
<http://www.hdrgreen.com/>

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http://masstransitmag.epubxpress.com/wps/portal/mass/c1/04_SB8K8xLLM9MSSzPy8xBz9CP0os3iLkCAPEzcPIwP_0CBXAYNTC3MPQy9ZA_dQc_1wkA6cKgycjSHyBjiAo4G-n0d-bqp-QXZ2mq0joiIARdLkzA!!/d12/d1/L2dJQSEvUut3QS9ZqnB3LzZf0FRSSDRGSDIWT1VSRtAyNTg3SDFKNzBHTDQ!/

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Contact Us

Editor: Fred Jandt
[Mailto:Fred.Jandt@cygnusb2b.com](mailto:Fred.Jandt@cygnusb2b.com)

Associate Editor: Leah Harnack
<mailto:Leah.Harnack@cygnusb2b.com>

Publisher: John Hollenhorst - 800.547.7377 x 1650 <mailto:John.Hollenhorst@cygnusb2b.com>

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Cygnus Business Media
11720 Beltsville Drive
3rd Floor
Beltsville, Maryland 20705

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Tuesday, June 10, 2008 11:00 AM
To: Washington, Joel R.; Doggett, Rosalyn
Subject: Fwd: Florida Ave. Dev. Selection
Attachments: Agenda Exec. Session.doc; Florida Avenue Cvr.doc; Florida Ave rev.3 BAIS.doc; Florida Ave.ppt

Joel and Roz,

Please confirm these are current or update as appropriate.

Any changes to the BAIS or MEAD will have to be done by SECT since the MEAD is awaiting approval by the Board at Level 8.

Thanks.

Sid

>>> Michelle A. Bellamy 6/10/2008 10:20 AM >>>
Good morning Sid,

With the Florida Avenue item going to PD & RE on June 26th, we need to have an actual package ready for the meeting.

Attached are the last documents that I received. Please review.

Please advise,
Michelle
x2779

Doggett, Rosalyn

From: ngw@postmaster.po
Sent: Wednesday, May 21, 2008 1:48 PM
To: Meister, Mark K.
Cc: Morris, Emily (OAG); Issembert, Matthew (OAG); Welch, Kermit A.; Washington, Joel R.; Doggett, Rosalyn
Subject: FW: Draft Confirmatory Deed
Attachments: WMATA - Replacement Deed.doc

Mark,

Please find attached the WMATA Replacement Deed in its execution form. You may also see the comments from my legal counsel below. We are fine with all the revisions and have made one minor edit to the recital. Now we have to wait till we get the new lots recorded before we can get this Replacement Deed executed. As stated earlier, I will let you know when that is completed.

Thanks,
Ketan

Ketan Gada

Project Manager

District of Columbia Government

Office of the Deputy Mayor for Planning and

Economic Development (DMPED)

The John A. Wilson Building

1350 Pennsylvania Avenue NW, Suite 317

Washington, D.C. 20004

O: (202) 727-6778

M: (202) 538-1259

E: ketan.gada@dc.gov

-----Original Message-----

From: Issembert, Matthew (OAG)
Sent: Wednesday, May 21, 2008 1:40 PM
To: Gada, Ketan (EOM); Morris, Emily (OAG)
Subject: RE: Draft Confirmatory Deed

Ketan,

Their revisions are fine. I also added the words "executed and delivered" after the word "dated" in Recital A. The (attached) Deed should now be in execution form.

Matt Issembert
202.7274089

-----Original Message-----

From: Gada, Ketan (EOM)
Sent: Tuesday, May 20, 2008 12:21 PM
To: Morris, Emily (OAG)
Cc: Issembert, Matthew (OAG)
Subject: FW: Draft Confirmatory Deed

Emily,

I am not sure if you have this already. Here is the redlined document from WMATA on the Confirmatory Deed.

Thanks,
Ketan

Ketan Gada
Project Manager
District of Columbia Government
Office of the Deputy Mayor for Planning and
Economic Development (DMPED)
The John A. Wilson Building
1350 Pennsylvania Avenue NW, Suite 317
Washington, D.C. 20004
O: (202) 727-6778
M: (202) 538-1259
E: ketan.gada@dc.gov

-----Original Message-----
From: Mark K. Meister [<mailto:mmeister@wmata.com>]
Sent: Tuesday, May 20, 2008 12:11 PM
To: Gada, Ketan (EOM)
Subject: RE: Draft Confirmatory Deed

Ketan,

My apologies, you are absolutely correct. I reviewed the Deed when I received it from you and subsequently got our counsel's recommended changes but forgot the last step - send the document back to you. Here it is attached.

Mark

Mark K. Meister
Program Manager, Real Estate
Office of Station Area Planning and Asset Management Washington Metropolitan Area Transit
Authority 600 Fifth Street, NW Washington, DC 20001

(202) 962-1589
Fax: (202) 962-2396
mmeister@wmata.com

>>> "Gada, Ketan (EOM)" <Ketan.Gada@dc.gov> 5/20/2008 12:04:06 PM >>>
Mark,

I just wanted to follow up and see if you had any comments/edits on the Confirmatory Deed? It has been two weeks since we last send you the Confirmatory Deed which you had been eagerly awaiting but haven't heard anything back from you not even email acknowledging the receipt of the same. Just checking?

Ketan

Ketan Gada
Project Manager
District of Columbia Government
Office of the Deputy Mayor for Planning and Economic Development (DMPED)
The John A. Wilson Building
1350 Pennsylvania Avenue NW, Suite 317
Washington, D.C. 20004

O: (202) 727-6778

M: (202) 538-1259

E: ketan.gada@dc.gov

From: Morris, Emily (OAG)
Sent: Tuesday, May 06, 2008 7:00 PM
To: 'mmeister@wmata.com'; 'jwashington@wmata.com'; 'rdoggett@wmata.gov'
Cc: Gada, Ketan (EOM); Issembert, Matthew (OAG)
Subject: Draft Confirmatory Deed

Mark, Roslyn, and Joel,

Ketan Gada from the Office of the Deputy Mayor for Planning and Economic Development requested that I convey the attached draft confirmatory deed for the Howard Shaw metro station to you. If you could please pass it on to the assigned WMATA counsel for comment, I would appreciate it.

Many thanks,

Emily

Emily K. Morris

Assistant Attorney General for the District of Columbia

Commercial Division, Real Estate Section

1100 15th Street NW, Suite 800

Washington, DC 20005

Phone (direct): (202) 442-9846

Phone (main): (202) 724-6669

Fax: (202) 727-6014

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Tuesday, May 20, 2008 1:51 PM
To: Burns, Bob; Doggett, Rosalyn
Subject: Fwd: Re: FW: Broadcast Center One - 7th and T Street, NW

FYI

>>> Thomas Harrington 5/20/2008 1:07:18 PM >>>
Is anyone from WMATA attending this meeting? I didn't see much for us unless they have a specific question.

>>> "DDOT PDRM" <DDOT.PDRM@dc.gov> 5/7/2008 10:42:18 AM >>>
When: Tuesday, May 20, 2008 2:00 PM-4:00 PM (GMT-05:00) Eastern Time (US & Canada).
Where: 6th Floor Conference Room - Reeves Center

~~*~*~*~*~*~*~*~*

Hello,

This design review meeting will be a great opportunity for us to identify any issues that impact transit service in the project area. I will have comments by Thursday and would like your input. I will not be able to attend the PDRM. However Catondra will be attending on behalf of MTA. WMATA team members, your comments would be appreciated and your participation is welcomed.

Let me know if you will be attending. My new number is 673-1744.

Thanks,

Tomika

>
> _____
> From: DDOT PDRM
> Sent: Wednesday, May 07, 2008 10:48 AM
> To: DDOT PDRM; Agahi, Gholam (DDOT); Booker, Lewis (DDOT); Branyan, George (DDOT); Gyani, Sunny (DDOT); Hughey, Tomika (DDOT); Jackson, Tyrone (DDOT); kelil-Brown, Hayat (DDOT); Nwadike, Callistus (DDOT); Regester, Lamont (DDOT); Rouillier, Brett (DDOT); Seltzer, Jeffrey (DDOT); Shaheen, Chris (OP); Thomas, John P. (DDOT); Udeh, Maduabuchi (DDOT); XJelen, Michael (DDOT)
> Cc: Nwankwo, Lawrence (DDOT); Chamberlin, Anna (DDOT); Bah, Abdoulaye (DDOT); Barnes, Anita (DDOT); Dendy, Sharon (DDOT); Goodno, Mike (DDOT); Hefferan, Jennifer (DDOT); Jones, Shannon (DDOT); Marcou, Matthew (DDOT); McLaughlin, Anna (DDOT); Nafici, Ardeshir (DDOT); Penney, Kathleen (DDOT); Rasson, Rahmat (DDOT); Ricks, Karina (DDOT); Sebastian, Jim (DDOT); Simpson-Mason, Ann (DDOT); Warren, Willie (DDOT)
> Subject: Broadcast Center One - 7th and T Street, NW
> When: Tuesday, May 20, 2008 2:00 PM-4:00 PM (GMT-05:00) Eastern Time (US & Canada).
> Where: 6th Floor Conference Room - Reeves Center
>
> Dear all,
>
> This Preliminary Design Review Meeting (PDRM) will be reviewing the proposal for a new mixed-use office building located at the corner of 7th and T Street, NW. The project occupies almost the entire block adjacent to the Shaw/Howard University Metro Station entrance. Public space issues include sidewalk improvements, street and alley lights, landscaping, trees, parking meters, utility connections, vaults, vehicle circulation into and out of the parking garage and public alley improvements.
>
> Please provide written comments to the other meeting attendees at least 2 days prior to the scheduled meeting date. This will help identify policy or process conflicts prior to the meeting.
>
>
> Best regards,
>
> Mr. Abdoulaye Bah | Senior Transportation Engineer | Development Review Branch
> Transportation Policy & Planning Administration | District Department of Transportation
> desk: 202-671-0494 | office: 202-671-2730 | fax: 202-671-0617
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> d.
>> <<EX E1.pdf>> >> <<A.203.pdf>> >> <<PDRMApplication.pdf>> >> <<L-201.pdf>> >> <<C3.0 - Site Utility Plan.pdf>> >> <<L-102.pdf>> >> <<C1.0 - Existing Conditions.pdf>> >> <<L-101.pdf>> >> <<EX E3.pdf>> >> <<EX E2.pdf>>

Doggett, Rosalyn

From: ngw@postmaster.po
Sent: Tuesday, May 20, 2008 12:04 PM
To: Meister, Mark K.
Cc: Morris, Emily (OAG); Issembert, Matthew (OAG); jwashington@wmata.com; Doggett, Rosalyn
Subject: RE: Draft Confirmatory Deed

Mark,

I just wanted to follow up and see if you had any comments/edits on the Confirmatory Deed? It has been two weeks since we last send you the Confirmatory Deed which you had been eagerly awaiting but haven't heard anything back from you not even email acknowledging the receipt of the same. Just checking?

Ketan

Ketan Gada

Project Manager

District of Columbia Government

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Washington, D.C. 20004

O: (202) 727-6778

M: (202) 538-1259

E: ketan.gada@dc.gov

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Sent: Tuesday, May 06, 2008 7:00 PM
To: 'mmeister@wmata.com'; 'jwashington@wmata.com'; 'rdoggett@wmata.gov'
Cc: Gada, Ketan (EOM); Issembert, Matthew (OAG)
Subject: Draft Confirmatory Deed

Mark, Roslyn, and Joel,

Ketan Gada from the Office of the Deputy Mayor for Planning and Economic Development requested that I convey the attached draft confirmatory deed for the Howard Shaw metro station to you. If you could please pass it on to the assigned WMATA counsel for comment, I would appreciate it.

Many thanks,

Emily

Emily K. Morris
Assistant Attorney General for the District of Columbia
Commercial Division, Real Estate Section
1100 15th Street NW, Suite 800
Washington, DC 20005
Phone (direct): (202) 442-9846
Phone (main): (202) 724-6669
Fax: (202) 727-6014

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Monday, May 19, 2008 8:28 AM
Subject: Fwd: Metro News Clips - Monday, May 19, 2008
Attachments: WPOST1.pdf; WPOST2.pdf; dcexaminer3.pdf; nydailynews1.pdf; miamiherald2.pdf

>>> Steven Taubenkibel 5/19/2008 8:13 AM >>>

To all:

Metro News

- 1) DC Pedestrian Safety Strategy To Target High-Crash Intersections, Washington Post, May 19
- 2) Rapid Buses May Be Expanded, Washington Post, May 17
- 3) Metro May Bring Changes In Bus Transit, Washington Examiner, May 19

US Transit News

- 1) Cops, MTA Power Spat, New York Daily News, May 17
- 2) 50-Cent Dade Transit Fare Hike Could Be Ahead, Miami Herald, May 19

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Tuesday, May 13, 2008 2:04 PM
To: Burns, Bob; Doggett, Rosalyn
Subject: Fwd: FW: Broadcast Center One - 7th and T Street, NW
Attachments: meeting.ics; EX E1.pdf; A.203.pdf; PDRMapplication.pdf; L-201.pdf; C3.0 - Site Utility Plan.pdf; L-102.pdf; C1.0 - Existing Conditions.pdf; L-101.pdf; EX E3.pdf; EX E2.pdf

FYI-- the attachments were not forwarded.

>>> "DDOT PDRM" <DDOT.PDRM@dc.gov> 5/7/2008 10:42 AM >>>

When: Tuesday, May 20, 2008 2:00 PM-4:00 PM (GMT-05:00) Eastern Time (US & Canada).
Where: 6th Floor Conference Room - Reeves Center

~~*~*~*~*~*~*~*~*

Hello,

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Let me know if you will be attending. My new number is 673-1744.

Thanks,

Tomika

From: DDOT PDRM
Sent: Wednesday, May 07, 2008 10:48 AM
To: DDOT PDRM; Agahi, Gholam (DDOT); Booker, Lewis (DDOT); Branyan, George (DDOT); Gyani, Sunny (DDOT); Hughey, Tomika (DDOT); Jackson, Tyrone (DDOT); kelli-Brown, Hayat (DDOT); Nwadike, Callistus (DDOT); Register, Lamont (DDOT); Rouillier, Brett (DDOT); Seltzer, Jeffrey (DDOT); Shaheen, Chris (OP); Thomas, John P. (DDOT); Udeh, Maduabuchi (DDOT); XJelen, Michael (DDOT)
Cc: Nwankwo, Lawrence (DDOT); Chamberlin, Anna (DDOT); Bah, Abdoulaye (DDOT); Barnes, Anita (DDOT); Dendy, Sharon (DDOT); Goodno, Mike (DDOT); Hefferan, Jennifer (DDOT); Jones, Shannon (DDOT); Marcou, Matthew (DDOT); McLaughlin, Anna (DDOT); Nafici, Ardeshir (DDOT); Penney, Kathleen (DDOT); Rasson, Rahmat (DDOT); Ricks, Karina (DDOT); Sebastian, Jim (DDOT); Simpson-Mason, Ann (DDOT); Warren, Willie (DDOT)
Subject: Broadcast Center One - 7th and T Street, NW
When: Tuesday, May 20, 2008 2:00 PM-4:00 PM (GMT-05:00) Eastern Time (US & Canada).
Where: 6th Floor Conference Room - Reeves Center

Dear all,

This Preliminary Design Review Meeting (PDRM) will be reviewing the proposal for a new mixed-use office building located at the corner of 7th and T Street, NW. The project occupies almost the entire block adjacent to the Shaw/Howard University Metro Station entrance. Public space issues include sidewalk improvements, street and alley lights, landscaping, trees, parking meters, utility connections, vaults, vehicle circulation into and out of the parking garage and public alley improvements.

Please provide written comments to the other meeting attendees at least 2 days prior to the scheduled meeting date. This will help identify policy or process conflicts prior to the meeting.

Best regards,

Mr. Abdoulaye Bah | Senior Transportation Engineer | Development Review Branch
Transportation Policy & Planning Administration | District Department of Transportation
desk: 202-671-0494 | office: 202-671-2730 | fax: 202-671-0617
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d.

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Doggett, Rosalyn

From: Flynn, Guy [guy.flynn@dlapiper.com]
Sent: Friday, May 09, 2008 2:09 PM
To: Washington, Joel R.
Cc: Karim, Omar A.; Williams, Warren; Kern, Josh; Malone, Merrick; Biondi, Marc E.; Doggett, Rosalyn
Subject: Shaw-Howard/Florida Avenue Project
Attachments: Document.pdf

Mr. Washington,

Please see the attached letter regarding this matter.

Thank you.



Guy E. Flynn
DLA Piper US LLP
The Marbury Building
6225 Smith Avenue
Baltimore, Maryland 21209-3600
410-580-4149 T
410-580-3149 F
guy.flynn@dlapiper.com
www.dlapiper.com

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Thank you.

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Friday, May 09, 2008 12:35 PM
To: Washington, Joel R.
Cc: Williams, Warren; 'Flynn, Guy'; Doggett, Rosalyn
Subject: Shaw-Howard/Florida Avenue Project - Letter to WMATA from Banneker Ventures
Attachments: Letter to WMATA from Banneker Ventures dated May 9 2008 (Final).pdf

Mr. Washington,

Attached please find a letter from Banneker addressing issues relating to alleged financial obligations to the District of Columbia by Warren Williams, Principal of Banneker. Please call me with any questions as we are eager to continue to work with you and your staff to get this exciting project underway.

Thank you in advance.

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Friday, May 09, 2008 11:24 AM
To: Welch, Kermit A.; Medina, Ed
Cc: Doggett, Rosalyn
Subject: Fwd: Draft Confirmatory Deed
Attachments: Confirmatory Deed Square -- Radio One.doc; Red Line Confirmatory Deed Square -- Radio One.doc

Kermit, Ed:

Attached is a copy the Confirmatory Deed for WMATA's fee simple interests in Square 441 forwarded by Emily Morris and a copy of my red line revisions to the Deed.

Ed - Please take another look at the legal descriptions. Thanks.

Mark

>>> "Morris, Emily (OAG)" <emily.morris@dc.gov> 5/6/2008 6:59 PM >>>
Mark, Roslyn, and Joel,

Ketan Gada from the Office of the Deputy Mayor for Planning and Economic Development requested that I convey the attached draft confirmatory deed for the Howard Shaw metro station to you. If you could please pass it on to the assigned WMATA counsel for comment, I would appreciate it.

Many thanks,

Emily

Emily K. Morris

Assistant Attorney General for the District of Columbia

Commercial Division, Real Estate Section

1100 15th Street NW, Suite 800

Washington, DC 20005

Phone (direct): (202) 442-9846

Phone (main): (202) 724-6669

Fax: (202) 727-6014

Doggett, Rosalyn

From: Malasky, Gary
Sent: Thursday, May 08, 2008 1:48 PM
To: Washington, Joel R.; Doggett, Rosalyn
Subject: Fwd: Request for Proposal for Howard Town Center Multi-Purpose Project
Attachments: Final 50608 Material's Management proposal for howard town center multi-purpose1.doc

FVI, in case you are interested--

Gary Malasky
WMATA
600 Fifth Street NW
Washington, DC 20001
202-962-1504
gmalasky@wmata.com

>>> "DCBIA" <info@dcbia.org> 5/8/2008 11:13 AM >>>
From Howard University

Attached is the Request for Proposal for the Howard University Town Center Multi-Purpose Project. All bids are due on or before June 10, 2008, 5:00pm as speculated in the proposal package.

Cynthia Bright
Senior Buyer/Contract Administrator
Howard University
Materials Management Department
2244 10th St., NW
Room 413
Washington, DC 20059
202-806-1315 (tel)
202-806-4610 (fax)

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Wednesday, May 07, 2008 9:17 AM
Subject: Fwd: Metro News Clips - Wednesday, May 7, 2008
Attachments: WPOST1.pdf; dcexaminer2.pdf; dcexaminer3.pdf; wtopnews4.pdf; washingtontimes5.pdf; fairfaxtimes6.pdf; dcexaminer7.pdf; nymagazine1.pdf

>>> Steven Taubenkibel 5/7/2008 8:21 AM >>>
To all:

Good morning. Here are the Metro News Clips for Wednesday, May 7, 2008.

- Steven

Metro News

- 1) Weekend Rail Work Will Disrupt Service, Washington Post, May 7
- 2) Weekend Riders To Face Delays As Metro Fixes Tracks On Yellow And Green Lines, Washington Examiner, May 7
- 3) Fairfax: Millions Needed In Improvements To Accompany Dulles Rail, Washington Examiner, May 7
- 4) MARC Trains End In Rockville: Pedestrian Struck And Killed, WTOP News, May 7
- 5) Letters To The Editor: Privatize Metro, Washington Times, May 7
- 6) Updated Dunn Loring Metro Station Plans Presented To Residents, Fairfax Times, May 2
- 7) Editorial: New Dulles Rail Is Same Old Bad Deal, Washington Examiner, May 7

US Transit News

- 1) Blood On The Tracks, New York Magazine, May 4

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Monday, May 05, 2008 3:58 PM
To: Malasky, Gary; Welch, Kermit A.; Chu, Mable; Biondi, Marc E.; Burns, Bob; Dickerson, Tracie S.; Jones, Catherine; McElhenny-Smith, Robin; Meister, Mark K.; Doggett, Rosalyn
Cc: Johnson, Shariyka
Subject: Status of Current Projects revised 5_5_08.doc
Attachments: Status of Current Projects 8A revised 4-23_08.doc

The current status report for the May FTA Quarterly meeting is attached for your review and comments. Please provide any edits by COB Tuesday.

Thanks,

Joel

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Monday, April 28, 2008 11:37 AM
To: Meister, Mark K.; Doggett, Rosalyn
Subject: Status of Current Projects 8A revised 4-23_08.doc
Attachments: Status of Current Projects 8A revised 4-23_08.doc

Mark-- Could you add a few words for the Southeastern bus garage?
File saved on the shared drive, JOINT DEVELOPMENT FILE/staus of Current projects revised 4-23_08.doc

Thanks,

Joel

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Monday, April 21, 2008 3:33 PM
To: SAAM
Subject: Fwd: FTA Quarterly Review Meeting
Attachments: Agenda May 21, 2008.doc; 8A Status of Current Projects.doc

FYI

>>> Janice A. McLaughlin 4/14/2008 4:49:14 PM >>>

The next FTA Quarterly Review Meeting is scheduled for May 21, 2008 at 1:00 p.m. in the first floor training room.

Attached is a copy of the current agenda and your response(s) submitted for the February 2008 FTA meeting. Please update this information using the attached form and forward your response to me no later than the close of business on Wednesday, May 7, 2008.

Feel free to contact me on extension 2470 if you have any questions.

Thanks,
Janice

Doggett, Rosalyn

From: User Quarantine Release [spamfilter@wmata.com]
Sent: Friday, April 18, 2008 6:01 AM
To: Doggett, Rosalyn
Subject: User Quarantine Release Notification - Fri, 18 Apr 2008 06:01:19 -0400

An email sent to you was quarantined. This notification lists your emails quarantined since the previous Quarantine Release Notification. Click a Message ID to release an email from quarantine. If an email has multiple recipients, when any one recipient releases the email, it is released for that recipient only. You may have additional messages that were quarantined before this notification. Click on the first hyperlink on this page (or copy and paste the link in a browser) to view a list of all of your quarantined messages. If any messages in this notification are deleted or released before you view the list, those messages do not appear in the list.

<http://spamfilter.wmata.com:80/urq/urqMailList.do?method=processMail&69ba593b338b3a2a978a69c4be67e364486f497700000000000002388994>

Message ID	Sender	Subject	Size(Bytes)	Date	Info	Multi-Recipient
283	yknew@netlibrary.com	get crazy bonus!, join today	1523	2008-04-17 09:38:48	SPAMQ TRU ESP75	
306	josh@lakritzadler.com	Lakritz, Adler Follow-up Letter to WMATA re Shaw Howard Parcels	89119	2008-04-17 12:46:45	SPAMQ TRU ESP50	1
147	gfrt@khs.com	=?koï8-r?B?79TMyd7OwdEgz9TXxdTOwdEg0sXBy8PJ0Q==?=	5480	2008-04-17 16:34:37	SPAMQ TRU ESP75	1
170	stephanie.haussner@evento.ch	Your hot nights of love are not far off	2554	2008-04-17 17:26:33	SPAMQ TRU ESP50	1
1086	amiterwort@cmellc.com	Advantages of online pharmacies	1088	2008-04-17 19:14:30	SPAMQ TRU ESP75	

Doggett, Rosalyn

From: Cassell, Steven [scassell@fourpointslc.com]
Sent: Thursday, April 17, 2008 3:50 PM
To: Welch, Kermit A.; Burns, Bob; Medina, Ed; Meister, Mark K.; Doggett, Rosalyn
Cc: Voudrie, Stan; Buerger, Christian A.
Subject: FW: FW: WMATA DEEDS & TAX LOT APPLICATION IN WORD, from lastFriday
Attachments: Confirmatory Deed Square 441 Lot 856 HCL011808mlm.pdf; Confirmatory Deed Square 441 Lot 856 HCL011808mlm.doc; DESC submitted- Tax Lots A B and C and application HCL030208mlm.pdf; DESC submitted- Tax Lots A B and C and application HCL030208mlm.doc

Attached are the revised documents that incorporated Mark's 2/21 suggested revisions. Please share any additional comments, suggestions, requests....

Thanks,
Steve

Steven C. Cassell
Four Points, LLC
202-521-2529 (O)
202-250-1709 (C)
scassell@fourpointslc.com

-----Original Message-----

From: Langelan, Chas [<mailto:Clangelan@amtengineering.com>]
Sent: Wednesday, April 02, 2008 10:51 AM
To: Cassell, Steven; Feola, Phil; Voudrie, Stan
Subject: FW: WMATA DEEDS & TAX LOT APPLICATION IN WORD, from lastFriday

Steve,

Here is the WMATA Confirmatory Deed, in the latest form as it left here, and the OTR Division of Tax Lot Application I filed to assign Tax Lot numbers to the two WMATA fee-simple properties.

By way of explanation --- the two WMATA parcels would have gotten new Tax Lot numbers assigned automatically anyway by OTR, about six months after our new Lot of Record for Broadcast Center finally gets recorded in June, because that subdivision plat shows them as "Not Included" and such parcels are always given Tax Lot numbers.

This latest application I filed will simply speed up that process. Instead of the WMATA fee-simple parcels getting their Tax Lot numbers sometime around October or December, they will have them now in April. It was a piece of unfinished business that hadn't been done, so I took care of it. Best regards,

Chas Langelan, professional land surveyor AMT, LLC 10 G Street, N.E., Suite 430 Washington, D.C. 20002
Phone: 202-289-4545
Fax: 202-289-5051
Clangelan@AMTEngineering.com

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Thursday, April 17, 2008 3:43 PM
To: Welch, Kermit A.
Cc: Burns, Bob; Doggett, Rosalyn
Subject: Fwd: FW: WMATA DEEDS & TAX LOT APPLICATION IN WORD, from last Friday
Attachments: Deeds Combined with Drawing Square 441 Lot 856 HCL012408mlm.doc; DESC - Tax Lots A B and C and application HCL012408mlm.doc

Kermit,

I received these in February and forwarded mine and Ed Medina's comments to Steve Cassell on 2/21/08 (see below).

Mr. Cassell,

We have reviewed the Confirmatory Deed, the Deed of Easement and the Survey Plat for the real property interests in Square 441 to be conveyed to WMATA by the District of Columbia and have the following comments:

Metes and Bounds Descriptions:

1. Last part of the 5th call of the the first WMATA Permanent Underground Easement (1,693 square feet) - reword to read "thence with said north line" (instead of "thence with said line of street").
2. At the header/title and closing paragraph of the 3rd WMATA Permanent Underground Easement (362 square feet) - correct the cited area in the title to read "362 square feet" (instead of 923 square feet) and correct the cited area in the closing paragraph to read "362 square foot" (instead of 1,693 square foot)

Plat of Survey:

1. Where are or what comprise the 25,600 square feet total area of parcels cited in Note 2?

Deed of Easement:

1. Page 1, second paragraph, fifth line - delete "permanent"
2. Page 1, second paragraph, sixth line - add "repair" after "operate"
3. Page 3, second paragraph - replace "land" with "easements"

Thank you for the opportunity to review these documents.

>>> "Cassell, Steven" <scassell@fourpointsllc.com> 2/19/2008 11:37 AM
>>> >>>

Steven C. Cassell

Four Points, LLC

202-521-2529 (O)

202-250-1709 (C)

scassell@fourpointsllc.com

From: Langelan, Chas [<mailto:Clangelan@amtengineering.com>]
Sent: Thursday, January 24, 2008 12:23 PM
To: Cassell, Steven; Gada, Ketan (EOM); Feola, Phil; Voudrie, Stan
Subject: WMATA DEEDS & TAX LOT APPLICATION IN WORD, from last Friday

Hi, Chas Langelan here,

Attached are the WMATA Confirmatory Deed and the WMATA Deed of Easements that we sent as PDFs last Friday, sent this time as MS Word documents per request, plus the Tax Lot Division application of Lot 856 into three new Tax Lots, also from last Friday and sent this time in Word.

Chas Langelan, professional land surveyor

AMT, LLC

10 G Street, N.E., Suite 430

Washington, D.C. 20002

Phone: 202-289-4545

Fax: 202-289-5051

CLangelan@AMTEngineering.com

Doggett, Rosalyn

From: Welch, Kermit A.
Sent: Wednesday, April 09, 2008 11:14 AM
To: Meister, Mark K.
Cc: Burns, Bob; Doggett, Rosalyn
Subject: Fwd: Broadcast Center One - Easement Legal Descriptions
Attachments: Deed of Easement REV Square 441 Lot 856 HCL022908mlm.pdf; DESC REV - Easement Area 119sf HCL02290mlm.pdf; DESC - Easement Area REV 155sf HCL022908mlm.pdf; DESC REV - Air Right Easement 362 sf HCL022908mlm.pdf; DESC - Air Right Easement REV 923 sf HCL022908mlm.pdf; DESC REV - Easement Area 30 sf HCL022908dbn.pdf; DESC REV - Easement Area 53.18 sf HCL022908mlm.pdf; DESC REV - Easement Area 18 sf HCL022908mlm.pdf; DESC - Air Right Easement 3666 sf HCL021408dbn.pdf; DESC - Air Right Easement 480 sf HCL021408dbn.pdf

Mark,

Attached is a Deed of Easement from DCLRA to WMATA. Were you expecting this?

Kermit

>>> "Lord, Liz" <liz.lord@pillsburylaw.com> 4/8/2008 5:51 PM >>>
Kermit,

As you may recall from our conversation last week, we promised to check with our client as to whether he was comfortable with us sharing the easement area legal descriptions with you. Because he is, please find them attached.

As I mentioned in my voicemail, we hope to discuss with you further the structure of the easement area purchase. I will be out of town tomorrow through next Wednesday but Christian is available to discuss in the meantime. He can be reached at 202-663-9146 or at christian.buerger@pillsburylaw.com.

Thanks Kermit,

Liz

<<Deed of Easement REV Square 441 Lot 856 HCL022908mlm.pdf>> <<DESC REV - Easement Area 119sf HCL02290mlm.pdf>> <<DESC - Easement Area REV 155sf HCL022908mlm.pdf>> <<DESC REV - Air Right Easement 362 sf HCL022908mlm.pdf>> <<DESC - Air Right Easement REV 923 sf HCL022908mlm.pdf>> <<DESC REV - Easement Area 30 sf HCL022908dbn.pdf>> <<DESC REV - Easement Area 53.18 sf HCL022908mlm.pdf>> <<DESC REV - Easement Area 18 sf HCL022908mlm.pdf>> <<DESC - Air Right Easement 3666 sf HCL021408dbn.pdf>> <<DESC - Air Right Easement 480 sf HCL021408dbn.pdf>>

Liz Lord | Pillsbury Winthrop Shaw Pittman LLP

Tel: 202.663.9154 | Fax: 240.823.2449 2300 N Street, NW | Washington, DC 20037-1122

Email: Liz.Lord@pillsburylaw.com
Bio: www.pillsburylaw.com/Liz.Lord
www.pillsburylaw.com

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*
Internal Revenue Service regulations generally provide that, for the purpose of avoiding federal tax penalties, a taxpayer may rely only on formal written advice meeting specific requirements. Any tax advice in this message does not meet those requirements. Accordingly, any such tax advice was not intended or written to be used, and it cannot be used, for the purpose of avoiding federal tax penalties that may be imposed on you or for the purpose of promoting, marketing or recommending to another party any tax-related matters.
=====

Doggett, Rosalyn

From: Welch, Kermit A.
Sent: Wednesday, April 09, 2008 10:25 AM
To: Burns, Bob; Doggett, Rosalyn
Subject: Fwd: Broadcast Center One - Easement Legal Descriptions
Attachments: Deed of Easement REV Square 441 Lot 856 HCL022908mlm.pdf; DESC REV - Easement Area 119sf HCL02290mlm.pdf; DESC - Easement Area REV 155sf HCL022908mlm.pdf; DESC REV - Air Right Easement 362 sf HCL022908mlm.pdf; DESC - Air Right Easement REV 923 sf HCL022908mlm.pdf; DESC REV - Easement Area 30 sf HCL022908dbn.pdf; DESC REV - Easement Area 53.18 sf HCL022908mlm.pdf; DESC REV - Easement Area 18 sf HCL022908mlm.pdf; DESC - Air Right Easement 3666 sf HCL021408dbn.pdf; DESC - Air Right Easement 480 sf HCL021408dbn.pdf

Ros/Bob,

Please see the email below and the attachments hereto.

I also received a voicemail message regarding the structure of the transaction, and whether it will be an easement or a sale with an easement reservation.

We need to get our engineers working on the WMATA reservations and easements as soon as possible. When will this begin?

Thanks,

Kermit

>>> "Lord, Liz" <liz.lord@pillsburylaw.com> 4/8/2008 5:51 PM >>>
Kermit,

As you may recall from our conversation last week, we promised to check with our client as to whether he was comfortable with us sharing the easement area legal descriptions with you. Because he is, please find them attached.

As I mentioned in my voicemail, we hope to discuss with you further the structure of the easement area purchase. I will be out of town tomorrow through next Wednesday but Christian is available to discuss in the meantime. He can be reached at 202-663-9146 or at christian.buenger@pillsburylaw.com.

Thanks Kermit,

Liz

<<Deed of Easement REV Square 441 Lot 856 HCL022908mlm.pdf>> <<DESC REV - Easement Area 119sf HCL02290mlm.pdf>> <<DESC - Easement Area REV 155sf HCL022908mlm.pdf>> <<DESC REV - Air Right Easement 362 sf HCL022908mlm.pdf>> <<DESC - Air Right Easement REV 923 sf HCL022908mlm.pdf>> <<DESC REV - Easement Area 30 sf HCL022908dbn.pdf>> <<DESC REV - Easement Area 53.18 sf HCL022908mlm.pdf>> <<DESC REV - Easement Area 18 sf HCL022908mlm.pdf>> <<DESC - Air Right Easement 3666 sf HCL021408dbn.pdf>> <<DESC - Air Right Easement 480 sf HCL021408dbn.pdf>>

Liz Lord | Pillsbury Winthrop Shaw Pittman LLP

Tel: 202.663.9154 | Fax: 240.823.2449 2300 N Street, NW | Washington, DC 20037-1122

Email: Liz.Lord@pillsburylaw.com
Bio: www.pillsburylaw.com/Liz.Lord
www.pillsburylaw.com

=====
*
Internal Revenue Service regulations generally provide that, for the purpose of avoiding federal tax penalties, a taxpayer may rely only on formal written advice meeting specific requirements. Any tax advice in this message does not meet those requirements. Accordingly, any such tax advice was not intended or written to be used, and it cannot be used, for the purpose of avoiding federal tax penalties that may be imposed on you or for the purpose of promoting, marketing or recommending to another party any tax-related matters.
=====

Doggett, Rosalyn

From: Maguigad, David
Sent: Tuesday, April 08, 2008 11:02 AM
To: Webster, E.Mattie
Cc: Malasky, Gary; Burns, Bob; Woodward, Warren A.; Washington, Joel R.; Scales, Phillip; Doggett, Rosalyn
Subject: TIIF SUMMARY (or Joint Development Revenues)
Attachments: TIIF SUMMARY.xls

Mattie-

This is the Joint Development schedule for FY2008.

Phil is reconciling Warren Woodward's FY2007 AR report with SAAMS (formerly LAND) contracts.

I'd like to confirm with him that the numbers have been scrubbed before SAAM and AR start reporting different numbers.

-David

>>> Phillip Scales 4/2/2008 11:41 AM >>>

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Thursday, April 03, 2008 2:20 PM
To: Doggett, Rosalyn
Subject: Fwd: Florida Avenue presentation
Attachments: FL Ave ppt.pdf; FL Ave BAIS.pdf; BAIS Florida Ave rev.3.doc; Florida Ave.ppt

Roz,

What is your response to Leen'da comments and questions?

Here's mine:

Presentation:

Slide 1: Change "And" to "and".

Sid: OK.

Slide 2: Under Benefits, fourth bullet: "Increases tax base for District of Columbia". This benefits Metro how?

Sid: The better off DC is financially, the better it is able to provide Metro the funds it needs to operate and maintain the adopted regional system.

BAIS:

Page 1: Attached? To be discussed at executive session?

Sid: The comment resulted from the statement, "The developer provided a better financial offer (see attached Confidential Statement) than its closest competitor..."

Since the BAIS is posted on the internet, the Confidential Statement can not be attached: it would no longer be confidential.

Solution: delete "(see attached Confidential Statement)". Attach the statement to the MEAD, but not to the BAIS.

Change "street" to "Street" on both page 1 and page 2 - a total of three places.

Sid

>>> Michelle A. Bellamy 4/3/2008 2:00 PM >>>
Sid & Rosalyn,

The attached PDF files are copies of the suggested changes and/or corrections from SECT. I have made all of the grammatical changes (see attached in original form).

As soon as your updates are completed, please forward me a copy.

Thank you,

Michelle
x2779

Shaw Howard
"Archives"

From
R Doggett

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, August 20, 2010 4:59 PM
To: Goldin, Steven
Cc: Malasky, Gary
Subject: Option fees, etc.
Attachments: Option Fees, Pre Development Rent.doc

I have attached a small explanation piece about how we have treated option fees, pre-development rent for various properties, in particular ones that I am familiar with. Gary might want to weigh in.

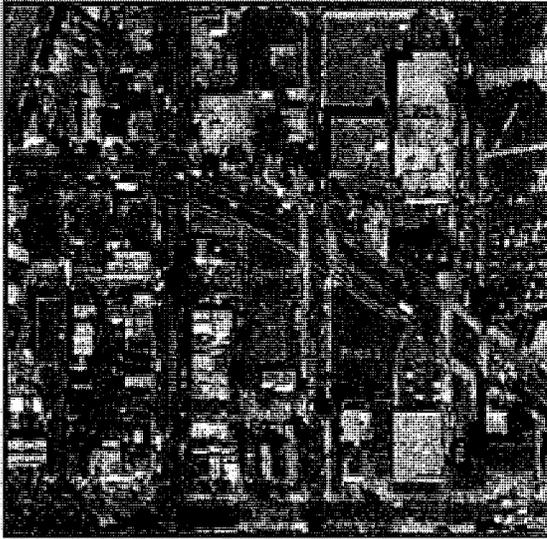
At some point, it might be worth discussing with JLL at a TOD meeting. If you think that it is germane to their current work on Twinbrook, please forward.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, August 16, 2010 4:08 PM
To: Burns, Bob
Subject: here's a version



Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, August 16, 2010 1:18 PM
To: Goldin, Steven
Subject: FW: Navy Yard Chiller site - termination letter
Attachments: Navy Yard Chiller Termination Letter 8-10-10.pdf

I have attached the termination letter. The non-refundable option fee, noted in the e-mail below to you and Nat, is what Donatelli agreed to in the executed term sheet. There was a similar fee that we retained for Shaw Howard/FL Ave. And Navy Yard East is paying its smaller annual option fee (\$26,600 this past June) for a property of less value

There were two other competitors—Eatbanc and Buccini Pollin-- who were disappointed not to be selected. So the option fee ought to mean something: in this case, land control for two years for a property appraised in 4/08 at \$9 million (from which can be deducted est. \$1.59 million for the upgrading and relocation within the proposed residential building of the two chillers serving the Navy Yard and Waterfront stations and est. \$.73 million to relocate field trailers from the site to Metro yards in VA and MD—all agreed to by Donatelli).

From: Doggett, Rosalyn
Sent: Tuesday, August 10, 2010 9:44 AM
To: Bottigheimer, Nat; Goldin, Steven
Cc: Lawson, Arturo V.; Montague, Joshua W.; Hicks, Ima
Subject: RE: Navy Yard Chiller site - termination letter

I'll ask Ima to prepare the letter for your signature this a.m. Their proposal security, a letter of credit, is no longer valid, so there is no security to send back; I'll just attach a copy of the letter of credit. We keep the \$100,000 non-refundable option fee that they paid us in 2008.

From: Bottigheimer, Nat
Sent: Monday, August 09, 2010 5:12 PM
To: Goldin, Steven
Cc: Lawson, Arturo V.; Doggett, Rosalyn
Subject: RE: Navy Yard Chiller site - termination letter

And send back the security and everything, terminate.

From: Goldin, Steven
Sent: Monday, August 09, 2010 5:10 PM
To: Bottigheimer, Nat
Cc: Lawson, Arturo V.; Doggett, Rosalyn
Subject: RE: Navy Yard Chiller site - termination letter

They have not seen the letter. They have failed to respond to repeated calls and e-mails from Roz; they should not be surprised

From: Bottigheimer, Nat
Sent: Monday, August 09, 2010 5:07 PM
To: Goldin, Steven
Cc: Lawson, Arturo V.
Subject: RE: Navy Yard Chiller site - termination letter

I told Albert and Graham about this. They should not be surprised. Has Donatelli been shown the letter?

I'd give them a week to respond and then send the letter, no further contact with DC Board members required.

From: Goldin, Steven
Sent: Monday, August 09, 2010 5:05 PM
To: Bottigheimer, Nat
Subject: FW: Navy Yard Chiller site - termination letter

discuss

From: Doggett, Rosalyn
Sent: Friday, August 06, 2010 2:50 PM
To: Goldin, Steven
Subject: FW: Navy Yard Chiller site - termination letter

Here is a copy of the letter that Josh originally drafted and sent on June 7. We did not end up sending it out. I will also forward a copy of the proposal we sent to Donatelli mid-May to which they never responded.

From: Montague, Joshua W.
Sent: Monday, June 07, 2010 12:55 PM
To: Goldin, Steven; Doggett, Rosalyn
Cc: O'Keeffe, Carol B.; Bottigheimer, Nat
Subject: Navy Yard Chiller site - termination letter

Steve and Rosalyn,

Attached is the draft of the termination letter for the Navy Yard Chiller site, updated to include comments from Rosalyn.

As Nat and Carol previously discussed, this issue should be coordinated with the WMATA Board Members, even if we are just sending an unsigned copy of this letter via email.

Please let me know if you have any questions or comments about the letter.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

The information contained in this email may be confidential and/or legally privileged. It has been sent for the sole use of the intended recipient(s). If the reader of this message is not an intended recipient, you are hereby notified that any unauthorized review, use, disclosure, dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please contact the sender by reply email and destroy all copies of the original message.

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, July 29, 2010 9:13 AM
To: Chu, Mable; Bushnaq, Tariq
Subject: FW: FTA quarterly
Attachments: FTA Quarterly-- Update 7-29-10 final final.doc

Mable, please read the writeup on PGP foreclosure and make sure that I have characterized it correctly. Do we have a date to meet with Westbrook reps?
Thanks

Tariq, please let us know about Fred's "unfulfilled" requests, if any.
Thanks

From: Doggett, Rosalyn
Sent: Thursday, July 29, 2010 9:04 AM
To: Wyner, Jonathan S.
Subject: RE: FTA quarterly

Pls see attached

From: Wyner, Jonathan S.
Sent: Thursday, July 29, 2010 8:15 AM
To: Doggett, Rosalyn
Subject: RE: FTA quarterly

Got me!

Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development
600 Fifth Street, NW, #5B-A
Washington, DC 20001
202/962-1577

From: Doggett, Rosalyn
Sent: Thursday, July 29, 2010 8:08 AM
To: Wyner, Jonathan S.
Subject: RE: FTA quarterly

I've been waiting for the doc. ☺

From: Wyner, Jonathan S.
Sent: Thursday, July 29, 2010 8:07 AM
To: Doggett, Rosalyn
Subject: FW: FTA quarterly
Importance: High

Roz:

If you could up-date yours for this morning...

I'm working on the rest of the comments this morning...

Thanks,

jonathan

Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development
600 Fifth Street, NW, #5B-A
Washington, DC 20001
202/962-1577

From: Wyner, Jonathan S.
Sent: Wednesday, July 28, 2010 2:43 PM
To: Goldin, Steven
Subject: FTA quarterly

For your review pending submission....final for July 28

Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development
600 Fifth Street, NW, #5B-A
Washington, DC 20001
202/962-1577

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, July 29, 2010 9:04 AM
To: Wyner, Jonathan S.
Subject: RE: FTA quarterly
Attachments: FTA Quarterly-- Update 7-29-10 final final.doc

Pls see attached

From: Wyner, Jonathan S.
Sent: Thursday, July 29, 2010 8:15 AM
To: Doggett, Rosalyn
Subject: RE: FTA quarterly

Got me!

Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development
600 Fifth Street, NW, #5B-A
Washington, DC 20001
202/962-1577

From: Doggett, Rosalyn
Sent: Thursday, July 29, 2010 8:08 AM
To: Wyner, Jonathan S.
Subject: RE: FTA quarterly

I've been waiting for the doc. ☺

From: Wyner, Jonathan S.
Sent: Thursday, July 29, 2010 8:07 AM
To: Doggett, Rosalyn
Subject: FW: FTA quarterly
Importance: High

Roz:

If you could up-date yours for this morning...

I'm working on the rest of the comments this morning...

Thanks,

jonathan

Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development
600 Fifth Street, NW, #5B-A
Washington, DC 20001
202/962-1577

From: Wyner, Jonathan S.
Sent: Wednesday, July 28, 2010 2:43 PM
To: Goldin, Steven
Subject: FTA quarterly

For your review pending submission....final for July 28

Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development
600 Fifth Street, NW, #5B-A

Washington, DC 20001
202/962-1577

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, July 28, 2010 1:49 PM
To: Malasky, Gary; Wyner, Jonathan S.; Goldin, Steven; Burns, Bob; Bushnaq, Tariq
Cc: Meister, Mark K.; Bellamy, Michelle A.
Subject: RE: FTA Quarterly - Final Up-date
Attachments: FTA Quarterly--Roz Update 7-28-10.doc

As promised, Jonathan

From: Malasky, Gary
Sent: Tuesday, July 27, 2010 5:05 PM
To: Wyner, Jonathan S.; Goldin, Steven; Doggett, Rosalyn; Burns, Bob; Bushnaq, Tariq
Cc: Meister, Mark K.; Bellamy, Michelle A.
Subject: RE: FTA Quarterly - Final Up-date

Sorry forgot attachment

Gary Malasky
Senior Real Estate Advisor
WMATA
600 Fifth Street, NW
Washington, DC 20001
202-962-1504

From: Wyner, Jonathan S.
Sent: Tuesday, July 27, 2010 2:48 PM
To: Goldin, Steven; Doggett, Rosalyn; Malasky, Gary; Burns, Bob; Bushnaq, Tariq; McElhenny-Smith, Robin
Cc: Meister, Mark K.; Bellamy, Michelle A.
Subject: RE: FTA Quarterly - Final Up-date
Importance: High

Attached is latest copy of FTA quarterly update.

Please review and update as soon as possible, hopefully by tomorrow...or let me know, no changes.

Much appreciated,

jonathan

Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development
600 Fifth Street, NW, #5B-A
Washington, DC 20001
202/962-1577

From: Bellamy, Michelle A.
Sent: Tuesday, July 27, 2010 2:42 PM
To: Wyner, Jonathan S.
Cc: Meister, Mark K.
Subject: FTA Quarterly

Hi Jonathan,

In your absence Mark pulled together the FTA Quarterly update. Have there been any more updates since the pre-brief?

I need to put together a clean package and need all updates by Thursday.

Please advise.

Thank you,
Michelle

Michelle A. Bellamy
Washington Metropolitan Area Transit Authority

Office of Planning & Joint Development (PLJD)
202-962-2779
202-962-6258 Fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, July 26, 2010 9:57 AM
To: Hicks, Ima
Cc: Montague, Joshua W.
Subject: FL Ave Return of Proposal Security
Attachments: Shaw Howard FL Ave return of Proposal Security letter 7-10.doc

Please prepare the following letter for Steve's signature. I will bring the check to you.
Thanks.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, July 19, 2010 5:19 PM
To: Malasky, Gary
Subject: Florida Avenue Example
Attachments: Shaw-Howard Florida Avenue COUN Unsolicited Proposals Memo 7-9-10.doc

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, July 15, 2010 9:18 AM
To: Montague, Joshua W.
Subject: FW: Shaw Howard Florida Avenue
Attachments: Shaw Howard FL Ave return of Proposal Security letter 7-10.doc

Please see draft letter attached. I have asked TREAS to calculate interest. Then I need to ask ACCT to cut a check. So the letter probably won't go out for another week.

From: Goldin, Steven
Sent: Wednesday, July 14, 2010 6:23 PM
To: Doggett, Rosalyn
Cc: Montague, Joshua W.
Subject: FW: Shaw Howard Florida Avenue

Please process. Have check sent to you so you and Josh can draft a letter to Banneker, which Carol signs off on. thnx

From: O'Keefe, Carol B.
Sent: Wednesday, July 14, 2010 6:19 PM
To: Goldin, Steven
Cc: Bottigheimer, Nat
Subject: RE: Shaw Howard Florida Avenue

Yes. I think we should return the deposit.

From: Goldin, Steven
Sent: Wednesday, July 14, 2010 5:47 PM
To: O'Keefe, Carol B.
Cc: Bottigheimer, Nat
Subject: FW: Shaw Howard Florida Avenue

Carol

Just learned of this; please advise

Steve

From: Doggett, Rosalyn
Sent: Wednesday, July 14, 2010 5:44 PM
To: Goldin, Steven
Cc: Montague, Joshua W.
Subject: Shaw Howard Florida Avenue

In April 2010, you wrote to Banneker Ventures notifying them that their exclusive negotiation period had expired on March 31. We have not returned to them their check for \$100,000 Proposal Security. We also deposited into the TIF their nonrefundable Option Fee of \$100,000.

It seems to me that we should now return the Proposal Security (with interest as we normally do).

Rosalyn P. Doggett
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202-962-2396 fax

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Cc: Montague, Joshua W.
Subject: Shaw Howard Florida Avenue

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It seems to me that we should now return the Proposal Security (with interest as we normally do).

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Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, July 14, 2010 4:48 PM
To: Rooths, Cathy
Cc: Goldin, Steven
Subject: FW: Bolan Smart contract, Purchase Order CQ8132
Attachments: BSA Task Order 2009-3.doc

Is the attached ok for me to sign?

From: Doggett, Rosalyn
Sent: Wednesday, July 14, 2010 1:37 PM
To: Rooths, Cathy
Subject: FW: Bolan Smart contract, Purchase Order CQ8132

Do the emails below answer your question? An additional \$30k but money is available

From: Doggett, Rosalyn
Sent: Monday, June 28, 2010 10:48 AM
To: Rooths, Cathy
Cc: Carthorn, Debbie D.
Subject: FW: Bolan Smart contract, Purchase Order CQ8132

Of the \$99,654 available, I am expecting a bill from BSA for @ \$30,000 for the past several months. That will still leave enough for the \$30,000 upset extension through Dec 2010 that Steve Goldin, SAAM director, authorized.

From: Carthorn, Debbie D.
Sent: Wednesday, June 23, 2010 3:05 PM
To: Doggett, Rosalyn
Cc: Rooths, Cathy
Subject: Bolan Smart contract, Purchase Order CQ8132

Rosalyn,

Per your inquiry, the Bolan Smart contract, purchase order CQ8132, has a total value of \$157,000. Of that amount, \$57,346 has been paid to Bolan Smart. The amount of \$99,654 is available for making payments for work completed.

Debbie

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, July 14, 2010 1:47 PM
To: Goldin, Steven; Montague, Joshua W.
Subject: Florida Avenue Example
Attachments: Shaw-Howard Florida Avenue COUN Unsolicited Proposals Memo 7-9-10.doc

I have attached a corrected version. The Board moved at its March (not April) meeting to table this project.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, July 14, 2010 9:00 AM
To: Meister, Mark K.
Cc: Goldin, Steven
Subject: RE: FTA Quarterly Report
Attachments: FTA Quarterly Report 7-20-10.doc

Please see attached

From: Meister, Mark K.
Sent: Tuesday, July 13, 2010 2:01 PM
To: Doggett, Rosalyn; Burns, Bob; Wyner, Jonathan S.; Malasky, Gary
Cc: Goldin, Steven; Bellamy, Michelle A.
Subject: FTA Quarterly Report

All,

Need your redline updates for the August 2010 FTA Quarterly Report ASAP. Sorry for the short notice, but Jonathan is out and I'm doing this in his absence.

Mark

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, July 09, 2010 5:24 PM
To: Goldin, Steven
Cc: Montague, Joshua W.; Malasky, Gary
Subject: Unsolicited Proposal example
Attachments: Shaw-Howard Florida Avenue COUN Unsolicited Proposals Memo 7-9-10.doc

Josh and I put this example together. Let us know if it needs any changes.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, July 09, 2010 3:10 PM
To: Montague, Joshua W.
Subject: shaw howard
Attachments: Shaw-Howard Florida Avenue COUN Unsolicited Proposals Memo 7-9-10.doc

How's this?

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, June 28, 2010 4:29 PM
To: Wyner, Jonathan S.
Subject: RE: GM Goals June 2010 Update

You might want to ask Steve how he wants to word it. "Unable" vs. "still pursuing"

From: Wyner, Jonathan S.
Sent: Monday, June 28, 2010 4:06 PM
To: Doggett, Rosalyn
Subject: RE: GM Goals June 2010 Update
Importance: High

Nope...not for this month,...perhaps for next month – i.e. next year...

Shall I re-write as follows?

(1) Metro has closed on Phase 1 of the three part phased sale of the Arlington Bus Garage property. Metro has so far received \$12 million of the total \$28 million purchase price. The remainder will be received within two years. (2) Metro and the developer negotiated an amendment to the Term Sheet for the Shaw-Howard University (Florida Ave.) Joint Development Site. However, at the March 2010 Board meeting, the Board voted to table this project. (3) Metro has been unable, at this time, to conclude a Joint Development Agreement for the Navy Yard Chiller Plant.

Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development
600 Fifth Street, NW, #5B-A
Washington, DC 20001
202/962-1577

From: Doggett, Rosalyn
Sent: Monday, June 28, 2010 4:03 PM
To: Wyner, Jonathan S.
Subject: RE: GM Goals June 2010 Update

Item 2 has not changed. Item 3 has not been achieved; developer has been unresponsive and AGM and SAAM director have elected temporarily not to pursue. Can one substitute other closings, e.g., White Flint or RI Ave?

From: Wyner, Jonathan S.
Sent: Monday, June 28, 2010 3:45 PM
To: Doggett, Rosalyn
Subject: FW: GM Goals June 2010 Update
Importance: High

Changes to (2) and (3):

(1) Metro has closed on Phase 1 of the three part phased sale of the Arlington Bus Garage property. Metro has so far received \$12 million of the total \$28 million purchase price. The remainder will be received within two years. (2) Metro and the developer negotiated an amendment to the Term Sheet for the Shaw-Howard University (Florida Ave.) Joint Development Site. However, at the March 2010 Board meeting, the Board voted to table this project. (3) Metro anticipates completion of a Joint Development Agreement for the Navy Yard Chiller Plant property by 6/30/10.

Please advise,

Thanks,

Jonathan

Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development

600 Fifth Street, NW, #5B-A
Washington, DC 20001
202/962-1577

From: Mohsberg, Sid
Sent: Monday, June 28, 2010 3:23 PM
To: Goldin, Steven; Harrington, Thomas
Subject: FW: GM Goals June 2010 Update

Tom and Steve,

Please give me your input by **Tuesday, 7/6/10**.

Submit your response by updating the attached spreadsheet.

The changes are as of 6/30/10.

OK, you know the drill – for each of your items, either say “no change” or supply the exact word-for-word entry you want in the strategy/status column. Whatever wording you provide will totally replace the wording that is there now.

Please remember to save your respective input by adding either PLAN or SAAM as appropriate to end of the file name of your document. That facilitates my folding your input into the master all PLJD document.

Since this is the last update of the FY10, it would really be nice if most if not all of our goals were green; i.e., complete.

Thanks.

Sid

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To: Wyner, Jonathan S.
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Sent: Monday, June 28, 2010 3:45 PM
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Importance: High

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Please advise,

Thanks,

jonathan

Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development

600 Fifth Street, NW, #5B-A
Washington, DC 20001
202/962-1577

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Subject: FW: GM Goals June 2010 Update

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Please advise,

Thanks,

jonathan

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Please advise,

Thanks,

jonathan

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Thanks.

Sid

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, June 24, 2010 9:15 AM
To: Hughey, Tomika; Burns, Bob; Meister, Mark K.; Malasky, Gary; Wyner, Jonathan S.; Goldin, Steven; McElhenny-Smith, Robin
Cc: Kellogg, Mark; Chapman, Emma; Harrington, Thomas; Hamre, James; Erion, David F.; Benson, Sara E.
Subject: RE: DC Office of Planning Streetcar Land Use Study

existing

From: Hughey, Tomika
Sent: Thursday, June 24, 2010 9:14 AM
To: Burns, Bob; Meister, Mark K.; Doggett, Rosalyn; Malasky, Gary; Wyner, Jonathan S.; Goldin, Steven; McElhenny-Smith, Robin
Cc: Kellogg, Mark; Chapman, Emma; Harrington, Thomas; Hamre, James; Erion, David F.; Benson, Sara E.
Subject: RE: DC Office of Planning Streetcar Land Use Study

Thanks, Bob. When the streetcar program for DC began in 2003, we recognized that many of the planned corridors were once historic DC Streetcar routes. The proposal is for streetcar to go down K Street, so both Farragut North/West and McPherson Square are near the streetcar lines. Are the Farraguts and McPherson Square new JD projects redevelopments or existing?

Thanks,

T

Tomika R. Hughey
Senior Planner
Office of Long Range Planning
Department of Planning & Joint Development
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001
Phone: 202-962-1040
Fax: 202-962-1409
e-mail: thughey@wmata.com
web: <http://www.metroopensdoors.com>
"The **BEST** ride in the Nation."

From: Burns, Bob
Sent: Thursday, June 24, 2010 7:55 AM
To: Meister, Mark K.; Doggett, Rosalyn; Malasky, Gary; Hughey, Tomika; Wyner, Jonathan S.; Goldin, Steven; McElhenny-Smith, Robin
Cc: Kellogg, Mark; Chapman, Emma; Harrington, Thomas; Hamre, James; Erion, David F.; Benson, Sara E.
Subject: RE: DC Office of Planning Streetcar Land Use Study

It appears McPherson Sq. is trolley stop/line. This is a JD project. Also, are Farragut N & W stops on trolley service? These have JD implications. Takoma stop has JD implications.

Under the DC Transit trolley system, many of the bus substations (Metro still owns and operates some) functioned as bus to rail transfer points, e.g., Mt. Rainier. Are you considering these locations? Sara Benson is working on study regarding these locations. You might note that some small parks in DC were once trolley junctions and transfer stations.

From: Meister, Mark K.
Sent: Wednesday, June 23, 2010 3:20 PM
To: Doggett, Rosalyn; Malasky, Gary; Hughey, Tomika; Wyner, Jonathan S.; Goldin, Steven; McElhenny-Smith, Robin; Burns, Bob
Cc: Kellogg, Mark; Chapman, Emma; Harrington, Thomas; Hamre, James; Erion, David F.
Subject: RE: DC Office of Planning Streetcar Land Use Study

Congress Heights is being treated as an excess property for disposition purposes.

From: Doggett, Rosalyn
Sent: Wednesday, June 23, 2010 3:02 PM
To: Malasky, Gary; Hughey, Tomika; Wyner, Jonathan S.; Goldin, Steven; McElhenny-Smith, Robin; Burns, Bob; Meister, Mark K.
Cc: Kellogg, Mark; Chapman, Emma; Harrington, Thomas; Hamre, James; Erion, David F.
Subject: RE: DC Office of Planning Streetcar Land Use Study

Possibly, also, Congress Heights. Western Bus Garage if there were an alternate garage. Woodley Park would have to be combined with adjacent private land. Navy Yard East and Navy Yard Chiller site are to be developed. That's all I can think of at the moment.

Deanwood--- some day.

From: Malasky, Gary

Sent: Wednesday, June 23, 2010 2:58 PM

To: Hughey, Tomika; Wyner, Jonathan S.; Goldin, Steven; McElhenny-Smith, Robin; Burns, Bob; Doggett, Rosalyn; Meister, Mark K.

Cc: Kellogg, Mark; Chapman, Emma; Harrington, Thomas; Hamre, James; Erion, David F.

Subject: RE: DC Office of Planning Streetcar Land Use Study

The Navy Yard West joint development project is complete; however there are proposed projects at Navy Yard East and the Navy Yard chiller. Roz or Steve could best inform you about their status.

I do not believe there is land at Eastern Market or Woodley Park for joint development.

I believe Petworth east is almost complete but again Roz could give you additional detail.

What about the old "car barn" on 14th Street? Steve could tell you if it should be included.

Gary

Gary Malasky
WMATA
600 Fifth Street, NW
Washington, DC 20001
202-962-1504

From: Hughey, Tomika

Sent: Wednesday, June 23, 2010 2:25 PM

To: Wyner, Jonathan S.; Goldin, Steven; McElhenny-Smith, Robin; Burns, Bob; Doggett, Rosalyn; Malasky, Gary; Meister, Mark K.

Cc: Kellogg, Mark; Chapman, Emma; Harrington, Thomas; Hamre, James; Erion, David F.

Subject: RE: DC Office of Planning Streetcar Land Use Study

Are there any specific Joint development projects planned in the near future that I should advise DCOP?

Based on my knowledge, these are potential sites to be looked at for future joint development:

Anacostia
Shaw/Howard Univ.
Petworth (East)
Eastern Market
Brookland/Catholic Univ.
Benning Road
Woodley Park Zoo

I did not include these as projects are either underway or completed:

U Street Cardoza
Union Station
Minn. Ave.
NY Ave
Columbia Heights
Navy Yard
Takoma
Rhode Island

Thanks,

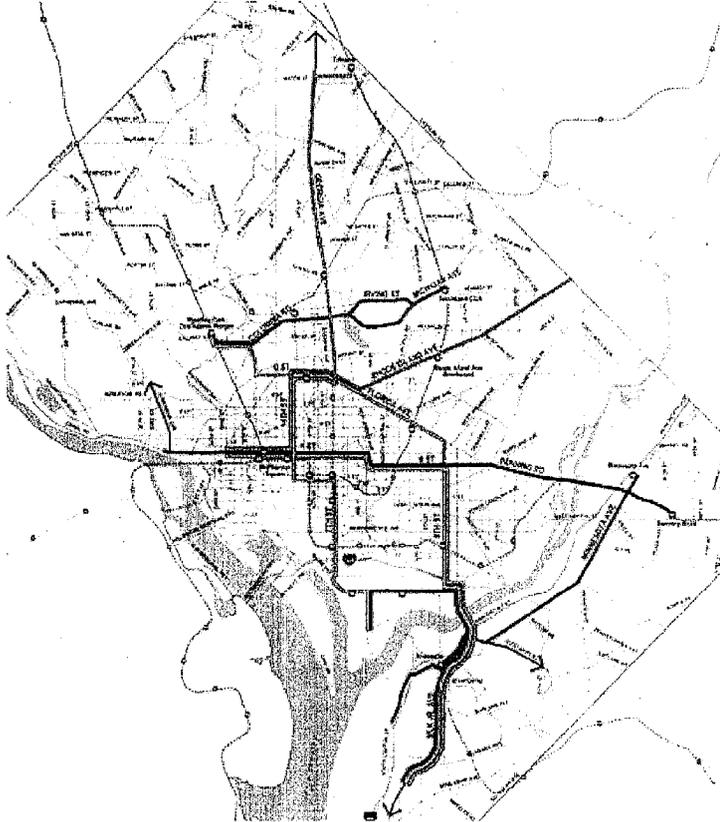
T

Tomika R. Hughey
Senior Planner
Office of Long Range Planning

Department of Planning & Joint Development
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
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Phone: 202-962-1040
Fax: 202-962-1409
e-mail: thughey@wmata.com
web: <http://www.metroopensdoors.com>
"The **BEST** ride in the Nation."

From: Wyner, Jonathan S.
Sent: Wednesday, June 23, 2010 1:56 PM
To: Wyner, Jonathan S.; Goldin, Steven; McElhenny-Smith, Robin; Burns, Bob; Doggett, Rosalyn; Malasky, Gary; Meister, Mark K.
Cc: Hughey, Tomika; Kellogg, Mark; Chapman, Emma; Harrington, Thomas; Hamre, James; Erion, David F.
Subject: RE: DC Office of Planning Streetcar Land Use Study
Importance: High

Metro Stations identified...such as Rhode Island Avenue, etc...see also attached...



Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development
600 Fifth Street, NW, #5B-A
Washington, DC 20001
202/962-1577

From: Wyner, Jonathan S.
Sent: Wednesday, June 23, 2010 1:51 PM
To: Goldin, Steven; McElhenny-Smith, Robin; Burns, Bob; Doggett, Rosalyn; Malasky, Gary; Meister, Mark K.
Cc: Hughey, Tomika
Subject: RE: DC Office of Planning Streetcar Land Use Study
Importance: High

I think you will find this interesting....

TOD and Street Cars...Increases in Property Values.....

Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development
600 Fifth Street, NW, #5B-A
Washington, DC 20001
202/962-1577

From: Goldin, Steven
Sent: Wednesday, June 23, 2010 1:35 PM
To: McElhenny-Smith, Robin; Burns, Bob; Doggett, Rosalyn; Malasky, Gary; Wyner, Jonathan S.; Meister, Mark K.
Subject: FW: DC Office of Planning Streetcar Land Use Study

Anybody ?

From: Hughey, Tomika
Sent: Wednesday, June 23, 2010 1:32 PM
To: Hamre, James; Erion, David F.; Goldin, Steven
Cc: Kellogg, Mark; Chapman, Emma; Harrington, Thomas
Subject: DC Office of Planning Streetcar Land Use Study

Hi Jim, et.al.,

Emma and I are meeting with DC Office of Planning to get a briefing on their Streetcar Land Use Study tomorrow morning. In their proposed agenda (which we just received), they have the following areas of discussion related to WMATA.

Can you provide any feedback on these items. To my knowledge the only current planned service that impacts their study – which is basically the entire city – is the introduction of the new limited service on the X9 and the future 90's limited service that will undoubtedly come out of the current study underway. Please advise any other information that you may know of so that we can provide them with this information.

Steve if there are Joint Development proposals or priority sites that we should advise them of, please let me know.

- 1) WMATA Services Near the Streetcar System**
 - a. Current service**
 - b. Future or planned service**
 - c. TOD/Joint Development Activities**
 - d. Other related service that could affect streetcar service**

Thanks,

T

Tomika R. Hughey
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Office of Long Range Planning
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"The **BEST** ride in the Nation."

Doggett, Rosalyn

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Sent: Thursday, June 24, 2010 9:15 AM
To: Hughey, Tomika; Burns, Bob; Meister, Mark K.; Malasky, Gary; Wyner, Jonathan S.; Goldin, Steven; McElhenny-Smith, Robin
Cc: Kellogg, Mark; Chapman, Emma; Harrington, Thomas; Hamre, James; Erion, David F.; Benson, Sara E.
Subject: RE: DC Office of Planning Streetcar Land Use Study

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Thanks, Bob. When the streetcar program for DC began in 2003, we recognized that many of the planned corridors were once historic DC Streetcar routes. The proposal is for streetcar to go down K Street, so both Farragut North/West and McPherson Square are near the streetcar lines. Are the Farraguts and McPherson Square new JD projects redevelopments or existing?

Thanks,

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Department of Planning & Joint Development
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It appears McPherson Sq. is trolley stop/line. This is a JD project. Also, are Farragut N & W stops on trolley service? These have JD implications. Takoma stop has JD implications.

Under the DC Transit trolley system, many of the bus substations (Metro still owns and operates some) functioned as bus to rail transfer points, e.g., Mt. Rainier. Are you considering these locations? Sara Benson is working on study regarding these locations. You might note that some small parks in DC were once trolley junctions and transfer stations.

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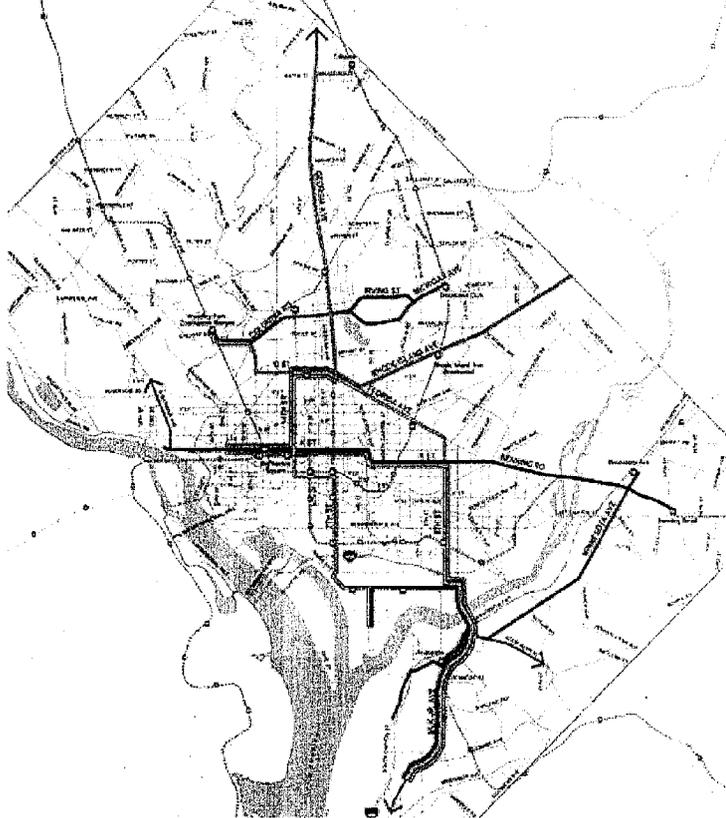
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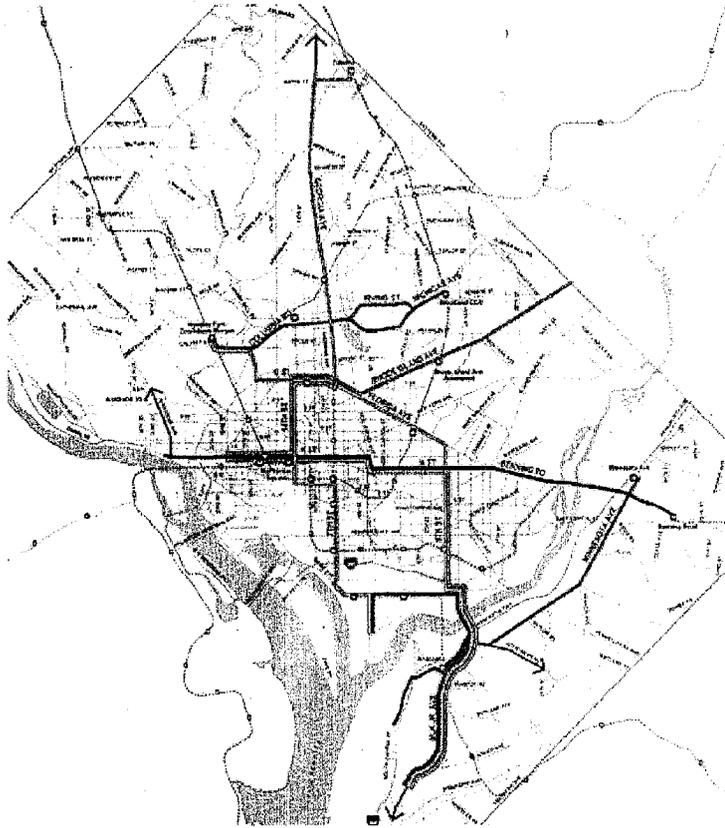
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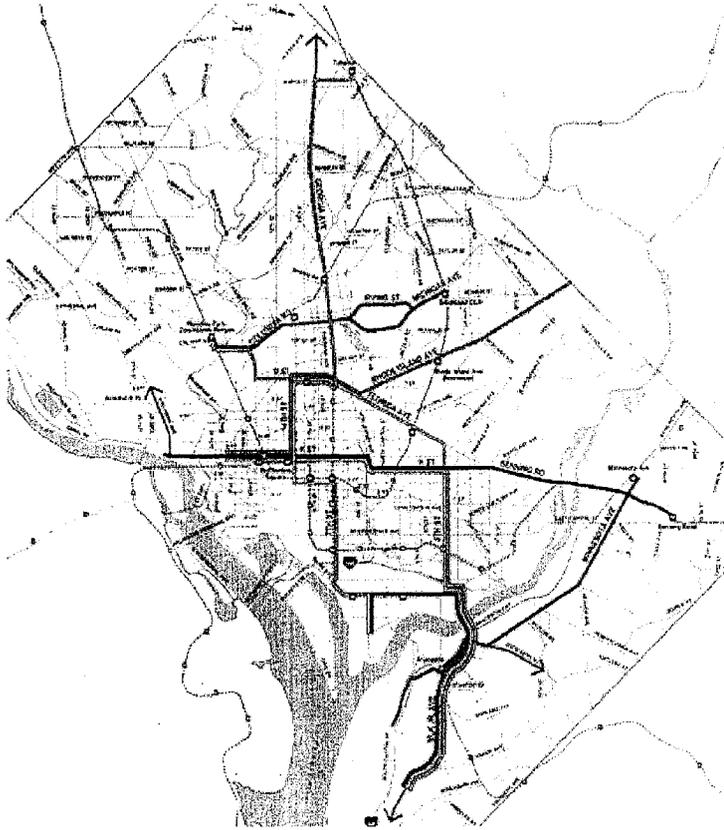
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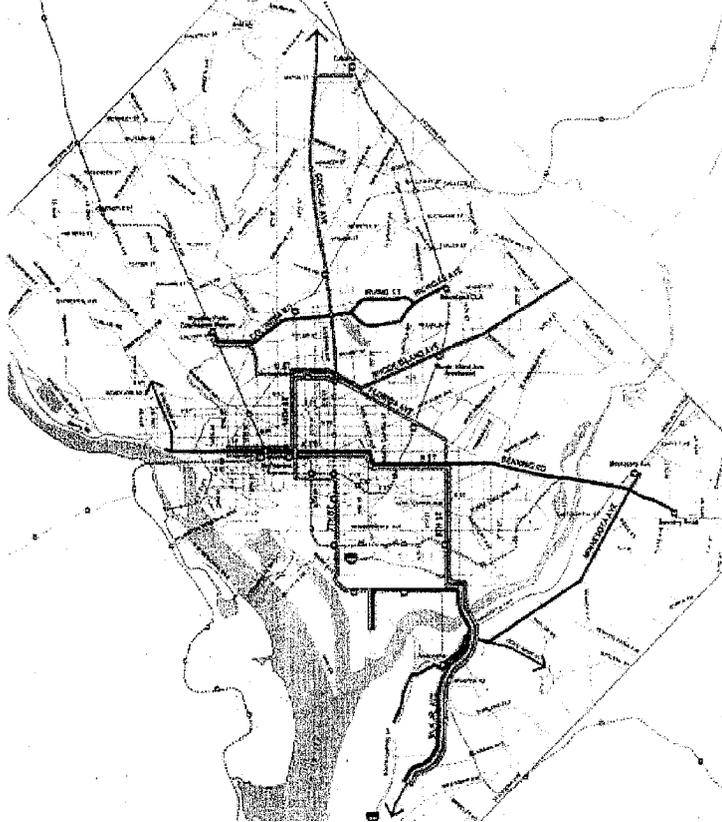
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Sent: Wednesday, June 23, 2010 1:32 PM
To: Hamre, James; Erion, David F.; Goldin, Steven
Cc: Kellogg, Mark; Chapman, Emma; Harrington, Thomas
Subject: DC Office of Planning Streetcar Land Use Study

Hi Jim, et.al.,

Emma and I are meeting with DC Office of Planning to get a briefing on their Streetcar Land Use Study tomorrow morning. In their proposed agenda (which we just received), they have the following areas of discussion related to WMATA.

Can you provide any feedback on these items. To my knowledge the only current planned service that impacts their study – which is basically the entire city – is the introduction of the new limited service on the X9 and the future 90's limited service that will undoubtedly come out of the current study underway. Please advise any other information that you may know of so that we can provide them with this information.

Steve if there are Joint Development proposals or priority sites that we should advise them of, please let me know.

- 1) **WMATA Services Near the Streetcar System**
 - a. **Current service**
 - b. **Future or planned service**
 - c. **TOD/Joint Development Activities**
 - d. **Other related service that could affect streetcar service**

Thanks,

T

Tomika R. Hughey
Senior Planner
Office of Long Range Planning
Department of Planning & Joint Development
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001
Phone: 202-962-1040
Fax: 202-962-1409
e-mail: thughey@wmata.com
web: <http://www.metroopensdoors.com>
"The BEST ride in the Nation."

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, June 23, 2010 3:02 PM
To: Malasky, Gary; Hughey, Tomika; Wyner, Jonathan S.; Goldin, Steven; McElhenny-Smith, Robin; Burns, Bob; Meister, Mark K.
Cc: Kellogg, Mark; Chapman, Emma; Harrington, Thomas; Hamre, James; Erion, David F.
Subject: RE: DC Office of Planning Streetcar Land Use Study

Possibly, also, Congress Heights. Western Bus Garage if there were an alternate garage. Woodley Park would have to be combined with adjacent private land. Navy Yard East and Navy Yard Chiller site are to be developed. That's all I can think of at the moment.

Deanwood--- some day.

From: Malasky, Gary
Sent: Wednesday, June 23, 2010 2:58 PM
To: Hughey, Tomika; Wyner, Jonathan S.; Goldin, Steven; McElhenny-Smith, Robin; Burns, Bob; Doggett, Rosalyn; Meister, Mark K.
Cc: Kellogg, Mark; Chapman, Emma; Harrington, Thomas; Hamre, James; Erion, David F.
Subject: RE: DC Office of Planning Streetcar Land Use Study

The Navy Yard West joint development project is complete; however there are proposed projects at Navy Yard East and the Navy Yard chiller. Roz or Steve could best inform you about their status.

I do not believe there is land at Eastern Market or Woodley Park for joint development.

I believe Petworth east is almost complete but again Roz could give you additional detail.

What about the old "car barn" on 14th Street? Steve could tell you if it should be included.

Gary

Gary Malasky
WMATA
600 Fifth Street, NW
Washington, DC 20001
202-962-1504

From: Hughey, Tomika
Sent: Wednesday, June 23, 2010 2:25 PM
To: Wyner, Jonathan S.; Goldin, Steven; McElhenny-Smith, Robin; Burns, Bob; Doggett, Rosalyn; Malasky, Gary; Meister, Mark K.
Cc: Kellogg, Mark; Chapman, Emma; Harrington, Thomas; Hamre, James; Erion, David F.
Subject: RE: DC Office of Planning Streetcar Land Use Study

Are there any specific Joint development projects planned in the near future that I should advise DCOP?

Based on my knowledge, these are potential sites to be looked at for future joint development:

Anacostia
Shaw/Howard Univ.
Petworth (East)
Eastern Market
Brookland/Catholic Univ.
Benning Road
Woodley Park Zoo

I did not include these as projects are either underway or completed:

U Street Cardoza
Union Station
Minn. Ave.
NY Ave
Columbia Heights
Navy Yard
Takoma
Rhode Island

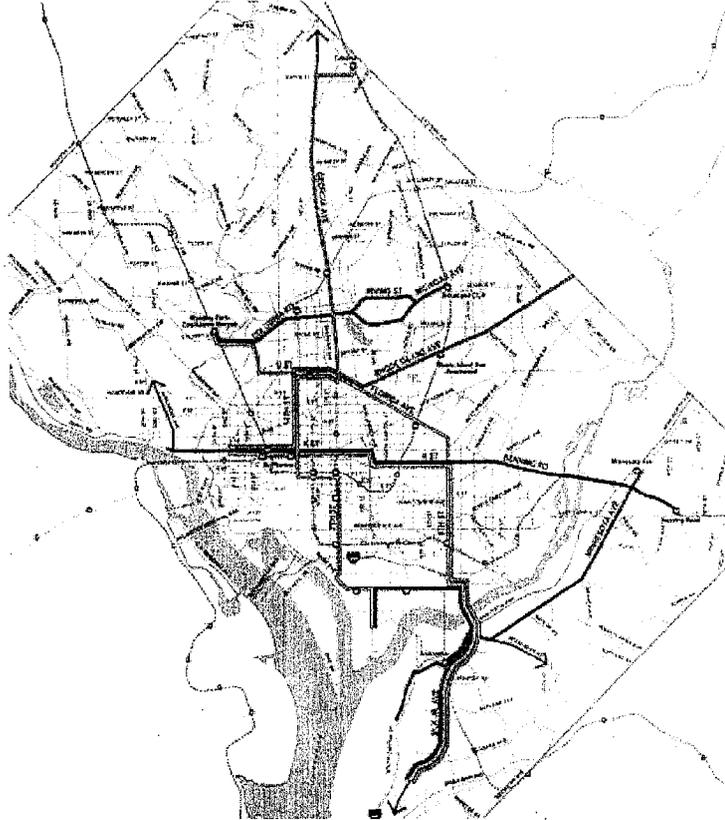
Thanks,

T

Tomika R. Hughey
Senior Planner
Office of Long Range Planning
Department of Planning & Joint Development
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001
Phone: 202-962-1040
Fax: 202-962-1409
e-mail: thughey@wmata.com
web: <http://www.metroopensdoors.com>
*"The **BEST** ride in the Nation."*

From: Wyner, Jonathan S.
Sent: Wednesday, June 23, 2010 1:56 PM
To: Wyner, Jonathan S.; Goldin, Steven; McElhenny-Smith, Robin; Burns, Bob; Doggett, Rosalyn; Malasky, Gary; Meister, Mark K.
Cc: Hughey, Tomika; Kellogg, Mark; Chapman, Emma; Harrington, Thomas; Hamre, James; Erion, David F.
Subject: RE: DC Office of Planning Streetcar Land Use Study
Importance: High

Metro Stations identified...such as Rhode Island Avenue, etc...see also attached...



Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development
600 Fifth Street, NW, #5B-A
Washington, DC 20001
202/962-1577

From: Wyner, Jonathan S.
Sent: Wednesday, June 23, 2010 1:51 PM
To: Goldin, Steven; McElhenny-Smith, Robin; Burns, Bob; Doggett, Rosalyn; Malasky, Gary; Meister, Mark K.
Cc: Hughey, Tomika
Subject: RE: DC Office of Planning Streetcar Land Use Study
Importance: High

I think you will find this interesting.....

TOD and Street Cars...Increases in Property Values.....

Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development
600 Fifth Street, NW, #5B-A
Washington, DC 20001
202/962-1577

From: Goldin, Steven
Sent: Wednesday, June 23, 2010 1:35 PM
To: McElhenny-Smith, Robin; Burns, Bob; Doggett, Rosalyn; Malasky, Gary; Wyner, Jonathan S.; Meister, Mark K.
Subject: FW: DC Office of Planning Streetcar Land Use Study

Anybody ?

From: Hughey, Tomika
Sent: Wednesday, June 23, 2010 1:32 PM
To: Hamre, James; Erion, David F.; Goldin, Steven
Cc: Kellogg, Mark; Chapman, Emma; Harrington, Thomas
Subject: DC Office of Planning Streetcar Land Use Study

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 - a. **Current service**
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 - d. **Other related service that could affect streetcar service**

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Tomika R. Hughey
Senior Planner
Office of Long Range Planning
Department of Planning & Joint Development
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Phone: 202-962-1040
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web: <http://www.metroopensdoors.com>
"The **BEST** ride in the Nation."

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, April 30, 2010 9:36 AM
To: Talala, Anabela
Subject: latest ridershp
Attachments: Ridership- DC Weekday Ridership FY10.xls

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, April 30, 2010 9:35 AM
To: 'Josh Adler'
Subject: RE: Metro ridership counts?
Attachments: Ridership- DC Weekday Ridership FY10.xls

I inundate you with the attached.

From: Josh Adler [<mailto:josh@lakritzadler.com>]
Sent: Monday, April 26, 2010 5:09 PM
To: Doggett, Rosalyn
Subject: RE: Metro ridership counts?

Thanks!

From: Doggett, Rosalyn [<mailto:RDoggett@wmata.com>]
Sent: Monday, April 26, 2010 5:04 PM
To: Josh Adler
Subject: RE: Metro ridership counts?

I've forwarded you request to the "keeper of the statistics" and will send the info to you when he replies.

From: Josh Adler [<mailto:josh@lakritzadler.com>]
Sent: Monday, April 26, 2010 4:03 PM
To: Doggett, Rosalyn
Subject: Metro ridership counts?

Rosalyn,

Where can I find the most recent ridership counts for various Metro Stations? In particular I need Petworth, U Street, and Dupont Circle.

Thanks,

Joshua A. Adler
MANAGING PARTNER



4326 8th Street NW
Washington, DC 20011
T 202.882.0808
F 202.882.0809
www.lakritzadler.com

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, April 26, 2010 4:56 PM
To: Malasky, Gary
Subject: template
Attachments: Florida Ave Amended Term Sheet 3-10- rev 4.pptx

Remember there is a new Committee name
And your presentation would end with recommendation which FL Ave did not.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-952-2208 phone
202-952-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, April 26, 2010 2:24 PM
To: Sequeira, Loyda
Subject: RE: MEAD Routing - MEAD(100628) New Amended Term Sheet Shaw-Howard/FL Av JD Site

I deleted it

-----Original Message-----

From: Sequeira, Loyda
Sent: Monday, April 26, 2010 12:05 PM
To: Doggett, Rosalyn
Cc: Pierce, Nicola; Chambliss, Leenda M.
Subject: FW: MEAD Routing - MEAD(100628) New Amended Term Sheet Shaw-Howard/FL Av JD Site

Hi Rosalyn,

Is there anyway you could "abort" this MEAD? I disapproved it last week because it's sitting in the Board's queue unnecessarily. I will do the same again unless you can somehow "stop" it.

Thanks,

Loyda Sequeira-Castillo
Direct: 202-962-1816

-----Original Message-----

From: procadmin, procadmin
Sent: Sunday, April 25, 2010 7:54 PM
To: Sequeira, Loyda
Subject: MEAD Routing - MEAD(100628) New Amended Term Sheet Shaw-Howard/FL Av JD Site

TO: BOARD WMATA
FROM: GMGR CEO (spant@wmata.com)
INIT. ROUTER: ROSALYN DOGGETT (rdoggett@wmata.com)
DOCUMENT: MEAD(100628) New Amended Term Sheet Shaw-Howard/FL Av JD Site
SUBJECT: A document from MEAD has been routed to you and requires your approval at the MEAD web site.

Please go to the MEAD site by clicking on the link below:
http://mead.wmata.com/prod/pimsApprove/approval.cfm?q route_id=129486&q_empid=BOARD

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, April 26, 2010 2:11 PM
To: Goldin, Steven
Subject: FW: MEAD Routing - MEAD(100628) New Amended Term Sheet Shaw-Howard/FL Av JD Site

I will do this.

-----Original Message-----

From: Sequeira, Loyda
Sent: Monday, April 26, 2010 12:05 PM
To: Doggett, Rosalyn
Cc: Pierce, Necola; Chambliss, Leenda M.
Subject: Fw: MEAD Routing - MEAD(100628) New Amended Term Sheet Shaw-Howard/FL Av JD Site

Hi Rosalyn,

Is there anyway you could "abort" this MEAD? I disapproved it last week because it's sitting in the Board's queue unnecessarily. I will do the same again unless you can somehow "stop" it.

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Direct: 202-962-1816

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To: Sequeira, Loyda
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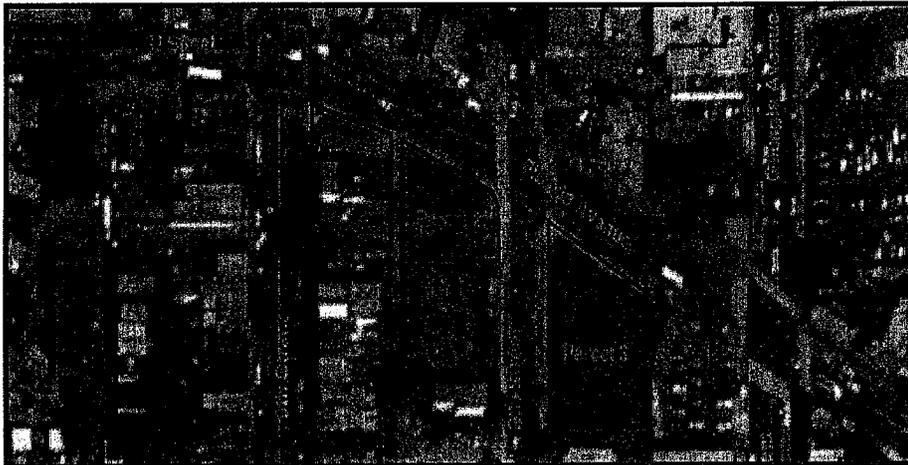
TO: BOARD WMATA
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http://mead.wmata.com/prod/pimsApprove/approval.cfm?q_route_id=129486&q_empid=BOARD

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, April 23, 2010 2:26 PM
To: Meister, Mark K.
Subject: shaw howard parcels



Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, April 23, 2010 10:30 AM
To: Goldin, Steven
Subject: RE: Shaw-Howard/Florida Ave Dev Site

So you send me on these wild goose chases ☺
Nat picked it up yesterday, says Cassandra
Of course, I would like to see it when available
Thanks

From: Goldin, Steven
Sent: Friday, April 23, 2010 9:46 AM
To: Doggett, Rosalyn
Subject: FW: Shaw-Howard/Florida Ave Dev Site

Please pick up this memo for me this morning

From: Barr, Cassandra
Sent: Thursday, April 22, 2010 3:54 PM
To: Bottigheimer, Nat; Goldin, Steven
Cc: Wallace, Maria A
Subject: Shaw-Howard/Florida Ave Dev Site

Memo is ok w/Mr. Graham and Mr. Albert.

Ready for p/u

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, April 12, 2010 11:05 AM
To: Wyner, Jonathan S.
Cc: Meister, Mark K.; Goldin, Steven
Subject: FTA updates
Attachments: FTA Quarterly REV 4 Status of Current Projects 2-3-2010.doc

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, April 06, 2010 8:57 AM
To: Doggett, Rosalyn
Subject: Synchronization Log:

Importance: High

8:56:48 Synchronizer Version 12.0.6211
8:56:48 Synchronizing Mailbox 'Doggett, Rosalyn'
8:56:48 Synchronizing local changes in folder 'Inbox'
8:56:48 Uploading to server 'EX2K7-CMS-1.wmata.local'
8:56:48 Error synchronizing message 'FINAL Term Sheet b/f WMATA and Developer - Shaw/Howard-Florida A'
8:56:49 [80040119-20010CD1-0-1390]
8:56:49 Microsoft Office Outlook Offline Folders
8:56:49 For more information on this failure, click the URL below:
8:56:49 http://www.microsoft.com/support/prodredirect/outlook2000_us.asp?err=80040119-20010c01-0-1390
8:56:49 Moved a message that failed synchronization to 'Local Failures'. Message subject -> 'FINAL Term Sheet b/f WMATA and Developer - Shaw/Howard-Florida A'. You can view this message in your offline folder file only.
8:56:50 2 item(s) updated in online folder
8:56:50 Done

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, March 24, 2010 9:55 AM
To: Bellamy, Michelle A.
Cc: Bottigheimer, Nat; Goldin, Steven; Montague, Joshua W.; Mohsberg, Sid
Subject: FL AVE Comparison Table
Attachments: FLAVETerm Sheets Comparison Table 3-23-2010 rev 5.xlsx

Current version of table incorporating minor change suggested by Steve.

Please send to Loyda.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, March 24, 2010 9:26 AM
To: Bottigheimer, Nat; Sequeira, Loyda
Cc: Goldin, Steven; Mohsberg, Sid; Bellamy, Michelle A.
Subject: RE: BAIS 100628 New Amended Term Sheet Shaw-Howard/FL Av JD Site

Michelle and I will get the table to Loyda now.

From: Bottigheimer, Nat
Sent: Tuesday, March 23, 2010 8:39 PM
To: Sequeira, Loyda
Cc: Goldin, Steven; Mohsberg, Sid; Doggett, Rosalyn; Bellamy, Michelle A.
Subject: RE: BAIS 100628 New Amended Term Sheet Shaw-Howard/FL Av JD Site

Loyda--

The other item we'd distribute is the side-by-side comparison of deal terms. I can't find that in my email, but possibly Steve, Sid, or Roz can -- folks, now that the item is back on the agenda for Thursday, Loyda's looking for the current versions of the materials we used to brief Grahm last week.

-Nat

From: Sequeira, Loyda
Sent: Tuesday, March 23, 2010 8:35 PM
To: Bottigheimer, Nat
Subject: Re: BAIS 100628 New Amended Term Sheet Shaw-Howard/FL Av JD Site

Thanks

From: Bottigheimer, Nat
To: Sequeira, Loyda
Cc: Mohsberg, Sid
Sent: Tue Mar 23 20:34:45 2010
Subject: FW: BAIS 100628 New Amended Term Sheet Shaw-Howard/FL Av JD Site
Here's the BAIS, Loyda...

From: Mohsberg, Sid
Sent: Thursday, March 18, 2010 6:16 PM
To: Bellamy, Michelle A.
Cc: Bottigheimer, Nat; Goldin, Steven; Doggett, Rosalyn
Subject: FW: BAIS 100628 New Amended Term Sheet Shaw-Howard/FL Av JD Site

Michelle,

Nat approved the attached version, which is the one Roz sent him on 3/18/10 at 4:55 PM.

Please use this version for tomorrow's mailout package.

Thanks.

Sid

From: Bottigheimer, Nat
Sent: Thursday, March 18, 2010 5:22 PM
To: Mohsberg, Sid; Goldin, Steven
Subject: RE: BAIS 100628 New Amended Term Sheet Shaw-Howard/FL Av JD Site

Yes by me

From: Mohsberg, Sid
Sent: Thursday, March 18, 2010 5:18 PM
To: Bottigheimer, Nat; Goldin, Steven
Subject: BAIS 100628 New Amended Term Sheet Shaw-Howard/FL Av JD Site

Nat and Steve,

"... for your review" indicates a decision is needed before Michelle prints the package for tomorrow morning's mailout.

Is the attached version approved?

Sid

From: Doggett, Rosalyn
Sent: Thursday, March 18, 2010 4:55 PM
To: Bottigheimer, Nat; Green, Jennifer A.; Chambliss, Leenda M.
Cc: Goldin, Steven; Mohsberg, Sid
Subject:

Revised paragraph on BACDC March proposal for your review

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, March 22, 2010 5:29 PM
To: Mohsberg, Sid
Subject: RE: MEAD Routing (DISAPPROVED) - MEAD(100628) New Amended Term Sheet Shaw-Howard/FL Av JD Site

thank you

From: Mohsberg, Sid
Sent: Monday, March 22, 2010 5:12 PM
To: Doggett, Rosalyn
Subject: RE: MEAD Routing (DISAPPROVED) - MEAD(100628) New Amended Term Sheet Shaw-Howard/FL Av JD Site

I called you to take the required action, but you didn't answer your phone, and so as you saw by subsequent emails I did it.

-----Original Message-----

From: Doggett, Rosalyn
Sent: Monday, March 22, 2010 4:59 PM
To: Mohsberg, Sid
Subject: FW: MEAD Routing (DISAPPROVED) - MEAD(100628) New Amended Term Sheet Shaw-Howard/FL Av JD Site

fyi

From: ProcAdmin@wmata.com [ProcAdmin@wmata.com]
Sent: Monday, March 22, 2010 4:37 PM
To: Doggett, Rosalyn
Subject: MEAD Routing (DISAPPROVED) - MEAD(100628) New Amended Term Sheet Shaw-Howard/FL Av JD Site

TO: ROSALYN DOGGETT
DOCUMENT: MEAD(100628) New Amended Term Sheet Shaw-Howard/FL Av JD Site
SUBJECT: The document specified above has been disapproved.

This document was disapproved by one or more approvers, so routing has been stopped. If you wish to continue routing, this document must be edited and then resubmitted for routing. Routing will continue at the level where it was disapproved.

Please visit the MEAD site to do so.

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, March 22, 2010 4:59 PM
To: Mohsberg, Sid
Subject: FW: MEAD Routing (DISAPPROVED) - MEAD(100628) New Amended Term Sheet Shaw-Howard/FL Av JD Site

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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, March 19, 2010 8:51 AM
To: Montague, Joshua W.
Subject: FW: Florida Ave item OFF the agenda

From: Sequeira, Loyda
Sent: Thursday, March 18, 2010 7:05 PM
To: Bottigheimer, Nat; Goldin, Steven; Catoe, John B.; Pant, Shiva K.
Cc: Green, Jennifer A.; Lawson, Arturo V.; Doggett, Rosalyn; Chambliss, Leenda M.; Pierce, Nicola; Mohsberg, Sid; Farbstein, Lisa; Bellamy, Michelle A.
Subject: Florida Ave item OFF the agenda

Hello Everyone,

I just received a call from Mr. Graham who has instructed me to take the Florida Ave/Shaw Howard off the Joint Dev & Real Estate agenda.
He has asked to be consulted before any public statements are made on this matter.

I explained to him that the agenda has not been made public or distributed (other than internally) so it would be as it was never on it.

Please let me know if there are any questions.

Loyda Sequeira-Castillo
Board Secretary, Metro
600 Fifth Street, NW
Washington, DC 20001

Direct: 202-962-1816
Fax: 202-962-1133

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, March 19, 2010 8:20 AM
To: Mohsberg, Sid
Subject: RE: Florida Ave item OFF the agenda

Please note that this MEAD is 100628 (not 100638)

From: Mohsberg, Sid
Sent: Thursday, March 18, 2010 7:26 PM
To: Bottigheimer, Nat
Cc: Goldin, Steven; Doggett, Rosalyn; Bellamy, Michelle A.
Subject: FW: Florida Ave item OFF the agenda

Nat,

In light of this email and pending further developments, we will not restart the routing of MEAD 100638 "Act on Amended Florida Avenue Term Sheet and Time Extension to Negotiate a Joint Development Agreement", which Loyda disapproved this morning, Thursday, 3/18/10, at Level 6.

For now, it will not be in tomorrow's mail out package.

Sid

From: Sequeira, Loyda
Sent: Thursday, March 18, 2010 7:05 PM
To: Bottigheimer, Nat; Goldin, Steven; Catoe, John B.; Pant, Shiva K.
Cc: Green, Jennifer A.; Lawson, Arthur V.; Doggett, Rosalyn; Chambliss, Leenda M.; Pierce, Necola; Mohsberg, Sid; Farbstein, Lisa; Bellamy, Michelle A.
Subject: Florida Ave item OFF the agenda

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Loyda Sequeira-Castillo
Board Secretary, Metro
600 Fifth Street, NW
Washington, DC 20001

Direct: 202-962-1816
Fax: 202-962-1133

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, March 18, 2010 4:55 PM
To: Bottigheimer, Nat; Green, Jennifer A.; Chambliss, Leenda M.
Cc: Goldin, Steven; Mohsberg, Sid
Attachments: BAIS 100628 3-18-10 rev. final.pdf

Revised paragraph on BACDC March proposal for your review

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, March 18, 2010 10:19 AM
To: Goldin, Steven; Montague, Joshua W.
Cc: Mohsberg, Sid; Bottigheimer, Nat; Wallace, Maria A
Subject: Comparison Table as of the Date Below
Attachments: FLAVETerm Sheets Comparison Table 3-17-2010 rev 4.xlsx

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, March 18, 2010 10:16 AM
To: Bellamy, Michelle A.
Cc: Goldin, Steven; Mohsberg, Sid; Bottigheimer, Nat; Wallace, Maria A; Montague, Joshua W.
Subject: finals on Florida Ave
Attachments: BAIS 100628 3-18-09 FINAL.pdf; Florida Ave Amended Term Sheet 3-10- rev 4.pptx

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, March 18, 2010 9:48 AM
To: Bellamy, Michelle A.
Subject: RE: Shaw-Howard U Florida Ave

I'm going to re-email the BAIS and Power Point in a few minutes.

From: Bellamy, Michelle A.
Sent: Thursday, March 18, 2010 9:39 AM
To: Doggett, Rosalyn
Subject: RE: Saw-Howard U Florida Ave

Good morning Roz,

Are these materials ready for review by SECT? I am asking because mailout is today and I need to have them prepared for delivery by 2pm.

Please advise.

Thank you,
Michelle

From: Doggett, Rosalyn
Sent: Tuesday, March 16, 2010 6:08 PM
To: Goldin, Steven; Montague, Joshua W.
Cc: Bottigheimer, Nat; Mohsberg, Sid; Bellamy, Michelle A.; Wallace, Maria A
Subject: Saw-Howard U Florida Ave

I have incorporated the developer changes that we agreed to today. Attached are the revised BAIS, Power Point and Table.

Sid, Michelle I want you to be aware that there are small changes to the BAIS and Power Point but changes nevertheless. (And to the comparison table.) However, I do not want you to officially send them to SECT until Josh and Steve have looked at them. I will let you know in the a.m. if these are final or require any further changes.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, March 17, 2010 9:54 AM
To: Mohsberg, Sid
Subject: FW: MEAD #100638 - Eisenhower Avenue Metro Station Improvement Project

By coincidence, I met Alicia for the first time in front of the building as I was leaving; we were both talking to Art Lawson. So I let her know about the MEAD but happily did not have to get back to her.

From: Pozzi, L.Randall
Sent: Tuesday, March 16, 2010 6:16 PM
To: Doggett, Rosalyn; Mohsberg, Sid
Subject: RE: MEAD #100638 - Eisenhower Avenue Metro Station Improvement Project

Rosalyn,

The MEAD is signed.

Randy

From: Doggett, Rosalyn
Sent: Tuesday, March 16, 2010 6:03 PM
To: Mohsberg, Sid
Cc: Pozzi, L.Randall
Subject: RE: MEAD #100638 - Eisenhower Avenue Metro Station Improvement Project

That is why I am copying Randy on this e-mail. (put the wrong address on the previous one)

From: Mohsberg, Sid
Sent: Tuesday, March 16, 2010 6:01 PM
To: Doggett, Rosalyn
Subject: RE: MEAD #100638 - Eisenhower Avenue Metro Station Improvement Project

Roz,

Maybe so, but it's now 24 hours later, and your MEAD is still sitting there waiting for Dave's approval. Alicia Bigelow would be another avenue for getting Dave's attention.

Thanks.

Sid

From: Doggett, Rosalyn
Sent: Tuesday, March 16, 2010 5:52 PM
To: Mohsberg, Sid
Cc: rpozzi@wmata.com
Subject: RE: MEAD #100638 - Eisenhower Avenue Metro Station Improvement Project

Actually Randy came to talk to me about it yesterday and I thought was going to get Dave to sign off

From: Mohsberg, Sid
Sent: Tuesday, March 16, 2010 5:36 PM
To: Doggett, Rosalyn
Subject: FW: MEAD #100638 - Eisenhower Avenue Metro Station Improvement Project

Roz,

Mark used this approach to get Dave's approval of his MEAD 100638.

Your MEAD 100628 "New Amended Term Sheet Shaw-Howard/FL Av JD Site" has been awaiting approval by Dave at Level 5 since 3/12/10.

Randy wrote back to him that Dave would approve it within the hour.

Worth a try.

Thanks.

Sid

From: Meister, Mark K.
Sent: Tuesday, March 16, 2010 1:48 PM
To: Pozzi, L.Randall
Cc: Talaia, Anabela; Mohsberg, Sid; Goldin, Steven
Subject: MEAD #100638 - Eisenhower Avenue Metro Station Improvement Project

Randy,

We need Dave's approval of the subject MEAD at Level 5. This is a 3/25 Board item which has been at Level 5 since 3/12. Your prompt response is appreciated.

Mark

Mark K. Meister
Program Manager, Real Estate
Office of Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001
Tel: 202-962-1589
Fax: 202-962-2396
Email: mmeister@wmata.com

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, March 17, 2010 9:29 AM
To: Montague, Joshua W.
Subject: RE: Saw-Howard U Florida Ave
Attachments: BAIS 100628 3-17-10.pdf

Here is the revised BAIS. I did not change the table- suggestion was reasonable but I am going to leave well enough alone.

I do not think that Carol needs to approve but you should inform her. Wait however until I get Steve's additional comments if any.

From: Montague, Joshua W.
Sent: Tuesday, March 16, 2010 6:31 PM
To: Doggett, Rosalyn
Subject: RE: Saw-Howard U Florida Ave

Roz, here are my comments:

1. Bais:
 - a. 1st bullet point, 2nd to last sentence, this sentence needs to be corrected.
 - b. Instead of "revert to metro," we should use the phrase "default and terminate" or some variation thereof.
2. .ppt:
 - a. No comments.
3. Comparison Table:
 - a. No substantive comments, one style comment.
 - b. Base rent section – why don't we mention here that monthly rent begins on 50th anniversary of closing? I know we say it in the revaluation section, but it seems like it should be mentioned here.
4. COUN approval – is this something that you need Carol to approve?

Josh

From: Doggett, Rosalyn
Sent: Tuesday, March 16, 2010 6:08 PM
To: Goldin, Steven; Montague, Joshua W.
Cc: Bottigheimer, Nat; Mohsberg, Sid; Bellamy, Michelle A.; Wallace, Maria A
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Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
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To: Pozzi, L.Randall
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Thanks, Randy.

From: Pozzi, L.Randall
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Your MEAD 100628 "New Amended Term Sheet Shaw-Howard/FL Av JD Site" has been awaiting approval by Dave at Level 5 since 3/12/10.

Randy wrote back to him that Dave would approve it within the hour.

Worth a try.

Thanks.

Sid

From: Meister, Mark K.
Sent: Tuesday, March 16, 2010 1:48 PM
To: Pozzi, L.Randall
Cc: Talala, Anabela; Mohsberg, Sid; Goldin, Steven
Subject: MEAD #100638 - Eisenhower Avenue Metro Station Improvement Project

Randy,

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Mark

Mark K. Meister
Program Manager, Real Estate
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Fax: 202-962-2396
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Sent: Tuesday, March 16, 2010 6:08 PM
To: Goldin, Steven; Montague, Joshua W.
Cc: Bottigheimer, Nat; Mohsberg, Sid; Bellamy, Michelle A.; Wallace, Maria A
Subject: Saw-Howard U Florida Ave
Attachments: BAIS 100628 3-16-10.pdf; Florida Ave Amended Term Sheet 3-10- rev 4.pptx; FLAVETerm Sheets Comparison Table 3-10-2010 rev 4.xlsx

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Mark

Mark K. Meister
Program Manager, Real Estate
Office of Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority

600 Fifth Street, NW
Washington, DC 20001
Tel: 202-962-1589
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Email: mmeister@wmata.com

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Fax: 202-962-2396
Email: mmeister@wmata.com

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, March 16, 2010 1:13 PM
To: Mohsberg, Sid
Subject: FW:
Attachments: New Amended Term Sheet.pdf

At 2:44 on Thurs March 11 the BAIS says July. I just don't think that it EVER said September on March 11 OR March 12.

From: Doggett, Rosalyn
Sent: Thursday, March 11, 2010 2:44 PM
To: 'jmontague@wmata.com'
Subject:

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, March 16, 2010 1:07 PM
To: Mohsberg, Sid
Subject: FW: 100628 - FL Ave.pdf - Adobe Acrobat Professional
Attachments: 100628 - FL Ave.pdf

Note that Leenda sent this to me at 9:37 on Friday March 12 with July date in BAIS

From: Doggett, Rosalyn
Sent: Friday, March 12, 2010 11:01 AM
To: Mohsberg, Sid
Subject: FW: 100628 - FL Ave.pdf - Adobe Acrobat Professional

Fyi, I'll make the edits, may need your help on the spacing problem

From: Chambliss, Leenda M.
Sent: Friday, March 12, 2010 9:37 AM
To: Doggett, Rosalyn
Subject: 100628 - FL Ave.pdf - Adobe Acrobat Professional

Hello –

Attached are Board Communications Unit edits to the MEAD scheduled to go forward in March. Please make the changes and answer any questions within the MEAD, if appropriate. I apologize for the late edits.

Please note, the edits are not intended to change your message, but rather to better convey it. Feel free to contact me to discuss those edits that distort the meaning of your presentation. Thank you.

- Leen'da

*Hope-Leen'da M. Chambliss
Office of the General Manager
Washington Metropolitan Area Transit Authority
phone - 202/962-2595
fax - 202/962-1133
lchambliss@wmata.com*

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, March 16, 2010 12:10 PM
To: 'eric.smart@bolansmart.com'
Subject: FW: Florida Avenue - Term Sheet URGENT
Attachments: WMATA Amended Term Sheet for Lease of Florida Ave Sites (Developer comments as of 3-16-10).doc

Importance: High

Any thoughts on points 1,3,4? Need them in the next few hours. Thanks

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Tuesday, March 16, 2010 11:17 AM
To: Montague, Joshua W.; 'Tiwana Hicks'
Cc: Doggett, Rosalyn; Goldin, Steven; 'Anthony Ives'; Neil.Albert@dc.gov; Yohance.Fuller@dc.gov
Subject: RE: Florida Avenue - Term Sheet
Importance: High

Josh,

Attached please find our comments to the Term Sheet. All comments are consistent with our recent emails and meeting a few weeks ago. Three points of note:

1. Getting our investors to increase the capitalized lease from \$2.8M to \$5.2M required us to remove the EGI participation in order to made the deal work;
2. Getting to grade will be based on a certain number of days from Closing as oppose to execution of the JDA;
3. The terms that we previously negotiated on what triggers Capital Event participation (transfers, etc.) must remain the same; and
4. Since we decreased the lease from 99 years to 75 years, our investors require one option period of 25 years as oppose to several which the term sheet was unclear about.

Can we meet this week to finalize the document? We are available tomorrow after 10, Thursday after 12 and Friday except 1-2:30.

Thanks.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell

From: Montague, Joshua W. [mailto:jwmontague@wmata.com]
Sent: Friday, March 12, 2010 9:08 AM
To: okarim@bannekerventures.com; Tiwana Hicks
Cc: Doggett, Rosalyn; Goldin, Steven
Subject: RE: Florida Avenue - Term Sheet

Attached is a redline version of this document.

Please feel free to contact me with any questions.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

The information contained in this email may be confidential and/or legally privileged. It has been sent for the sole use of the intended recipient(s). If the reader of this message is not an intended recipient, you are hereby notified that any unauthorized review, use, disclosure, dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please contact the sender by reply email and destroy all copies of the original message.

From: Omar Karim [mailto:okarim@bannekerventures.com]
Sent: Thursday, March 11, 2010 5:46 PM
To: Montague, Joshua W.; Tiwana Hicks
Cc: Doggett, Rosalyn; Goldin, Steven
Subject: Re: Florida Avenue - Term Sheet

Josh,

Thanks for the term sheet. Can you forward this as a redline to the last version. Would make it much easier for us to go to the changes made versus having our counsel comb through the entire agreement line by line.

Thanks in advance.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 office
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Montague, Joshua W." <jwmontague@wmata.com>
Date: Wed, 10 Mar 2010 16:44:09 -0500
To: Omar A. Karim<okarim@bannekerventures.com>; 'Tiwana Hicks'<thicks@bannekerventures.com>
Cc: Doggett, Rosalyn<RDoggett@wmata.com>; Goldin, Steven<sgoldin@wmata.com>
Subject: RE: Florida Avenue - Term Sheet

Omar and Tiwana,

The updated draft of the Term Sheet is attached hereto.

We have incorporated the lease execution and foundation completion dates in the second schedule that Tiwana sent us (this shows 21, instead of 20 months as in the Nov term sheet, to get to lease closing and 7 months after that to get to foundation completion, the latter not having been addressed in the Nov term sheet).

We have eliminated exclusions from the capital events definition that seem to us to be the equivalent of profit making events in which WMATA should share, namely transfers among existing members and to wholly-owned entities and transfers of interests in publicly traded entities—all of which allow buyouts by partners, which *are* capital events. Given Metro's modest 2% stake in capital events, we cannot see that this is at issue.

We have clarified net capital event proceeds to exclude any payouts below the retirement of original senior mortgage debt. This again is to eliminate carve outs that further reduce Metro's limited 2% participation.

Please do not hesitate to contact me with any questions.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

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From: Omar A. Karim [mailto:okarim@bannekervertures.com]
Sent: Tuesday, March 09, 2010 11:29 PM
To: 'Tiwana Hicks'; Montague, Joshua W.
Cc: Doggett, Rosalyn
Subject: RE: Florida Avenue - Term Sheet

Thanks Josh.

From: Montague, Joshua W. [mailto:jwmontague@wmata.com]
Sent: Tuesday, March 09, 2010 6:55 PM
To: okarim@bannekervertures.com; Tiwana Hicks
Cc: Doggett, Rosalyn
Subject: Florida Avenue - Term Sheet

Omar and Tiwana,

We were hoping to provide the updated draft of the Term Sheet by COB today. Unfortunately, we are still waiting for principals to approve.

I hope to have for you tomorrow morning. Please feel free to call me with any questions.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, March 15, 2010 10:31 AM
To: Malasky, Gary; Burns, Bob; Wyner, Jonathan S.
Subject: FW: PPT Presentation from Expert Working Group Meeting
Attachments: Affordable Housing List 3-12-10.doc

From: Doggett, Rosalyn
Sent: Monday, March 15, 2010 9:42 AM
To: Goldin, Steven
Subject: RE: PPT Presentation from Expert Working Group Meeting

Pls . see attached

From: Goldin, Steven
Sent: Monday, March 08, 2010 5:40 PM
To: Burns, Bob; Doggett, Rosalyn; Malasky, Gary; Marshall, Malcolm; Wyner, Jonathan S.
Subject: FW: PPT Presentation from Expert Working Group Meeting
Importance: High

From: Bottigheimer, Nat
Sent: Sunday, March 07, 2010 8:50 PM
To: Goldin, Steven
Cc: Mohsberg, Sid
Subject: FW: PPT Presentation from Expert Working Group Meeting
Importance: High

Steve --

Could you have one of your folks prepare a quick summary of WMATA joint development projects that have included an affordable housing component?

For each project, I'm interested in:

Station
Developer
Number of total residential units
Number of market / affordable units
"Degree" of affordability (in terms of median income or whatever)
Impact of affordable housing requirement on WMATA land value
Agencies providing financing / funding to make the project financially feasible
How the affordability component factored into the selection process

Wheaton Housing Opportunities Commission project
Rhode Island Avenue
Florida and 9th (Banneker)
Takoma (X percent of projects required to be affordable)
Prince George's Plaza ?
Twinbrook ?
etc.

Monday the 15th is ok for getting the information back.

Thanks,

Nat

From: Phillip Sapone [psapone@newportpartnersllc.com]
Sent: Friday, March 05, 2010 4:23 PM
To: Bottigheimer, Nat
Subject: PPT Presentation from Expert Working Group Meeting

On behalf of the U.S. Department of Housing and Urban Development and Newport Partners, I would like to thank you for your attendance and participation in our first Expert Working Group Meeting on Expanding Affordable Housing Near Transit this past Monday. We were very pleased with the discussion and the resulting feedback.

For your reference purposes, I have attached the PowerPoint presentation from the meeting.

The next Expert Working Group Meeting will be held in late May or early June to focus exclusively on Paper Topic II. We will advise you of the date shortly and will forward specific information closer to the meeting.

Thank you again for your participation.

Philip Sapone

Newport Ventures
22 Jay Street
Schenectady, NY 12305
Office: (518) 377-9410
www.newportventures.net

Check out Newport's blog at www.newportpartnersllc.com

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, March 15, 2010 10:11 AM
To: Green, Jennifer A.
Subject: FW: 100628 - FL Ave.pdf - Adobe Acrobat Professional
Attachments: BAIS 100628 3-12-10 rev.pdf; Florida Ave Amended Term Sheet 3-10- rev 3.pptx

See attached!

From: Doggett, Rosalyn
Sent: Monday, March 15, 2010 9:30 AM
To: Goldin, Steven
Subject: FW: 100628 - FL Ave.pdf - Adobe Acrobat Professional

From: Doggett, Rosalyn
Sent: Friday, March 12, 2010 4:02 PM
To: Chambliss, Leenda M.
Cc: Mohsberg, Sid
Subject: RE: 100628 - FL Ave.pdf - Adobe Acrobat Professional

I think that I have made the changes you requested (except the ones we discussed).
Please let me know if I need to do anything else.
R.

From: Chambliss, Leenda M.
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Check out Newport's blog at www.newportpartnersllc.com

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, March 15, 2010 9:30 AM
To: Goldin, Steven
Subject: FW: 100628 - FL Ave.pdf - Adobe Acrobat Professional
Attachments: BAIS 100628 3-12-10 rev.pdf; Florida Ave Amended Term Sheet 3-10- rev 3.pptx

From: Doggett, Rosalyn
Sent: Friday, March 12, 2010 4:02 PM
To: Chambliss, Leenda M.
Cc: Mohsberg, Sid
Subject: RE: 100628 - FL Ave.pdf - Adobe Acrobat Professional

I think that I have made the changes you requested (except the ones we discussed).
Please let me know if I need to do anything else.
R.

From: Chambliss, Leenda M.
Sent: Friday, March 12, 2010 9:37 AM
To: Doggett, Rosalyn
Subject: 100628 - FL Ave.pdf - Adobe Acrobat Professional

Hello –

Attached are Board Communications Unit edits to the MEAD scheduled to go forward in March.
Please make the changes and answer any questions within the MEAD, if appropriate. I apologize for the late edits.

Please note, the edits are not intended to change your message, but rather to better convey it. Feel free to contact me to discuss those edits that distort the meaning of your presentation. Thank you.

- Leen'da

Hope-Leen'da M. Chambliss
Office of the General Manager
Washington Metropolitan Area Transit Authority
phone - 202/962-2595
fax - 202/962-1133
lchambliss@wmata.com

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, March 15, 2010 9:02 AM
To: 'mbellamy@wmata.com'
Subject: FW: 100628 - FL Ave.pdf - Adobe Acrobat Professional
Attachments: BAIS 100628 3-12-10 rev.pdf

From: Doggett, Rosalyn
Sent: Friday, March 12, 2010 4:02 PM
To: Chambliss, Leenda M.
Cc: Mohsberg, Sid
Subject: RE: 100628 - FL Ave.pdf - Adobe Acrobat Professional

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R.

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Office of the General Manager
Washington Metropolitan Area Transit Authority
phone - 202/962-2595
fax - 202/962-1133
lchambliss@wmata.com*

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, March 15, 2010 9:02 AM
To: Pant, Shiva K.; Goldin, Steven; Bottigheimer, Nat; Green, Jennifer A.; O'Keeffe, Carol B.
Cc: Wallace, Maria A; Montague, Joshua W.
Subject: Florida Avenue
Attachments: FLAVETerm Sheets Comparison Table 3-10-2010 rev 4.xlsx

Please see revised table

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, March 12, 2010 4:21 PM
To: Mohsberg, Sid
Subject: FW:
Attachments: FL AVE Memo 3-12-10.docx

From: Doggett, Rosalyn
Sent: Friday, March 12, 2010 3:19 PM
To: Goldin, Steven
Cc: Bottigheimer, Nat
Subject:

With proofing correction and better worded section on default provision

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
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Washington, DC 20001

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202-962-2208 phone
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To: Chambliss, Leenda M.
Cc: Mohsberg, Sid
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Attachments: FL AVE Memo 3-12-10.docx

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Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
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Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, March 12, 2010 3:11 PM
To: Goldin, Steven
Cc: Bottigheimer, Nat
Attachments: FL AVE Memo 3-12-10.docx

Please read the attached. I am proofing also but wanted to get it to you timely.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, March 12, 2010 2:27 PM
To: Mohsberg, Sid
Attachments: FLAVETerm Sheets Comparison Table 3-10.xlsx

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, March 12, 2010 11:01 AM
To: Mohsberg, Sid
Subject: FW: 100628 - FL Ave.pdf - Adobe Acrobat Professional
Attachments: 100628 - FL Ave.pdf

Fyi, I'll make the edits, may need your help on the spacing problem

From: Chambliss, Leenda M.
Sent: Friday, March 12, 2010 9:37 AM
To: Doggett, Rosalyn
Subject: 100628 - FL Ave.pdf - Adobe Acrobat Professional

Hello –

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- Leen'da

*Hope-Leen'da M. Chambliss
Office of the General Manager
Washington Metropolitan Area Transit Authority
phone - 202/962-2595
fax - 202/962-1133
lchambliss@wmata.com*

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, March 12, 2010 9:09 AM
To: Goldin, Steven; Montague, Joshua W.
Subject: FW: comparison chart
Attachments: FLAVETerm Sheets Comparison Table 3-10.xlsx

From: Doggett, Rosalyn
Sent: Thursday, March 11, 2010 6:00 PM
To: Bottigheimer, Nat
Subject: comparison chart

Per request

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, March 11, 2010 6:00 PM
To: Bottigheimer, Nat
Subject: comparison chart
Attachments: FLAVETerm Sheets Comparison Table 3-10.xlsx

Per request

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Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, March 11, 2010 5:06 PM
To: Bottigheimer, Nat; Bellamy, Michelle A.
Cc: Mohsberg, Sid; Goldin, Steven; Montague, Joshua W.
Subject: RE: Florida Avenue Power Point
Attachments: FLAVETerm Sheets Comparison Table 3-10.xlsx

DOESN'T THE TERM SHEET REFLECT MORE THAN THE APPRAISED VALUE? (Please see the market valuation item at the bottom of the table) Yes it does exceed our 2007 appraisal, if you include the residual land value and deduct the cost of building over the tunnel from the 2007 appraisal. I am reluctant to get into affordable housing which is a \$400,000-\$500,000 deduction under the new proposal with a higher affordable amount (8,700sf vs @ 6,000 sf) because there is offsetting bonus density which our most recent 2009 appraisal did not take into account because Omar said he couldn't use the bonus density because he was stick-building. Now he says he can take advantage of the bonus density because he is using light gauge steel construction on the two larger parcels.

WE'RE TALKING ABOUT A 5.2 MILLION CAPITALIZED RENT PAYMENT. ARE THERE "KICKERS" THAT ADD VALUE ABOVE THIS? IF SO, PLEASE LET ME KNOW WHAT THEY ARE. The residual land value after 50 years increases the npv land value. We have not yet made a deduction for any Additional Costs which is mentioned in the Base Rent row and represents what Omar said he spent when he worked on a sale instead of a lease (we're at \$30k- he wants to get to \$100k)

AS ABOVE, WHAT ARE THESE? ARE THEY ROLLED INTO THE 5.2 MILLION DOLLAR VALUATION, OR ARE THESE PERIODIC ADJUSTMENTS "GRAVY" ABOVE AND BEYOND THE 5.2 MILLION? They are not rolled into the \$5.2 million. During the initial lease period, we get 2% of effective gross income but since we cannot estimate this we did not include it in the npv calculation, which takes into account only the up front capitalized lease payment and the residual land value after 50 years. At 50 years the land value is reappraised and this occurs at each 10 year interval up to year 75 (i.e. years 60 and 70) so that is a second kind of adjustment.

From: Bottigheimer, Nat
Sent: Thursday, March 11, 2010 4:18 PM
To: Doggett, Rosalyn; Bellamy, Michelle A.
Cc: Mohsberg, Sid; Goldin, Steven; Montague, Joshua W.
Subject: RE: Florida Avenue Power Point
Importance: High

Comments on Slide 4 bullet points IN CAPS:

- Banneker Ventures is developer
- Term sheet reflects appraised value, affordable housing under Inclusionary Zoning and extraordinary costs of constructing facilities over Metro tunnels DOESN'T THE TERM SHEET REFLECT MORE THAN THE APPRAISED VALUE?
- Additional revenues to Metro may be generated through participation in gross revenue and capital events I'M UNDER THE IMPRESSION THAT WE'RE TALKING ABOUT A 5.2 MILLION CAPITALIZED RENT PAYMENT. ARE THERE "KICKERS" THAT ADD VALUE ABOVE THIS? IF SO, PLEASE LET ME KNOW WHAT THEY ARE. I WOULD LIKE TO SEE A TERMS SHEET COMPARISON LIKE THE ONE THAT WAS PREPARED IN JANUARY TO SHOW THE DIFFERENCE BETWEEN THE ORIGINAL PROPOSAL AND THE JANUARY PROPOSAL
- Ground lease has provision for periodic rent adjustments AS ABOVE, WHAT ARE THESE? ARE THEY ROLLED INTO THE 5.2 MILLION DOLLAR VALUATION, OR ARE THESE PERIODIC ADJUSTMENTS "GRAVY" ABOVE AND BEYOND THE 5.2 MILLION?

From: Doggett, Rosalyn
Sent: Thursday, March 11, 2010 3:14 PM
To: Bellamy, Michelle A.
Cc: Mohsberg, Sid; Bottigheimer, Nat; Goldin, Steven; Montague, Joshua W.
Subject: Florida Avenue Power Point

This is the current version of the power point. I updated p. 4, Current Status, to reflect the MEAD as revised last Friday.

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Washington Metropolitan Area Transit Authority

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rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, March 11, 2010 3:17 PM
To: Wallace, Maria A
Cc: Meister, Mark K.
Subject: FW: Florida Avenue Power Point
Attachments: Florida Ave Amended Term Sheet 3-10- rev 3.pptx

From: Doggett, Rosalyn
Sent: Thursday, March 11, 2010 3:14 PM
To: Bellamy, Michelle A.
Cc: Mohsberg, Sid; Bottigheimer, Nat; Goldin, Steven; 'jmontague@wmata.com'
Subject: Florida Avenue Power Point

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202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, March 11, 2010 3:14 PM
To: Bellamy, Michelle A.
Cc: Mohsberg, Sid; Bottigheimer, Nat; Goldin, Steven; 'jmontague@wmata.com'
Subject: Florida Avenue Power Point
Attachments: Florida Ave Amended Term Sheet 3-10- rev 3.pptx

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202-962-2208 phone
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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, March 11, 2010 2:44 PM
To: 'jmontague@wmata.com'
Attachments: New Amended Term Sheet.pdf

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, March 10, 2010 3:40 PM
To: 'jmontague@wmata.com'; Goldin, Steven
Subject: FLAVE Comparison Chart
Attachments: FLAVETerm Sheets Comparison Table 3-10.xlsx

Please review, comment

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, March 10, 2010 8:27 AM
To: Malasky, Gary
Cc: Wyner, Jonathan S.; Burns, Bob
Subject: JD Project List
Attachments: JOINT DEVELOPMENT Project List 3-2010.doc

So I updated it but still a work in process is the Miscellaneous category. Can you explain it to me?

Rosalyn P. Doggett
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Washington Metropolitan Area Transit Authority
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rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, March 09, 2010 11:39 AM
To: Montague, Joshua W.
Subject: RE: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-FloridaAvenue Sites

Yes, but which term sheet

From: Montague, Joshua W.
Sent: Tuesday, March 09, 2010 11:36 AM
To: Doggett, Rosalyn
Subject: FW: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-FloridaAvenue Sites

Is this what you meant?

From: Goldin, Steven
Sent: Monday, November 16, 2009 8:59 AM
To: Doggett, Rosalyn; Montague, Joshua W.
Subject: Re: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-FloridaAvenue Sites

Good, thanks. He will call; stand your ground

From: Doggett, Rosalyn
To: Omar A. Karim
Sent: Mon Nov 16 08:54:26 2009
Subject: FW: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-FloridaAvenue Sites
Omar, once again the term sheet was sent out to the Board on Friday for its consideration on Thursday November 16.

Please note the two points below in Josh Montague's e-mail, which we will adhere to. If you want further explanation, which does not appear necessary to us because we have already given you reasons, do feel free to give me a call.
Many thanks,
Roz

From: Goldin, Steven
Sent: Friday, November 13, 2009 6:33 PM
To: Montague, Joshua W.; Doggett, Rosalyn; Bottigheimer, Nat
Subject: Re: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-FloridaAvenue Sites

Agreed. Roz; please advise Omar next Monday.
Steve

From: Montague, Joshua W.
To: Goldin, Steven; Doggett, Rosalyn
Sent: Fri Nov 13 18:29:16 2009
Subject: FW: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-FloridaAvenue Sites
Per our meeting today, this is a reminder that we should inform the developer of the following:

1. There will be no more negotiating of the terms after the board approves the Term Sheet; and
2. The Developer must work off of the Florida Ave Lease draft that was sent to them by WMATA on 7/24/09. We cannot work off of the Rhode Island Ave Lease for reasons previously provided to John Hagner and Omar Karim.

Have a good weekend,

Josh

From: Omar Karim [mailto:okarim@bannekerventures.com]
Sent: Wednesday, November 04, 2009 10:42 PM
To: Anthony James Ives; Tiwana Hicks; Montague, Joshua W.; John Hagner; O'Keeffe, Carol B.; Bottigheimer, Nat
Cc: Yohance S. Fuller; jkass@dccouncil.us; Marshall, Malcolm; Meister, Mark K.; Doggett, Rosalyn; Goldin, Steven
Subject: Re: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-FloridaAvenue Sites

Nat,

Thanks for your thoughts. We appreciate them. For purposes of tomorrow, we accept the Term Sheet as sent to us this evening.

Following approval of the Term Sheet, we will give more thought to this particular issue to help come up with a way to meet your goals. Should we be able to come up with an agreeable solution prior to finalizing the JDA and Lease, we could include the solution in these docs. Alternatively, there is probably even more time bt approval of these docs and execution of the Lease prior to Closing to come up with solutions. In either case, we promise to provide you and your team with some solutions to address the concerns of all parties.

Thanks for working so hard on this. Finalizing the JDA and Lease should now be a piece of cake.

Omar
Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 office
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Bottigheimer, Nat" <NBottigheimer@wmata.com>
Date: Wed, 4 Nov 2009 21:01:52 -0500
To: O'Keefe, Carol B.<cokeeffe@wmata.com>; Montague, Joshua W.<jwmontague@wmata.com>; aives@bannekerventures.com<aives@bannekerventures.com>; okarim@bannekerventures.com<okarim@bannekerventures.com>; thicks@bannekerventures.com<thicks@bannekerventures.com>; jhagner@wcsr.com<jhagner@wcsr.com>
Cc: Goldin, Steven<sgoldin@wmata.com>; Doggett, Rosalyn<RDoggett@wmata.com>; Meister, Mark K.<MMeister@wmata.com>; Marshall, Malcolm<MMarshall@wmata.com>; jkass@dccouncil.us<jkass@dccouncil.us>; Yohance S. Fuller<Yohance.Fuller@dc.gov>
Subject: RE: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites

John--

I heard a problem and I didn't hear a solution. Also, for the reasons laid out below, I don't understand at all your concept that we're making an above market imposition on the Developer.

Here are our premises:

It's our land.

Long-term real estate values in the DC region have grown faster than 3%. A location on U Street in between U Street and Shaw/Howard stations has growth potential and value stability unlike the vast majority of property in the region, and its long-term appreciation value is significant.

Agreeing to a lease that is based on an escalation rate less than the the property's probable long-term appreciation rate is selling ourselves short. Marking to market each decade and then holding constant for each 10-year period while property values and lease-rates available to building owners appreciate is leaving significant value on the table each year in a decade.

Without going to a spreadsheet, if we were simply to mark to market each decade, in year one of any given decade we'd get 4% less than the rental income available to a building owner on average. The next year we'd get 8% less than full value, the next year 12% less than full value, each year the same until the last year of the decade, when we'd be getting 42% below full value. That's a lot of value to leave on the table by marking to market each decade and holding constant for 10 years. Having a 3% escalation rate each year through the decade is intended to keep the rent to us, the land-owner, comparable but slightly below the long-term average increase in value until the next reset. The language we've provided is intended to keep us at rent levels close to market value for each year of the remaining 39 years of the lease without giving away the game, as your proposals would appear to have us do.

Other premises:

At Twinbrook, we negotiated a lease with JBG with precisely the terms we proposed.

Long-term leases are finance-able at terms less than 99 years.

If you have a concern about lender certainty and project finance-ability, as you suggest you do, we are open to proposals that do not systematically erode Metro's ability to realize the value of its land over the period 60-99. We're open to a capitalization of future rent at year 60 for the period 60-99, and we're open to rent levels re-set every decade to be constant for the decade, but if rent levels are reset to be constant for a decade for the purpose of certainty, then they should be set above market for the first five years of the decade with the expectation that they'd be below market the second half. Maybe you have other thoughts.

Until we hear a counter that protects our value in a market-rate setting from years 60-99, the proposal we've made is our final proposal.

Respectfully,

Nat

From: John Hagner [mailto:JHagner@wcsr.com]
Sent: Wednesday, November 04, 2009 6:24 PM
To: O'Keeffe, Carol B.; Montague, Joshua W.
Cc: Anthony (Tony) James Ives(aives@bannekerventures.com); Omar A. Karim Esquire (okarim@bannekerventures.com); Tiwana Z. HicksEsquire (thicks@bannekerventures.com)
Subject: RE: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites

Carol and Josh: Let me share my response to the final change mandated by WMATA. The effects of this change are as follows:

1. WMATA will charge more than the Fair Rental Value of the Lease Property after the 61st lease year. If the Monthly Lease Payments are based on Fair Rental Value, then the 3% escalation either has to be considered in setting the Monthly Lease Payments or the escalation is an above-market imposition on the DEVELOPER. When the Fair Rental Value is determined by the three appraisers, their determination is for a period of years. WMATA is not recognizing that fact and holding the Monthly Lease Payments to the Fair Rental Value during the time period determined by the three appraisers.

2. Resetting the Monthly Lease Payments to Fair Rental Value every ten years makes the Lease un-financeable after the 60th lease year. No institutional lender will make a loan longer than ten years under these circumstances, which eliminates all the Federal and GSE (Government Sponsored Entities, *i.e.*, Fannie Mae and Freddie Mac) as lenders. To be precise, the lender will only make a loan that self-amortizes in ten years because no institutional lender will take the risk of an unlimited base rent increase while their loan is still unpaid. I'm sharing this from actual experience of litigating an almost identical issue for almost five years in the District of Columbia where the tenant under a long-term ground lease which had periodic repricing to full market rent could not refinance the leasehold estate on a permanent loan basis. This meant the tenant could not refinance the leasehold estate to pay for the needed renovation of the building and the substantial tenant improvements and lease brokerage fees to prepare for a full-building tenant. As you would expect, the tenant sued the landlord to modify the ground lease. I can't share anymore because the litigation settled under a strict confidentiality agreement. However, the "lesson learned" from this experience is that ground leases with short-term periodic repricing of the ground rent can't be refinanced on the long-term basis needed for major renovations and improvements.

I respectfully believe the last change vitiates the benefit of a lease over 60 years.

John

John D. Hagner
Womble Carlyle Sandridge & Rice, PLLC | 1401 Eye St., NW | Suite 700 | Washington, DC 20005-2225
T: 202.857.4404 | F: 202.261.0004 | E: jhagner@wcsr.com | W: www.wcsr.com

From: Montague, Joshua W. [mailto:jwmontague@wmata.com]
Sent: Wednesday, November 04, 2009 5:57 PM
To: Hagner, John
Cc: O'Keeffe, Carol B.
Subject: FW: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites

Attached is the updated Term Sheet described below.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority

600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

The information contained in this email may be confidential and/or legally privileged. It has been sent for the sole use of the intended recipient(s). If the reader of this message is not an intended recipient, you are hereby notified that any unauthorized review, use, disclosure, dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please contact the sender by reply email and destroy all copies of the original message.

From: O'Keeffe, Carol B.
Sent: Wednesday, November 04, 2009 5:43 PM
To: John Hagner
Cc: Montague, Joshua W.
Subject: RE: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites

John, Josh is sending a revision that puts in a different reset that Nat will accept; he had not agreed to 99 years and is only willing to go forward with the reset provisions that Josh will send. We have spoken with Mr. Karim who seems to have accepted it, but this is an impossible way to do a deal. I know that you are not causing it.

From: John Hagner [mailto:JHagner@wcsr.com]
Sent: Wednesday, November 04, 2009 5:38 PM
To: O'Keeffe, Carol B.
Cc: Montague, Joshua W.
Subject: Re: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites

Carol: I'm on a large conference call which I can't get out of. I'll listen to your voicemail and call you as soon as I'm off.
John
John D. Hagner
Womble Carlyle Sandridge & Rice, PLLC
202.857.4404 Direct
Sent from my Blackberry. Please excuse typos.

From: O'Keeffe, Carol B. <cokeeffe@wmata.com>
To: Yohance S. Fuller <Yohance.Fuller@dc.gov>; Omar A. Karim <okarim@bannekerventures.com>; Montague, Joshua W. <jwmontague@wmata.com>
Cc: aives@bannekerventures.com <aives@bannekerventures.com>; mmckinney@bannekerventures.com <mmckinney@bannekerventures.com>; Tiwana Hicks <thicks@bannekerventures.com>; Neil.Albert@dc.gov <Neil.Albert@dc.gov>; Hagner, John; Bottigheimer, Nat <NBottigheimer@wmata.com>; Doggett, Rosalyn <RDoggett@wmata.com>; Goldin, Steven <sgoldin@wmata.com>
Sent: Wed Nov 04 17:25:10 2009
Subject: RE: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites
Not yet; we are working on it and will call John Hagner.

From: Yohance (EOM) Fuller [mailto:yohance.fuller@dc.gov]
Sent: Wednesday, November 04, 2009 5:22 PM
To: Omar A. Karim; Montague, Joshua W.
Cc: aives@bannekerventures.com; mmckinney@bannekerventures.com; Tiwana Hicks; Neil.Albert@dc.gov; O'Keeffe, Carol B.; John Hagner; Bottigheimer, Nat; Doggett, Rosalyn; Goldin, Steven
Subject: RE: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites

Josh/Nat-

I'm writing to confirm whether both parties are in agreement and that WMATA staff is prepared to recommend approval of the term sheet during the committee meeting and special board meeting tomorrow. Please advise.

Thanks,

Yohance

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Wednesday, November 04, 2009 3:45 PM
To: 'Montague, Joshua W.'
Cc: 'Bottigheimer, Nat'; 'O'Keeffe, Carol B.'; 'Goldin, Steven'; 'Doggett, Rosalyn'; Fuller, Yohance (EOM); Albert, Neil (EOM); 'John Hagner'; 'Tiwana Hicks'; mmckinney@bannekerventures.com; aives@bannekerventures.com
Subject: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites
Importance: High

Josh,

In preparation of tomorrow's Board meeting, attached are the following:

1. Amended and Restated Term Sheet revised in accordance with the discussions since Monday, which finalizes our understanding; and
2. "Redline...#157; of the Amended and Restated Term Sheet against the version that we provided to WMATA on November 2, 2009 at 6:20p.

The revised language on Capital Events was taken from the term sheet for Rhode Island Ave., and the concept of adjusting the base rent for additional density stops after the first 60 years because the re-appraisal will be based on the Leased Property as if vacant, thereby assuming the maximum density has been constructed on the land.

Please contact me with any questions or comments.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

IRS CIRCULAR 230 NOTICE: To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. tax advice contained in this communication (or in any attachment) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed in this communication (or in any attachment).

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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, March 05, 2010 2:00 PM
To: Goldin, Steven; Bottigheimer, Nat
Cc: Mohsberg, Sid
Subject: FLAVE
Attachments: FLAVE MEAD text 3-5-10.doc

How is the attached for BAIS language?

Language below would go into the Funding Impact box. I am using Eric's current npv calculation (%5.87M) based on the upfront capitalized lease payment and the residual value of the project after 50 years to make the statement about the revenue to WMATA being over ¼ of the 2008 \$7. M appraised value.

Funding Impact

"The revenue to Metro is significantly improved from that presented in January 2010. It is over three-fourths of the appraised value presented to the Board in June 2008 upon selection of the development team. That appraised value did not take into account extra costs of construction over the Metro tunnel or reduced developer revenue resulting from mandatory inclusionary Zoning regulations which did not then exist. Taking these factors into account, the current financial offer exceeds the appraised value."

Revenue from the project will be deposited into the Transit Infrastructure Investment Fund (TIIF).

All still ends with "no recommendation" which I assuming it should.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, March 03, 2010 6:00 PM
To: Goldin, Steven; Mohsberg, Sid
Subject: draft FL Av power point presentation
Attachments: Florida Ave Amended Term Sheet 3-10- rev 2.pptx

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, February 24, 2010 4:36 PM
To: 'eric.smart@bolansmart.com'
Attachments: ShawHoward FL AveTerm Sheets Comparison Revised 12-09.xlsx

Is this what you need?

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, February 19, 2010 1:32 PM
To: Goldin, Steven
Subject: Fl Ave presentation and BAIS
Attachments: Florida Ave Amended Term Sheet 3-10- rev 1.pptx; Shaw Howard New Amended Term Sheet 3-10.pdf

placeholders

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, February 19, 2010 11:43 AM
To: Mohsberg, Sid
Subject: latest florida ave presentation
Attachments: Florida Ave Amended Term Sheet 3-10.pptx

A start

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, February 03, 2010 11:12 AM
To: 'eric.smart@bolansmart.com'
Subject: contract extension
Attachments: BSA Task Order 2009-2.doc

Please sign and bring with you tomorrow.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, February 02, 2010 1:20 PM
To: Rooths, Cathy; Goldin, Steven; Wyner, Jonathan S.; Burns, Bob; Malasky, Gary
Subject: Task Order for Bolan Smart
Attachments: BSA Task Order 2009-2.doc

Please look at the attached. It is an "up to....," no expenditure without prior authorization.

Cathy, I am calling it Task Order 2009-2 since the money is FY 2009. Neither Mark Meister nor Debbie Carthorn had any better guidance for me.

Gentlemen: please let me know if any projects should be added to the list or if any wording should be changed.

Thank you all.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, February 01, 2010 4:44 PM
To: procadmin, procadmin
Cc: Hillman, Amanda
Subject: RE: MEAD Routing (APPROVED!) - MEAD(100527) Approve Term Sheet To Sell Shaw-Howard/FL Ave Site

No problem at all with "Amended Term Sheet for Shaw-Howard/FL Ave JD Site." It was the other title that gave pause.

Thanks for clarifying.

-----Original Message-----

From: procadmin, procadmin
Sent: Monday, February 01, 2010 3:54 PM
To: Doggett, Rosalyn
Cc: Hillman, Amanda
Subject: RE: MEAD Routing (APPROVED!) - MEAD(100527) Approve Term Sheet To Sell Shaw-Howard/FL Ave Site

Hi Rosalyn,

The MEAD Title in the system is "Amended Term Sheet for Shaw-Howard/FL Ave JD Site." This title is on the BOARD version, the edit version and the printed versions of the MEAD.

SECT has checked their records and is saying that the MEAD in question, MEAD# 100527, is the exact one that was presented to the BOARD on Jan. 28, 2010 and therefore was approved by Ms. Sequeira-Castillo in the MEAD system, afterwards.

SECT would like to know if you have a specific concern or question regarding this MEAD.

Thanks,
Amanda

PS ABC+ Workflow Administrator
procadmin@wmata.com

-----Original Message-----

From: Doggett, Rosalyn
Sent: Monday, February 01, 2010 1:44 PM
To: procadmin, procadmin
Cc: Hillman, Amanda
Subject: RE: MEAD Routing (APPROVED!) - MEAD(100527) Approve Term Sheet To Sell Shaw-Howard/FL Ave Site

Amanda, it is possible that the original name of this MEAD is "stuck" in the system. In fact the Board approved an extension to March to present them with an amended term sheet for lease of the site.

-----Original Message-----

From: procadmin, procadmin
Sent: Monday, February 01, 2010 10:54 AM
To: Doggett, Rosalyn
Cc: Hillman, Amanda
Subject: RE: MEAD Routing (APPROVED!) - MEAD(100527) Approve Term Sheet To Sell Shaw-Howard/FL Ave Site

Hi Rosalyn,

According to the MEAD system, on 01/29/2010 09:13 pm, Ms. SEQUEIRA-CASTILLO (LSC) has noted the following:

"Approved by the Metro Board of Directors at its January, 28, 2010 Board meeting. LSC"

I will refer your concerns to the appropriate party and follow-up with you.

Thanks,
Amanda

PS ABC+ Workflow Administrator

procadmin@wmata.com

-----Original Message-----

From: Doggett, Rosalyn
Sent: Monday, February 01, 2010 8:54 AM
To: procadmin, procadmin
Subject: RE: MEAD Routing (APPROVED!) - MEAD(100527) Approve Term Sheet To Sell Shaw-Howard/FL Ave Site

This is a mistake
This has not been approved by the board

-----Original Message-----

From: procadmin procadmin [<mailto:procadmin@wmata.com>]
Sent: Friday, January 29, 2010 9:23 PM
To: Doggett, Rosalyn
Subject: MEAD Routing (APPROVED!) - MEAD(100527) Approve Term Sheet To Sell Shaw-Howard/FL Ave Site

TO: ROSALYN DOGGETT
DOCUMENT: MEAD(100527) Approve Term Sheet To Sell Shaw-Howard/FL Ave Site
SUBJECT: The document specified above has just been approved.

All approver(s) have approved your document.

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, February 01, 2010 1:44 PM
To: procadmin, procadmin
Cc: Hillman, Amanda
Subject: RE: MEAD Routing (APPROVED!) - MEAD(100527) Approve Term Sheet To Sell Shaw-Howard/FL Ave Site

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From: procadmin, procadmin
Sent: Monday, February 01, 2010 10:54 AM
To: Doggett, Rosalyn
Cc: Hillman, Amanda
Subject: RE: MEAD Routing (APPROVED!) - MEAD(100527) Approve Term Sheet To Sell Shaw-Howard/FL Ave Site

Hi Rosalyn,

According to the MEAD system, on 01/29/2010 09:13 pm, Ms. SEQUEIRA-CASTILLO (LSC) has noted the following:

"Approved by the Metro Board of Directors at its January, 28, 2010 Board meeting. LSC"

I will refer your concerns to the appropriate party and follow-up with you.

Thanks,
Amanda

PS ABC+ Workflow Administrator
procadmin@wmata.com

-----Original Message-----

From: Doggett, Rosalyn
Sent: Monday, February 01, 2010 8:54 AM
To: procadmin, procadmin
Subject: RE: MEAD Routing (APPROVED!) - MEAD(100527) Approve Term Sheet To Sell Shaw-Howard/FL Ave Site

This is a mistake
This has not been approved by the board

-----Original Message-----

From: procadmin procadmin [<mailto:procadmin@wmata.com>]
Sent: Friday, January 29, 2010 9:23 PM
To: Doggett, Rosalyn
Subject: MEAD Routing (APPROVED!) - MEAD(100527) Approve Term Sheet To Sell Shaw-Howard/FL Ave Site

TO: ROSALYN DOGGETT
DOCUMENT: MEAD(100527) Approve Term Sheet To Sell Shaw-Howard/FL Ave Site
SUBJECT: The document specified above has just been approved.

All approver(s) have approved your document.

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, February 01, 2010 8:54 AM
To: procadmin, procadmin
Subject: RE: MEAD Routing (APPROVED!) - MEAD(100527) Approve Term Sheet To Sell Shaw-Howard/FL Ave Site

This is a mistake
This has not been approved by the board

-----Original Message-----

From: procadmin procadmin [<mailto:procadmin@wmata.com>]
Sent: Friday, January 29, 2010 9:23 PM
To: Doggett, Rosalyn
Subject: MEAD Routing (APPROVED!) - MEAD(100527) Approve Term Sheet To Sell Shaw-Howard/FL Ave Site

TO: ROSALYN DOGGETT
DOCUMENT: MEAD(100527) Approve Term Sheet To Sell Shaw-Howard/FL Ave Site
SUBJECT: The document specified above has just been approved.

All approver(s) have approved your document.

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, January 25, 2010 4:50 PM
To: Rootes, Cathy
Cc: Carthorn, Debbie D.
Subject: Real Estate Consultant Contract CQ8132
Attachments: BSA Task Order 2009-1.doc; BSA Task Order 2009-2.doc

Cathy, Bolan Smart has pretty well used up its funds under task order 1 so I have drafted a new task order (to which I may add some projects after I have circulated it to staff).

My question to you is:
Should it be called task order 2009-2 since the available funding is I think still from fy 2009
Or should it be called task order 2010-1 since we are in fy 2010

Thanks for the review

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-952-2208 phone
202-952-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, January 19, 2010 11:54 AM
To: Meister, Mark K.
Cc: Goldin, Steven
Subject: FW: FTA update
Attachments: FTA Quarterly REV 4 Status of Current Projects 2-3-2010.doc

Mark, the revisions to MN Ave, Greenbelt, Prince George's Plaza, and FL Ave look ok to me. Steve, please confirm they are ok with you.

From: Meister, Mark K.
Sent: Tuesday, January 19, 2010 11:49 AM
To: Doggett, Rosalyn
Subject: RE: FTA update

Roz,

Please review the attached to make sure that I've accurately captured all your revisions. Thanks.

Mark

From: Doggett, Rosalyn
Sent: Tuesday, January 19, 2010 11:24 AM
To: Meister, Mark K.
Subject: FTA update

Revised Greenbelt attached
I'm bringing PGP, FL Ave and MN Ave edits in hard copy

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, December 17, 2009 4:29 PM
To: 'okarim@bannekerventures.com'
Cc: Goldin, Steven; Montague, Joshua W.
Subject: RE: Banneker Financial Information
Attachments: Shaw-Howard Fr Bottigheimer.pdf; ShawHoward FL AveTerm Sheets Comparison Revised 12-09.xlsx

Here is the change in terms that was sent forward for transmission to the Board and the comparison table that will be made available to them in January

From: Omar Karim [mailto:okarim@bannekerventures.com]
Sent: Thursday, December 17, 2009 12:55 PM
To: Doggett, Rosalyn
Cc: Anthony James Ives; Tiwana Hicks; Neil.Albert@dc.gov; Yohance.Fuller@dc.gov; Goldin, Steven
Subject: Re: Banneker Financial Information

Roz,

Can you send us the updated term sheet with the latest offer, along with the summary of the term sheet you expect to send the Board.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 office
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Doggett, Rosalyn" <RDoggett@wmata.com>
Date: Thu, 17 Dec 2009 11:05:36 -0500
To: Omar A. Karim <okarim@bannekerventures.com>
Cc: 'Anthony James Ives' <aives@bannekerventures.com>; 'Tiwana Hicks' <thicks@bannekerventures.com>; Neil.Albert@dc.gov <Neil.Albert@dc.gov>; Yohance.Fuller@dc.gov <Yohance.Fuller@dc.gov>; Goldin, Steven <sgoldin@wmata.com>
Subject: RE: Banneker Financial Information

The term sheet is on the agenda for the Jan 14, 2010 Planning Development & Real Estate Committee meeting, Executive Session, along with a request to extend time to negotiate an agreement. I will not know the Board's response until then.

Tuesday is fine for providing that information.

Thanks again
R.

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Thursday, December 17, 2009 10:50 AM
To: Doggett, Rosalyn
Cc: 'Anthony James Ives'; 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance.Fuller@dc.gov; Goldin, Steven
Subject: RE: Banneker Financial Information

Ms. Doggett,

Thank you for your email. Our accountants should be able to provide us with our 3Q08 statements by next week. Would COB next Tuesday be okay to provide you all the statements and sources and uses? Can you provide information as to where we are with the Term Sheet? What was the Board's response to the information that you provided them following our last meeting? As we've discussed, these delays have and continue to cause us significant delays in our schedule.

Thank you in advance.

Omar

From: Doggett, Rosalyn [<mailto:RDoggett@wmata.com>]
Sent: Thursday, December 17, 2009 10:33 AM
To: Omar A. Karim
Cc: Goldin, Steven
Subject: Banneker Financial Information

Good morning, Omar,

Given the amount of time that has elapsed since your initial submission, and anticipating possible Board questions, I have been asked to request from you the most recent balance sheet, income statement and sources and uses of funds statement for Banneker Ventures (the items requested in the original proposal submission requirements). Please let me know when we might receive these.

Thanks very much
Happy Holidays

Rosalyn

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, December 10, 2009 2:14 PM
To: Goldin, Steven; Bottigheimer, Nat; Montague, Joshua W.; Mohsberg, Sid
Cc: Meister, Mark K.
Subject: Revised comparison table for Florida Avenue
Attachments: ShawHoward FL AveTerm Sheets Comparison Revised 12-09.xlsx

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, December 10, 2009 9:53 AM
To: Mohsberg, Sid
Subject: RE: 1/14/10 PDRE Exec Session Item: Time Extension for Negotiation and Amended Term Sheet for Lease of Shaw-Howard U./Florida Avenue Joint Development Site

On the power point, the only suggestion I have—a question really—is on the last page shouldn't the first letter after each bullet be capitalized?

On the BAIS I left out a "that" on the last sentence of the description..... Staff is requesting **that** the Board consider..... I will correct right now.

I would suggest sending this to Josh/Carol to make sure that they are comfortable with the writeup.

From: Mohsberg, Sid
Sent: Wednesday, December 09, 2009 5:41 PM
To: Bottigheimer, Nat; Goldin, Steven
Cc: Doggett, Rosalyn
Subject: 1/14/10 PDRE Exec Session Item: Time Extension for Negotiation and Amended Term Sheet for Lease of Shaw-Howard U./Florida Avenue Joint Development Site

Nat and Steve,

Please review the attached presentation and MEAD. If you're OK with them, I'll forward them to Michelle Bellamy.

Thanks.

Sid

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, December 09, 2009 11:36 AM
To: Mohsberg, Sid
Subject: new pp fl ave
Attachments: FLAVTE~1.pptx

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, December 03, 2009 9:53 AM
To: Montague, Joshua W.
Subject: FW: METRO - Requested information on Florida Avenue Project
Attachments: Memo on Shaw-Howard from O'Keeffe.pdf; Shaw-Howard Fr Bottigheimer.pdf

Josh, REALLY small point

Carol's memo says the solicitation was issue in Oct 2007. Correct date is Aug 2007

From: Bottigheimer, Nat
Sent: Thursday, December 03, 2009 8:50 AM
To: Goldin, Steven; Doggett, Rosalyn; Montague, Joshua W.; Heppen, Bruce P.
Subject: FW: METRO - Requested information on Florida Avenue Project

Fyi, this information went out last night.

From: Sequeira, Loyda
Sent: Wednesday, December 02, 2009 9:09 PM
To: agiancol@naco.org; catherine.hudgins@fairfaxcounty.gov; cz.arl@verizon.net; czimmerman@arlingtonva.us; ehewlett@shhpa.com; jeff.mckay@fairfaxcounty.gov; jim@grahamwone.com; linton_200@msn.com; mbrown@dccouncil.us; Neil.Albert@dc.gov; nomolos@verizon.net; peter.metro@verizon.net; Sequeira, Loyda; william.euille@alexandriava.gov; wmeuille@wdeuille.com
Cc: Pant, Shiva K.; Bottigheimer, Nat; O'Keeffe, Carol B.; Green, Jennifer A.
Subject: METRO - Requested information on Florida Avenue Project

Dear Chairman Graham and Members of the Board,

As per your request at the last Executive Session of the Board, earlier today the GM asked me to send you the attached information. They are:

1. Memo from Carol O'Keeffe regarding Best and Final offer
2. Memo from Nat Bottigheimer regarding payment reset

Thank you.

Loyda Sequeira-Castillo
Direct: 202-962-1816

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, December 01, 2009 4:23 PM
To: Meister, Mark K.
Subject: FW: CAO Weekly Management Update

Better say "and the developer's response of 11/30 was forwarded to the Board secretary for distribution."

From: Doggett, Rosalyn
Sent: Tuesday, December 01, 2009 4:18 PM
To: Meister, Mark K.
Subject: RE: CAO Weekly Management Update

On
Shaw Howard
Revise as follows

" This message was conveyed to the developer and 11/24, and the developer's response of 11/30 was forwarded by staff to the General Manager for transmission to the Board."

From: Meister, Mark K.
Sent: Tuesday, December 01, 2009 1:44 PM
To: Doggett, Rosalyn
Subject: CAO Weekly Management Update

Roz,

Any updates for Shaw-Howard U J/D Site or Prince George's Plaza J/D?

Mark

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, December 01, 2009 4:18 PM
To: Meister, Mark K.
Subject: RE: CAO Weekly Management Update

On

Shaw Howard

Revise as follows

" This message was conveyed to the developer and 11/24, and the developer's response of 11/30 was forwarded by staff to the General Manager for transmission to the Board."

From: Meister, Mark K.
Sent: Tuesday, December 01, 2009 1:44 PM
To: Doggett, Rosalyn
Subject: CAO Weekly Management Update

Roz,

Any updates for Shaw-Howard U J/D Site or Prince George's Plaza J/D?

Mark

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, November 25, 2009 12:13 PM
To: Montague, Joshua W.
Subject: FW: Florida Avenue
Attachments: Banneker Final Response 11.24.09.doc

From: Goldin, Steven
Sent: Wednesday, November 25, 2009 11:18 AM
To: Bottigheimer, Nat; Doggett, Rosalyn
Subject: Florida Avenue

Roz

Any comments ?

Steven E. Goldin
Director, Station Area Planning & Asset Management
Washington Metropolitan Area Transit Authority
sgoldin@wmata.com
202-962-2616

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, November 19, 2009 11:41 AM
To: Mohsberg, Sid
Cc: Goldin, Steven; Bottigheimer, Nat; Meister, Mark K.; Wallace, Maria A
Subject: RE: FINAL GM Goals October Update

Then it is all right as is since that was the status as of Oct 31.

From: Mohsberg, Sid
Sent: Thursday, November 19, 2009 11:04 AM
To: Doggett, Rosalyn
Cc: Goldin, Steven; Bottigheimer, Nat; Meister, Mark K.; Wallace, Maria A
Subject: RE: FINAL GM Goals October Update

Roz,

In reviewing the correctness of the current wording, please be aware that this monthly report is as of 10/31/09. Changes since then will be reflected in the 11/30/09 or indeed 12/31/09 report.

Objectives: 4.2 Promote the region's economy and livable communities

Measure of Success: 4.2.1 Develop and negotiate three joint development solicitations or development agreement amendments for joint development

Strategy/Success:

- 1) Metro has entered into a Sale and Development Agreement for a phased sale of the Arlington Bus Garage property.
- 2) Metro and the developer have negotiated an amendment to the Term Sheet for the Shaw-Howard University (Florida Ave.) Joint Development Site. The Term Sheet will be presented to the Board in November 2009 to be followed in December 2009 by the Joint Development Agreement and Lease.
- 3) Metro anticipates completion of a Joint Development Agreement for the Navy Yard Chiller Plant property by December 31, 2009.

Lead: Nat Bottigheimer (lead), Carol O'Keeffe (support)

Contact Person: Sid Mohsberg

Thanks.

Sid

From: Meister, Mark K.
Sent: Thursday, November 19, 2009 9:17 AM
To: Doggett, Rosalyn
Cc: Goldin, Steven; Mohsberg, Sid; Bottigheimer, Nat
Subject: RE: FINAL GM Goals October Update

OK, thanks.

From: Doggett, Rosalyn
Sent: Thursday, November 19, 2009 9:07 AM
To: Meister, Mark K.
Cc: Goldin, Steven; Mohsberg, Sid; Bottigheimer, Nat
Subject: RE: FINAL GM Goals October Update

Will do after timing sorts out after board meeting

From: Meister, Mark K.
Sent: Thursday, November 19, 2009 9:03 AM
To: Doggett, Rosalyn
Cc: Goldin, Steven; Mohsberg, Sid; Bottigheimer, Nat
Subject: FW: FINAL GM Goals October Update

Roz,

Please update Objective 4.2.1 for Shaw-Howard/Florida Avenue and Navy Yard Chiller sites.

Mark

From: Mohsberg, Sid

Sent: Wednesday, November 18, 2009 7:18 PM

To: Ackerman, Heidi; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Chapman, Emma; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Goldin, Steven; Haldeman, Kristin M.; Harrington, Thomas; Jachles, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Johnston, Kasondra; Jones, Catherine; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Mohsberg, Sid; Peterson, Scott; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S.

Subject: FW: FINAL GM Goals October Update

All,

Last call. Any changes?

Sid

From: Potts, Gregory W.

Sent: Wednesday, November 18, 2009 6:24 PM

To: Stoffregen, Linda; Agard, Michele; Delinski, Jeffery P.; Sullivan, Judy R.; Thompson, Kim R.; Weiner, Jack; Hershorn, Julie G.; Mohsberg, Sid; Taylor, Lorraine K.; Terry, Billy; Overton, Holly; Bauer, Mary M.; Wynne, James; Rapoza, Samantha; Kelly, Matthew; Quillen, Amy-Celeste

Cc: Alexander, LaRisa A.

Subject: FINAL GM Goals October Update

All-

Attached is the latest GM Goals document that incorporates all of your October updates. Please take a quick review to make sure everything looks good. Let me know by COB tomorrow the 19th if you have any final edits. I'll plan to send to the ELT as an FYI on Friday the 20th.

Thanks to everyone for the updates!

Greg

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, November 19, 2009 9:07 AM
To: Meister, Mark K.
Cc: Goldin, Steven; Mohsberg, Sid; Bottigheimer, Nat
Subject: RE: FINAL GM Goals October Update

Will do after timing sorts out after board meeting

From: Meister, Mark K.
Sent: Thursday, November 19, 2009 9:03 AM
To: Doggett, Rosalyn
Cc: Goldin, Steven; Mohsberg, Sid; Bottigheimer, Nat
Subject: FW: FINAL GM Goals October Update

Roz,

Please update Objective 4.2.1 for Shaw-Howard/Florida Avenue and Navy Yard Chiller sites.

Mark

From: Mohsberg, Sid
Sent: Wednesday, November 18, 2009 7:18 PM
To: Ackerman, Heidi; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Chapman, Emma; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Goldin, Steven; Haldeman, Kristin M.; Harrington, Thomas; Jachles, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Johnston, Kasondra; Jones, Catherine; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Mohsberg, Sid; Peterson, Scott; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S.
Subject: FW: FINAL GM Goals October Update

All,

Last call. Any changes?

Sid

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Sent: Wednesday, November 18, 2009 6:24 PM
To: Stoffregen, Linda; Agard, Michele; Delinski, Jeffery P.; Sullivan, Judy R.; Thompson, Kim R.; Weiner, Jack; Hershorn, Julie G.; Mohsberg, Sid; Taylor, Lorraine K.; Terry, Billy; Overton, Holly; Bauer, Mary M.; Wynne, James; Rapoza, Samantha; Kelly, Matthew; Quillen, Amy-Celeste
Cc: Alexander, LaRisa A.
Subject: FINAL GM Goals October Update

All-

Attached is the latest GM Goals document that incorporates all of your October updates. Please take a quick review to make sure everything looks good. Let me know by COB tomorrow the 19th if you have any final edits. I'll plan to send to the ELT as an FYI on Friday the 20th.

Thanks to everyone for the updates!

Greg

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, November 19, 2009 9:02 AM
To: Bottigheimer, Nat; Goldin, Steven; Meister, Mark K.
Subject: RE: Shaw Howard Term Sheets Comparison Table

The 2.2 M is land value/sale price
The 2.05 M is the capitalized lease payment

The latter is lower, according to the appraiser, because of the detrimental effects of level rents on a long-term lease payment. It does not include, however, annual participation in effective gross income and capital events participation which should more than make up the difference (per Catoe Nov 6 memo))

From: Bottigheimer, Nat
Sent: Wednesday, November 18, 2009 6:15 PM
To: Doggett, Rosalyn; Goldin, Steven; Meister, Mark K.
Subject: Re: Shaw Howard Term Sheets Comparison Table

As a reminder, what's the difference between the 2,200,000 for FI Ave and the 2,050,000?

Also, Mark, for tomorrow am can you print out the spreadsheet that calculates the numbers that went out as a supplement to the Board Friday a week?

Thanks very much,

Nat

From: Doggett, Rosalyn
To: Bottigheimer, Nat
Sent: Wed Nov 18 18:08:38 2009
Subject: RE: Shaw Howard Term Sheets Comparison Table
done

From: Bottigheimer, Nat
Sent: Wednesday, November 18, 2009 5:53 PM
To: Doggett, Rosalyn; Goldin, Steven
Cc: Mohsberg, Sid
Subject: RE: Shaw Howard Term Sheets Comparison Table

Thank you! Can you do the same for the supplemental information that went out Friday a week ago?

Thanks,

Nat

From: Doggett, Rosalyn
Sent: Wednesday, November 18, 2009 5:52 PM
To: Goldin, Steven; Bottigheimer, Nat
Cc: Mohsberg, Sid
Subject: Shaw Howard Term Sheets Comparison Table

I am making 20 copies of this table for the meeting tomorrow.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, November 18, 2009 6:09 PM
To: Bottigheimer, Nat
Subject: RE: Shaw Howard Term Sheets Comparison Table

done

From: Bottigheimer, Nat
Sent: Wednesday, November 18, 2009 5:53 PM
To: Doggett, Rosalyn; Goldin, Steven
Cc: Mohsberg, Sid
Subject: RE: Shaw Howard Term Sheets Comparison Table

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Thanks,

Nat

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Cc: Mohsberg, Sid
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202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, November 18, 2009 5:52 PM
To: Goldin, Steven; Bottigheimer, Nat
Cc: Mohsberg, Sid
Subject: Shaw Howard Term Sheets Comparison Table
Attachments: ShawHoward FL AveTerm Sheets Comparison 11-09.xlsx

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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, November 18, 2009 5:53 PM
To: Meister, Mark K.; Montague, Joshua W.
Subject: FW: Shaw Howard Term Sheets Comparison Table
Attachments: ShawHoward FL AveTerm Sheets Comparison 11-09.xlsx

Forgot you two

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Cc: Mohsberg, Sid
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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, November 18, 2009 3:51 PM
To: Goldin, Steven
Subject: FW: Shaw Howard
Attachments: ShawHowardComparison.xlsx

I think that we should fill in the npv; I would suggest \$2,050,000 since the original appraiser (Harps) said that the land value should hold for 18 months or more

From: Meister, Mark K.
Sent: Tuesday, November 17, 2009 12:06 PM
To: Doggett, Rosalyn
Subject: FW: Shaw Howard

FYI.

From: Montague, Joshua W.
Sent: Wednesday, November 04, 2009 6:55 PM
To: Marshall, Malcolm; Bottigheimer, Nat; Meister, Mark K.; O'Keeffe, Carol B.
Subject: RE: Shaw Howard

Updated to reflect latest version of the Term Sheet.

Please let me know if you see anything that should be changed.

Josh

From: Marshall, Malcolm
Sent: Wednesday, November 04, 2009 5:54 PM
To: Bottigheimer, Nat; Meister, Mark K.; Montague, Joshua W.; O'Keeffe, Carol B.
Subject: Shaw Howard

See attached comparison

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, November 18, 2009 9:39 AM
To: Bottigheimer, Nat
Subject: FW: MEAD 100538 "Approve JDA and Lease for Shaw Howard/FL Ave Site"

From: Doggett, Rosalyn
Sent: Wednesday, November 18, 2009 9:32 AM
To: Mohsberg, Sid; Goldin, Steven
Subject: RE: MEAD 100538 "Approve JDA and Lease for Shaw Howard/FL Ave Site"

Carol O signed the MEAD last evening at 6:01. It is awaiting approval from Gerald Francis.

From: Mohsberg, Sid
Sent: Tuesday, November 17, 2009 4:55 PM
To: Goldin, Steven
Cc: Doggett, Rosalyn
Subject: FW: MEAD 100538 "Approve JDA and Lease for Shaw Howard/FL Ave Site"

Steve,

COUN has had MEAD 100538 for approval since 12:31 PM today. We need Carol O'Keefe to approve it prior to tomorrow's 10:00 AM briefing for the GMGR.

I sent the below e-mail at 1:01 PM.

Recommend that SAAM put some boots on the ground in COUN and push, or based on past experience this MEAD will languish.

Sid

From: Mohsberg, Sid
Sent: Tuesday, November 17, 2009 1:01 PM
To: O'Keefe, Carol B.
Cc: Bottigheimer, Nat; Goldin, Steven; Doggett, Rosalyn; Heppen, Bruce P.
Subject: MEAD 100538 "Approve JDA and Lease for Shaw Howard/FL Ave Site"

Carol,

When you have a moment, MEAD 100538 is awaiting COUN's approval at Level 4. This item is on the agenda of the 12/3/09 PDRE Cmte meeting, and the GMGR December 2009 Committee and Admin Items Briefing is tomorrow, Wednesday, 11/18/09 at 10:00 AM.

MEAD 100538 assumes the Board will have approved a term sheet for this project at the special PDRE Cmte meeting this Thursday 11/16/09, which it may not.

On that basis, it recommends that the Board approve a joint development agreement and lease, which are based on the term sheet.

To keep materials flowing for a 12/3/09 PDRE Cmte meeting and satisfy the related deadlines, we have initiated routing on MEAD 100538.

If the term sheet is not approved on 11/16/09, we will abort the routing for MEAD 100538.

Thanks.

Sid

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, November 18, 2009 9:32 AM
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Thanks.

Sid

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, November 17, 2009 5:35 PM
To: Mohsberg, Sid; Goldin, Steven
Cc: 'jmontague@wmata.com'
Subject: RE: MEAD 100538 "Approve JDA and Lease for Shaw Howard/FL Ave Site"

I have just spoken with Josh and asked him to give Carol a hefty nudge. I assume that she came back earlier as well from the funeral but don't know for a fact.

From: Mohsberg, Sid
Sent: Tuesday, November 17, 2009 4:55 PM
To: Goldin, Steven
Cc: Doggett, Rosalyn
Subject: FW: MEAD 100538 "Approve JDA and Lease for Shaw Howard/FL Ave Site"

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Cc: Bottigheimer, Nat; Goldin, Steven; Doggett, Rosalyn; Heppen, Bruce P.
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Thanks.

Sid

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, November 16, 2009 8:41 PM
To: Brown, Matthew
Subject: RE: BAIS 100538 Approve JDA and Lease for Shaw-Howard Florida Avenue

thanks

From: Brown, Matthew
Sent: Monday, November 16, 2009 6:00 PM
To: Doggett, Rosalyn
Subject: RE: BAIS 100538 Approve JDA and Lease for Shaw-Howard Florida Avenue

I approved it.

From: Doggett, Rosalyn
Sent: Monday, November 16, 2009 5:56 PM
To: Brown, Matthew
Subject: RE: BAIS 100538 Approve JDA and Lease for Shaw-Howard Florida Avenue

The 60-year capitalized lease amt. is \$2,050,000 plus modest cash flow participation and capital event participation. I was not trying to be coy in the last e-mail.

From: Brown, Matthew
Sent: Monday, November 16, 2009 5:44 PM
To: Doggett, Rosalyn
Subject: RE: BAIS 100538 Approve JDA and Lease for Shaw-Howard Florida Avenue

Thanks Rosalyn.

Do you have an estimate of the amount of proceeds that will go to the TIIF? I worry that the Board members may think that they have a lot of funds to play with.

Matt

From: Doggett, Rosalyn
Sent: Monday, November 16, 2009 5:39 PM
To: Brown, Matthew
Subject: FW: BAIS 100538 Approve JDA and Lease for Shaw-Howard Florida Avenue

Here is the story on MEAD 100538—with a dose of humor. Hope you can approve 1st thing a.m. and let me know by return e-mail.

Thanks, Roz

From: Mohsberg, Sid
Sent: Monday, November 16, 2009 5:26 PM
To: Doggett, Rosalyn
Subject: RE: BAIS 100538 Approve JDA and Lease for Shaw-Howard Florida Avenue

Roz,

Abort? You want to use public funds to abort something? Tsk, tsk.

Sid

From: Doggett, Rosalyn
Sent: Monday, November 16, 2009 5:23 PM
To: Sequeira, Loyda; Bottigheimer, Nat
Cc: Pasek, John; Mohsberg, Sid; Goldin, Steven
Subject: RE: BAIS 100538 Approve JDA and Lease for Shaw-Howard Florida Avenue

This is different. This is a follow-on to what was mailed to the Board on Friday. Friday's mailing asked them to consider a term sheet for Florida Ave. MEAD/BAIS 100527.

MEAD/BAIS 100538 assumes the Board will have approved a term sheet this coming Thursday November 16, which it may not. It then asks the Board to approve a joint development agreement and lease, which are based on the term sheet. In order to keep materials flowing for a December Board meeting and meet deadlines, we have initiated routing on 100538. If the term sheet is not approved on Nov 16, we will abort the routing for 100538.

From: Sequeira, Loyda
Sent: Monday, November 16, 2009 4:58 PM
To: Bottigheimer, Nat; Doggett, Rosalyn
Cc: Pasek, John
Subject: FW: BAIS 100538 Approve JDA and Lease for Shaw-Howard Florida Avenue

Hi,

I think I know the answer to this question but I don't want to make assumptions:
Is this different than what was mailed to the Board last Friday?

Thanks,

Loyda Sequeira-Castillo
Direct: 202-962-1816

From: Doggett, Rosalyn
Sent: Monday, November 16, 2009 1:55 PM
To: Sequeira, Loyda; Bellamy, Michelle A.; Hershorn, Julie G.
Cc: Bottigheimer, Nat; Goldin, Steven; Mohsberg, Sid; Montague, Joshua W.
Subject: BAIS 100538 Approve JDA and Lease for Shaw-Howard Florida Avenue

The BAIS is written as if the Board will have approved the term sheet this coming Thursday. I will initiate routing momentarily.

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Subject: RE: BAIS 100538 Approve JDA and Lease for Shaw-Howard Florida Avenue

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Is this different than what was mailed to the Board last Friday?

Thanks,

Loyda Sequeira-Castillo

Direct: 202-962-1816

From: Doggett, Rosalyn

Sent: Monday, November 16, 2009 1:55 PM

To: Sequeira, Loyda; Bellamy, Michelle A.; Hershorn, Julie G.

Cc: Bottigheimer, Nat; Goldin, Steven; Mohsberg, Sid; Montague, Joshua W.

Subject: BAIS 100538 Approve JDA and Lease for Shaw-Howard Florida Avenue

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Rosalyn P. Doggett

Station Area Planning and Asset Management

Washington Metropolitan Area Transit Authority

600 Fifth Street, NW

Washington, DC 20001

rdoggett@wmata.com

202-962-2208 phone

202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, November 16, 2009 5:46 PM
To: Brown, Matthew
Subject: RE: BAIS 100538 Approve JDA and Lease for Shaw-Howard Florida Avenue

We give them a confidential statement that they review in executive session so they do know the amount of proceeds.

From: Brown, Matthew
Sent: Monday, November 16, 2009 5:44 PM
To: Doggett, Rosalyn
Subject: RE: BAIS 100538 Approve JDA and Lease for Shaw-Howard Florida Avenue

Thanks Rosalyn.

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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, November 16, 2009 5:27 PM
To: Mohsberg, Sid
Subject: RE: BAIS 100538 Approve JDA and Lease for Shaw-Howard Florida Avenue

I carefully considered using that word and decided it was a circumstance in which I could actually get away with it.

From: Mohsberg, Sid
Sent: Monday, November 16, 2009 5:26 PM
To: Doggett, Rosalyn
Subject: RE: BAIS 100538 Approve JDA and Lease for Shaw-Howard Florida Avenue

Roz,

Abort? You want to use public funds to abort something? Tsk, tsk.

Sid

From: Doggett, Rosalyn
Sent: Monday, November 16, 2009 5:23 PM
To: Sequeira, Loyda; Bottigheimer, Nat
Cc: Pasek, John; Mohsberg, Sid; Goldin, Steven
Subject: RE: BAIS 100538 Approve JDA and Lease for Shaw-Howard Florida Avenue

This is different. This is a follow-on to what was mailed to the Board on Friday. Friday's mailing asked them to consider a term sheet for Florida Ave. MEAD/BAIS 100527.

MEAD/BAIS 100538 assumes the Board will have approved a term sheet this coming Thursday November 16, which it may not. It then asks the Board to approve a joint development agreement and lease, which are based on the term sheet. In order to keep materials flowing for a December Board meeting and meet deadlines, we have initiated routing on 100538. If the term sheet is not approved on Nov 16, we will abort the routing for 100538.

From: Sequeira, Loyda
Sent: Monday, November 16, 2009 4:58 PM
To: Bottigheimer, Nat; Doggett, Rosalyn
Cc: Pasek, John
Subject: FW: BAIS 100538 Approve JDA and Lease for Shaw-Howard Florida Avenue

Hi,

I think I know the answer to this question but I don't want to make assumptions:
Is this different than what was mailed to the Board last Friday?

Thanks,

Loyda Sequeira-Castillo
Direct: 202-962-1816

From: Doggett, Rosalyn
Sent: Monday, November 16, 2009 1:55 PM
To: Sequeira, Loyda; Bellamy, Michelle A.; Hershorn, Julie G.
Cc: Bottigheimer, Nat; Goldin, Steven; Mohsberg, Sid; Montague, Joshua W.
Subject: BAIS 100538 Approve JDA and Lease for Shaw-Howard Florida Avenue

The BAIS is written as if the Board will have approved the term sheet this coming Thursday. I will initiate routing momentarily.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone

202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, November 16, 2009 5:23 PM
To: Sequeira, Loyda; Bottigheimer, Nat
Cc: Pasek, John; Mohsberg, Sid; Goldin, Steven
Subject: RE: BAIS 100538 Approve JDA and Lease for Shaw-Howard Florida Avenue

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MEAD/BAIS 100538 assumes the Board will have approved a term sheet this coming Thursday November 16, which it may not. It then asks the Board to approve a joint development agreement and lease, which are based on the term sheet. In order to keep materials flowing for a December Board meeting and meet deadlines, we have initiated routing on 100538. If the term sheet is not approved on Nov 16, we will abort the routing for 100538.

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To: Bottigheimer, Nat; Doggett, Rosalyn
Cc: Pasek, John
Subject: FW: BAIS 100538 Approve JDA and Lease for Shaw-Howard Florida Avenue

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Loyda Sequeira-Castillo
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Washington Metropolitan Area Transit Authority
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Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, November 16, 2009 1:55 PM
To: Sequeira, Loyda; 'mbellamy@wmata.com'; Hershorn, Julie G.
Cc: Bottigheimer, Nat; Goldin, Steven; Mohsberg, Sid; Montague, Joshua W.
Subject: BAIS 100538 Approve JDA and Lease for Shaw-Howard Florida Avenue
Attachments: BAIS 100538 Approve JDA & Lease FL Av.pdf

The BAIS is written as if the Board will have approved the term sheet this coming Thursday. I will initiate routing momentarily.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, November 16, 2009 11:08 AM
To: 'eric.smart@bolansmart.com'
Subject: FW: FL Ave
Attachments: WMATA Term Sheet for Lease of Shaw-Howard Florida Ave Sites (CLEAN 110409).doc;
WMATA Term Sheet for Lease of Shaw-Howard Florida Ave Sites (WMATA Comments to
Banneker 110409).doc

Fyi

This is the term sheet last presented to the Board

From: Montague, Joshua W.
Sent: Monday, November 09, 2009 10:18 AM
To: Doggett, Rosalyn
Subject: FL Ave

Attached is the clean and Redline versions of the final term sheet.

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, November 16, 2009 8:54 AM
To: 'Omar A. Karim'
Subject: FW: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-FloridaAvenue Sites

Omar, once again the term sheet was sent out to the Board on Friday for its consideration on Thursday November 16.

Please note the two points below in Josh Montague's e-mail, which we will adhere to. If you want further explanation, which does not appear necessary to us because we have already given you reasons, do feel free to give me a call.
Many thanks,
Roz

From: Goldin, Steven
Sent: Friday, November 13, 2009 6:33 PM
To: Montague, Joshua W.; Doggett, Rosalyn; Bottigheimer, Nat
Subject: Re: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-FloridaAvenue Sites

Agreed. Roz; please advise Omar next Monday.
Steve

From: Montague, Joshua W.
To: Goldin, Steven; Doggett, Rosalyn
Sent: Fri Nov 13 18:29:16 2009
Subject: FW: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-FloridaAvenue Sites
Per our meeting today, this is a reminder that we should inform the developer of the following:

1. There will be no more negotiating of the terms after the board approves the Term Sheet; and
2. The Developer must work off of the Florida Ave Lease draft that was sent to them by WMATA on 7/24/09. We cannot work off of the Rhode Island Ave Lease for reasons previously provided to John Hagner and Omar Karim.

Have a good weekend,

Josh

From: Omar Karim [mailto:okarim@bannekerventures.com]
Sent: Wednesday, November 04, 2009 10:42 PM
To: Anthony James Ives; Tiwana Hicks; Montague, Joshua W.; John Hagner; O'Keefe, Carol B.; Bottigheimer, Nat
Cc: Yohance S. Fuller; jkass@dccouncil.us; Marshall, Malcolm; Meister, Mark K.; Doggett, Rosalyn; Goldin, Steven
Subject: Re: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-FloridaAvenue Sites

Nat,

Thanks for your thoughts. We appreciate them. For purposes of tomorrow, we accept the Term Sheet as sent to us this evening.

Following approval of the Term Sheet, we will give more thought to this particular issue to help come up with a way to meet your goals. Should we be able to come up with an agreeable solution prior to finalizing the JDA and Lease, we could include the solution in these docs. Alternatively, there is probably even more time bt approval of these docs and execution of the Lease prior to Closing to come up with solutions. In either case, we promise to provide you and your team with some solutions to address the concerns of all parties.

Thanks for working so hard on this. Finalizing the JDA and Lease should now be a piece of cake.

Omar
Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 office
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Bottigheimer, Nat" <NBottigheimer@wmata.com>
Date: Wed, 4 Nov 2009 21:01:52 -0500
To: O'Keeffe, Carol B.<cokeeffe@wmata.com>; Montague, Joshua W.<jwmontague@wmata.com>; aives@bannekerventures.com<aives@bannekerventures.com>; okarim@bannekerventures.com<okarim@bannekerventures.com>; thicks@bannekerventures.com<thicks@bannekerventures.com>; jhagner@wcsr.com<jhagner@wcsr.com>
Cc: Goldin, Steven<sgoldin@wmata.com>; Doggett, Rosalyn<RDoggett@wmata.com>; Meister, Mark K.<MMeister@wmata.com>; Marshall, Malcolm<MMarshall@wmata.com>; jkass@dccouncil.us<jkass@dccouncil.us>; Yohance S. Fuller<Yohance.Fuller@dc.gov>
Subject: RE: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites

John--

I heard a problem and I didn't hear a solution. Also, for the reasons laid out below, I don't understand at all your concept that we're making an above market imposition on the Developer.

Here are our premises:

It's our land.

Long-term real estate values in the DC region have grown faster than 3%. A location on U Street in between U Street and Shaw/Howard stations has growth potential and value stability unlike the vast majority of property in the region, and its long-term appreciation value is significant.

Agreeing to a lease that is based on an escalation rate less than the the property's probable long-term appreciation rate is selling ourselves short. Marking to market each decade and then holding constant for each 10-year period while property values and lease-rates available to building owners appreciate is leaving significant value on the table each year in a decade.

Without going to a spreadsheet, if we were simply to mark to market each decade, in year one of any given decade we'd get 4% less than the rental income available to a building owner on average. The next year we'd get 8% less than full value, the next year 12% less than full value, each year the same until the last year of the decade, when we'd be getting 42% below full value. That's a lot of value to leave on the table by marking to market each decade and holding constant for 10 years. Having a 3% escalation rate each year through the decade is intended to keep the rent to us, the land-owner, comparable but slightly below the long-term average increase in value until the next reset. The language we've provided is intended to keep us at rent levels close to market value for each year of the remaining 39 years of the lease without giving away the game, as your proposals would appear to have us do.

Other premises:

At Twinbrook, we negotiated a lease with JBG with precisely the terms we proposed.

Long-term leases are finance-able at terms less than 99 years.

If you have a concern about lender certainty and project finance-ability, as you suggest you do, we are open to proposals that do not systematically erode Metro's ability to realize the value of its land over the period 60-99. We're open to a capitalization of future rent at year 60 for the period 60-99, and we're open to rent levels re-set every decade to be constant for the decade, but if rent levels are reset to be constant for a decade for the purpose of certainty, then they should be set above market for the first five years of the decade with the expectation that they'd be below market the second half. Maybe you have other thoughts.

Until we hear a counter that protects our value in a market-rate setting from years 60-99, the proposal we've made is our final proposal.

Respectfully,

Nat

From: John Hagner [mailto:JHagner@wcsr.com]
Sent: Wednesday, November 04, 2009 6:24 PM
To: O'Keeffe, Carol B.; Montague, Joshua W.
Cc: Anthony (Tony) James Ives(aives@bannekerventures.com); Omar A. Karim Esquire (okarim@bannekerventures.com); Tiwana Z. HicksEsquire (thicks@bannekerventures.com)
Subject: RE: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites

Carol and Josh: Let me share my response to the final change mandated by WMATA. The effects of this change are as follows:

1. WMATA will charge more than the Fair Rental Value of the Lease Property after the 61st lease year. If the Monthly Lease Payments are based on Fair Rental Value, then the 3%

escalation either has to be considered in setting the Monthly Lease Payments or the escalation is an above-market imposition on the DEVELOPER. When the Fair Rental Value is determined by the three appraisers, their determination is for a period of years. WMATA is not recognizing that fact and holding the Monthly Lease Payments to the Fair Rental Value during the time period determined by the three appraisers.

2. Resetting the Monthly Lease Payments to Fair Rental Value every ten years makes the Lease un-financeable after the 60th lease year. No institutional lender will make a loan longer than ten years under these circumstances, which eliminates all the Federal and GSE (Government Sponsored Entities, *i.e.*, Fannie Mae and Freddie Mac) as lenders. To be precise, the lender will only make a loan that self-amortizes in ten years because no institutional lender will take the risk of an unlimited base rent increase while their loan is still unpaid. I'm sharing this from actual experience of litigating an almost identical issue for almost five years in the District of Columbia where the tenant under a long-term ground lease which had periodic repricing to full market rent could not refinance the leasehold estate on a permanent loan basis. This meant the tenant could not refinance the leasehold estate to pay for the needed renovation of the building and the substantial tenant improvements and lease brokerage fees to prepare for a full-building tenant. As you would expect, the tenant sued the landlord to modify the ground lease. I can't share anymore because the litigation settled under a strict confidentiality agreement. However, the "lesson learned" from this experience is that ground leases with short-term periodic repricing of the ground rent can't be refinanced on the long-term basis needed for major renovations and improvements.

I respectfully believe the last change vitiates the benefit of a lease over 60 years.

John

John D. Hagner

Womble Carlyle Sandridge & Rice, PLLC | 1401 Eye St., NW | Suite 700 | Washington, DC 20005-2225
T: 202.857.4404 | F: 202.261.0004 | E: jhagner@wcsr.com | W: www.wcsr.com

From: Montague, Joshua W. [<mailto:jwmontague@wmata.com>]

Sent: Wednesday, November 04, 2009 5:57 PM

To: Hagner, John

Cc: O'Keeffe, Carol B.

Subject: FW: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites

Attached is the updated Term Sheet described below.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

The information contained in this email may be confidential and/or legally privileged. It has been sent for the sole use of the intended recipient(s). If the reader of this message is not an intended recipient, you are hereby notified that any unauthorized review, use, disclosure, dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please contact the sender by reply email and destroy all copies of the original message.

From: O'Keeffe, Carol B.

Sent: Wednesday, November 04, 2009 5:43 PM

To: John Hagner

Cc: Montague, Joshua W.

Subject: RE: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites

John, Josh is sending a revision that puts in a different reset that Nat will accept; he had not agreed to 99 years and is only willing to go forward with the reset provisions that Josh will send. We have spoken with Mr. Karim who seems to have accepted it, but this is an impossible way to do a deal. I know that you are not causing it.

From: John Hagner [mailto:JHagner@wcsr.com]
Sent: Wednesday, November 04, 2009 5:38 PM
To: O'Keeffe, Carol B.
Cc: Montague, Joshua W.
Subject: Re: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites

Carol: I'm on a large conference call which I can't get out of. I'll listen to your voicemail and call you as soon as I'm off.
John
John D. Hagner
Womble Carlyle Sandridge & Rice, PLLC
202.857.4404 Direct
Sent from my Blackberry. Please excuse typos.

From: O'Keeffe, Carol B. <cokeeffe@wmata.com>
To: Yohance S. Fuller <Yohance.Fuller@dc.gov>; Omar A. Karim <okarim@bannekerventures.com>; Montague, Joshua W. <jwmontague@wmata.com>
Cc: aives@bannekerventures.com <aives@bannekerventures.com>; mmckinney@bannekerventures.com <mmckinney@bannekerventures.com>; Tiwana Hicks <thicks@bannekerventures.com>; Neil.Albert@dc.gov <Neil.Albert@dc.gov>; Hagner, John; Bottigheimer, Nat <NBottigheimer@wmata.com>; Doggett, Rosalyn <RDoggett@wmata.com>; Goldin, Steven <sgoldin@wmata.com>
Sent: Wed Nov 04 17:25:10 2009
Subject: RE: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites
Not yet; we are working on it and will call John Hagner.

From: Yohance (EOM) Fuller [mailto:yohance.fuller@dc.gov]
Sent: Wednesday, November 04, 2009 5:22 PM
To: Omar A. Karim; Montague, Joshua W.
Cc: aives@bannekerventures.com; mmckinney@bannekerventures.com; Tiwana Hicks; Neil.Albert@dc.gov; O'Keeffe, Carol B.; John Hagner; Bottigheimer, Nat; Doggett, Rosalyn; Goldin, Steven
Subject: RE: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites

Josh/Nat -

I'm writing to confirm whether both parties are in agreement and that WMATA staff is prepared to recommend approval of the term sheet during the committee meeting and special board meeting tomorrow. Please advise.

Thanks,

Yohance

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Wednesday, November 04, 2009 3:45 PM
To: 'Montague, Joshua W.'
Cc: 'Bottigheimer, Nat'; 'O'Keeffe, Carol B.'; 'Goldin, Steven'; 'Doggett, Rosalyn'; Fuller, Yohance (EOM); Albert, Neil (EOM); 'John Hagner'; 'Tiwana Hicks'; mmckinney@bannekerventures.com; aives@bannekerventures.com
Subject: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites
Importance: High

Josh,

in preparation of tomorrow's Board meeting, attached are the following:

1. Amended and Restated Term Sheet revised in accordance with the discussions since Monday, which finalizes our understanding; and
2. "Redline...#157; of the Amended and Restated Term Sheet against the version that we provided to WMATA on November 2, 2009 at 6:20p.

The revised language on Capital Events was taken from the term sheet for Rhode Island Ave., and the concept of adjusting the base rent for additional density stops after the first 60 years because the re-appraisal will be based on the Leased Property as if vacant, thereby assuming the maximum density has been constructed on the land.

Please contact me with any questions or comments.

Omar

Omar A. Karim
Banneker Ventures, LLC

729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, November 13, 2009 6:14 PM
To: Mohsberg, Sid
Subject: FLA Ave JDA and lease power point 11-13-09
Attachments: Approve JDA and LEASE.pptx

This tracks the term sheet BAIS language

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, November 13, 2009 10:47 AM
To: Sequeira, Loyda
Cc: Goldin, Steven; Mohsberg, Sid; Bottigheimer, Nat; Montague, Joshua W.; 'mbellamy@wmata.com'; Hershorn, Julie G.; Requa, Jack
Subject: Revised BAIS 100527
Attachments: BAIS 100527 revised 11 13 09.pdf

Revised to conform BAIS to latest negotiated term sheet

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, November 10, 2009 2:23 PM
To: Montague, Joshua W.; Goldin, Steven
Subject: RE: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites

I can do any time early Thus am

From: Montague, Joshua W.
Sent: Tuesday, November 10, 2009 10:53 AM
To: Doggett, Rosalyn; Goldin, Steven
Subject: FW: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites

Steve and Rosalyn,

Can we set a time with one or both of you to discuss what needs to be done next on the Florida Avenue transaction?

In particular, I would like to discuss:

1. Finalizing the term sheet, including John Hagner's email below; and
2. Getting started on the Lease, JDA, Guaranty, CCRs, ROE, and Co-Tenancy Agreement.

Please let me know when you are available.

Josh

From: John Hagner [mailto:JHagner@wcsr.com]
Sent: Thursday, November 05, 2009 2:16 AM
To: aives@bannekerventures.com; okarim@bannekerventures.com; thicks@bannekerventures.com; Montague, Joshua W.; O'Keefe, Carol B.; Bottigheimer, Nat
Cc: Yohance S. Fuller; jkass@dccouncil.us; Marshall, Malcolm; Meister, Mark K.; Doggett, Rosalyn; Goldin, Steven
Subject: RE: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites

Nat: Thanks for your response. Notwithstanding the late hour, I feel compelled to respond tonight while this is fresh in everyone's thinking. This is not my best response because of fatigue at this hour. I'll try to be brief and to the point.

One of the reasons I made my earlier response is for the first time since working on multiple WMATA joint development projects since 2003, I have access to the Appraisal from Harps & Harps and the Rent Calculation from Integra Realty Resources. My arguments are based on statements in the October 30, 2009 Rent Calculation you provided.

Before responding to the specific statements, let me first offer an observation on WMATA's return on its land. In my experience, institutional investors consider their "total return" on their investments, not just their net income. Total return on land for a tax-exempt landlord from a ground lease has three components: (1) the rent (or net operating income) from the leasing of the land; plus (2) the appreciation (or depreciation) in the value of the land over the term of the lease, assuming the tenant does not have a fixed-price purchase option for the land (which the Developer does not have); plus (3) the discounted present value of the improvements which revert to the landlord upon the expiration of the lease. In the District of Columbia, commercial land has not depreciated over any long period of time since the British burned the Capitol in 1814. None of your comments acknowledge that WMATA receives the entire appreciation in the value of the land over the term of the lease and the value of the reverted improvements as part of its "return" on the land. Even if WMATA considers such appreciation an "unrealized gain" on its land, it is still a gain that institutional investors recognize. WMATA could realize and monetize such gain through a financing transaction if it chose to do so

My second observation is the calculation of market rent excludes (i) the Participating Rent based on 1.5% of gross sublease receipts, (ii) the Capital Events Rent based on 2% of proceeds of the sale of any interest in the leasehold estate and 2% of the net excess refinancing proceeds

from any refinancing. These will be significant over 99 years and they will provide a material protection against inflation. In my experience, these should have been included in the determination of "market rent." That's why your appraisers noted in the second paragraph on page one of the Rent Calculation that Participating Rent and Capital Events Rent were excluded at WMATA's request. That constitutes an above-market benefit for WMATA before the market rent is determined.

My third observation is the Rent Calculation expressly includes an adjustment for rental rate escalation over the 60-year term. Please refer to the two paragraphs following the table of "Capitalization Rate Comparables" on page two of the Rent Calculation which state rental rate escalations affect the capitalization rate and the fact that "the lease as proposed will not include escalations" was explicitly considered in selecting the percentage rate of fair market value of the land used to set the annual ground rent payment. A higher annual ground rent payment was selected because of the absence of rent escalations. Therefore, WMATA will receive a market rent that includes an adjustment for the absence of rent escalations over the first 60 years.

My assertion that "WMATA will charge more than the Fair Rental Value of the Lease Property after the 61st lease year" is based on the following analysis: (a) the market rent determined for the 61st lease year through the 70th lease year and every ten lease years thereafter will be set by three appraisers using the same methodology as setting the rent for the first 60 lease years; (b) such methodology includes an upward adjustment for the absence of rent escalations during each ten lease year period; (c) WMATA is mandating that the market rent be increased by a compounding 3% each year after the market rent is set; and (d) the 3% annual compounding increase is "double collecting" because market rent already was increase under the false assumption that there would be no escalations in the rent.

My proposed solution on re-setting the rent after the 60th lease year is either to delete the 3% escalation because it is already included in the appraisers' determination of market rent, or instruct the appraisers to consider the 3% escalation in determining the market rent.

On my assertion that re-setting the rent every ten lease years after the 60th lease year makes the lease un-financeable is based on hard experience. I gave my reasons and analysis in my assertion. The re-setting of market rent is based on a fixed period given to the appraisers. If done properly, market rent can be set for a period much longer than ten years and WMATA will be compensated for the increasing (or decreasing) rental value over such period. WMATA has recognized the risk of decreasing rental value by mandating the re-setting of the rent must be "up only."

My proposed solution on how long to reset the rent for after the 60th lease year would be to provide that the rent must be reset once between the 79th and 81st lease years simultaneously with the refinancing of the tenant's leasehold estate during that two year window, but not later than the beginning of the 81st lease year. The appraisers would be instructed to set the rent for 21 years beginning in the 61st lease year and for the remaining term of the lease when the rent is reset between the 79th and 81st lease years. This gives the Developer approximately 20 years between rent adjustments to amortize its permanent loan. I would also propose that the Developer be permitted to elect a capitalized lease payment for each approximate 20-year period and pay the entire base rent at the beginning of each approximate 20-year period.

I do not have the Developer's approval to make the above proposals a "counter-offer." If you want me to ask the Developer to approve them, I'll be glad to make that request.

We also inserted comments to your specific statements below. Each comment is typed in ALL CAPS and preceded by *[Hagner, John]*.

We appreciate the time and effort everyone at WMATA has expended to finalize the Term Sheet. Thank you for being so diligent in trying to get these issues resolved.

With kind regards,

John

John D. Hagner

Womble Carlyle Sandridge & Rice, PLLC | 1401 Eye St., NW | Suite 700 | Washington, DC 20005-2225
T: 202.857.4404 | F: 202.261.0004 | E: jhagner@wcsr.com | W: www.wcsr.com

From: Bottigheimer, Nat [mailto:NBottigheimer@wmata.com]

Sent: Wednesday, November 04, 2009 9:02 PM

To: O'Keeffe, Carol B.; Montague, Joshua W.; aives@bannekerventures.com; okarim@bannekerventures.com; thicks@bannekerventures.com; Hagner, John

Cc: Goldin, Steven; Doggett, Rosalyn; Meister, Mark K.; Marshall, Malcolm; jkass@dccouncil.us; Yohance S. Fuller

Subject: RE: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites

John--

I heard a problem and I didn't hear a solution. Also, for the reasons laid out below, I don't understand at all your concept that we're making an above market imposition on the Developer.

Here are our premises:

It's our land. [Hagner, John] IT IS WMATA'S LAND AND WMATA ALONE IS RECEIVING THE BENEFIT OF THE APPRECIATION IN THE VALUE OF THE LAND OVER THE ENTIRE TERM OF THE LEASE.

Long-term real estate values in the DC region have grown faster than 3%. A location on U Street in between U Street and Shaw/Howard stations has growth potential and value stability unlike the vast majority of property in the region, and its long-term appreciation value is significant. [Hagner, John] YOUR APPRAISER ASSUMED A 3% INFLATION IN WMATA'S LAND VALUE IN THE SECOND PARAGRAPH ON PAGE FOUR OF THE RENT CALCULATION. THEREFORE, IF THE LAND APPRECIATES AT A RATE HIGHER THAN 3%, WMATA WILL RECEIVE THE BENEFIT OF WHICH MEANS THE MARKET RENT IN THE LEASE WAS SET HIGHER THAN IT SHOULD HAVE BEEN SET.

Agreeing to a lease that is based on an escalation rate less than the the property's probable long-term appreciation rate is selling ourselves short. Marking to market each decade and then holding constant for each 10-year period while property values and lease-rates available to building owners appreciate is leaving significant value on the table each year in a decade. [Hagner, John] THE RENT CALCULATION USED BY WMATA'S APPRAISERS INCLUDED APPRECIATION AS A FACTOR IN SETTING THE FAIR MARKET RENT. IF DONE PROPERLY, WMATA SHOULD BE PROTECTED.

Without going to a spreadsheet, if we were simply to mark to market each decade, in year one of any given decade we'd get 4% less than the rental income available to a building owner on average. The next year we'd get 8% less than full value, the next year 12% less than full value, each year the same until the last year of the decade, when we'd be getting 42% below full value. That's a lot of value to leave on the table by marking to market each decade and holding constant for 10 years. Having a 3% escalation rate each year through the decade is intended to keep the rent to us, the land-owner, comparable but slightly below the long-term average increase in value until the next reset. The language we've provided is intended to keep us at rent levels close to market value for each year of the remaining 39 years of the lease without giving away the game, as your proposals would appear to have us do. [Hagner, John] BASED ON MY REASONS PROVIDED ABOVE, I RESPECTFULLY DISAGREE WITH YOUR ANALYSIS. THE APPRAISERS CONSIDER THESE FACTORS IN SETTING THE FAIR MARKET RENT.

Other premises:

At Twinbrook, we negotiated a lease with JBG with precisely the terms we proposed. [Hagner, John] DID JBG HAVE THE BENEFIT OF REVIEWING THE APPRIASAL AND RENT CALCULATION SO IT KNEW HOW WMATA DETERMINED THE RENT? IF IT DID NOT, IT MAY NOT HAVE KNOWN HOW WMATA DETERMINED THE RENT. IF IT DID, THEN, ASSUMING ALL OTHER ECONOMIC TERMS OF JBG'S LEASE WERE SIMILAR TO THE DEVELOPER'S, JBG ACCEPTED WHAT WE ARE OBJECTING TO.

Long-term leases are finance-able at terms less than 99 years. [Hagner, John] TRUE, BUT IN MY EXPERIENCE, THEY CANNOT BE FINANCED WITH UNLIMITED INCREASES IN THE RENT EVERY TEN YEARS.

If you have a concern about lender certainty and project finance-ability, as you suggest you do, we are open to proposals that do not systematically erode Metro's ability to realize the value of its land over the period 60-99. We're open to a capitalization of future rent at year 60 for the period 60-99, and we're open to rent levels re-set every decade to be constant for the decade, but if rent levels are reset to be constant for a decade for the purpose of certainty, then they should be set above market for the first five years of the decade with the expectation that they'd be below market the second half. Maybe you have other thoughts. [Hagner, John] PLEASE SEE MY PROPOSALS ABOVE.

Until we hear a counter that protects our value in a market-rate setting from years 60-99, the proposal we've made is our final proposal.

Respectfully,

Nat

From: John Hagner [mailto:JHagner@wcsr.com]
Sent: Wednesday, November 04, 2009 6:24 PM
To: O'Keeffe, Carol B.; Montague, Joshua W.
Cc: Anthony (Tony) James Ives(aives@bannekerventures.com); Omar A. Karim Esquire (okarim@bannekerventures.com); Tiwana Z. HicksEsquire (thicks@bannekerventures.com)
Subject: RE: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites

Carol and Josh: Let me share my response to the final change mandated by WMATA. The effects of this change are as follows:

1. WMATA will charge more than the Fair Rental Value of the Lease Property after the 61st lease year. If the Monthly Lease Payments are based on Fair Rental Value, then the 3% escalation either has to be considered in setting the Monthly Lease Payments or the escalation is an above-market imposition on the DEVELOPER. When the Fair Rental Value is determined by the three appraisers, their determination is for a period of years. WMATA is not recognizing that fact and holding the Monthly Lease Payments to the Fair Rental Value during the time period determined by the three appraisers.

2. Resetting the Monthly Lease Payments to Fair Rental Value every ten years makes the Lease un-financeable after the 60th lease year. No institutional lender will make a loan longer than ten years under these circumstances, which eliminates all the Federal and GSE (Government Sponsored Entities, *i.e.*, Fannie Mae and Freddie Mac) as lenders. To be precise, the lender will only make a loan that self-amortizes in ten years because no institutional lender will take the risk of an unlimited base rent increase while their loan is still unpaid. I'm sharing this from actual experience of litigating an almost identical issue for almost five years in the District of Columbia where the tenant under a long-term ground lease which had periodic repricing to full market rent could not refinance the leasehold estate on a permanent loan basis. This meant the tenant could not refinance the leasehold estate to pay for the needed renovation of the building and the substantial tenant improvements and lease brokerage fees to prepare for a full-building tenant. As you would expect, the tenant sued the landlord to modify the ground lease. I can't share anymore because the litigation settled under a strict confidentiality agreement. However, the "lesson learned" from this experience is that ground leases with short-term periodic repricing of the ground rent can't be refinanced on the long-term basis needed for major renovations and improvements.

I respectfully believe the last change vitiates the benefit of a lease over 60 years.

John

John D. Hagner
Womble Carlyle Sandridge & Rice, PLLC | 1401 Eye St., NW | Suite 700 | Washington, DC 20005-2225
T: 202.857.4404 | F: 202.261.0004 | E: jhagner@wcsr.com | W: www.wcsr.com

From: Montague, Joshua W. [mailto:jwmontague@wmata.com]
Sent: Wednesday, November 04, 2009 5:57 PM
To: Hagner, John
Cc: O'Keeffe, Carol B.
Subject: FW: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites

Attached is the updated Term Sheet described below.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

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From: O'Keeffe, Carol B.
Sent: Wednesday, November 04, 2009 5:43 PM
To: John Hagner
Cc: Montague, Joshua W.
Subject: RE: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites

John, Josh is sending a revision that puts in a different reset that Nat will accept; he had not agreed to 99 years and is only willing to go forward with the reset provisions that Josh will send. We have spoken with Mr. Karim who seems to have accepted it, but this is an impossible way to do a deal. I know that you are not causing it.

From: John Hagner [mailto:JHagner@wcsr.com]
Sent: Wednesday, November 04, 2009 5:38 PM
To: O'Keeffe, Carol B.
Cc: Montague, Joshua W.
Subject: Re: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites

Carol: I'm on a large conference call which I can't get out of. I'll listen to your voicemail and call you as soon as I'm off.
John
John D. Hagner
Womble Carlyle Sandridge & Rice, PLLC
202.857.4404 Direct
Sent from my Blackberry. Please excuse typos.

From: O'Keeffe, Carol B. <cokeeffe@wmata.com>
To: Yohance S. Fuller <Yohance.Fuller@dc.gov>; Omar A. Karim <okarim@bannekerventures.com>; Montague, Joshua W. <jwmontague@wmata.com>
Cc: aives@bannekerventures.com <aives@bannekerventures.com>; mmckinney@bannekerventures.com <mmckinney@bannekerventures.com>; Tiwana Hicks <thicks@bannekerventures.com>; Neil.Albert@dc.gov <Neil.Albert@dc.gov>; Hagner, John; Bottigheimer, Nat <NBottigheimer@wmata.com>; Doggett, Rosalyn <RDoggett@wmata.com>; Goldin, Steven <sgoldin@wmata.com>
Sent: Wed Nov 04 17:25:10 2009
Subject: RE: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites
Not yet; we are working on it and will call John Hagner.

From: Yohance (EOM) Fuller [mailto:yohance.fuller@dc.gov]
Sent: Wednesday, November 04, 2009 5:22 PM
To: Omar A. Karim; Montague, Joshua W.
Cc: aives@bannekerventures.com; mmckinney@bannekerventures.com; Tiwana Hicks; Neil.Albert@dc.gov; O'Keeffe, Carol B.; John Hagner; Bottigheimer, Nat; Doggett, Rosalyn; Goldin, Steven
Subject: RE: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites

Josh/Nat -

I'm writing to confirm whether both parties are in agreement and that WMATA staff is prepared to recommend approval of the term sheet during the committee meeting and special board meeting tomorrow. Please advise.

Thanks,

Yohance

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Wednesday, November 04, 2009 3:45 PM
To: 'Montague, Joshua W.'
Cc: 'Bottigheimer, Nat'; 'O'Keeffe, Carol B.'; 'Goldin, Steven'; 'Doggett, Rosalyn'; Fuller, Yohance (EOM); Albert, Neil (EOM); 'John Hagner'; 'Tiwana Hicks'; mmckinney@bannekerventures.com; aives@bannekerventures.com
Subject: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites
Importance: High

Josh,

In preparation of tomorrow's Board meeting, attached are the following:

1. Amended and Restated Term Sheet revised in accordance with the discussions since Monday, which finalizes our understanding; and

2. "Redline...#157; of the Amended and Restated Term Sheet against the version that we provided to WMATA on November 2, 2009 at 6:20p.

The revised language on Capital Events was taken from the term sheet for Rhode Island Ave., and the concept of adjusting the base rent for additional density stops after the first 60 years because the re-appraisal will be based on the Leased Property as if vacant, thereby assuming the maximum density has been constructed on the land.

Please contact me with any questions or comments.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, November 09, 2009 2:51 PM
To: Montague, Joshua W.
Subject: FW: Shaw-Howard Florida Avenue Joint Development Project

From: Yohance (EOM) Fuller [mailto:yohance.fuller@dc.gov]
Sent: Monday, November 09, 2009 2:28 PM
To: okarim@bannekerventures.com; jkass@dccouncil.us; jhagner@wcsr.com; Bottigheimer, Nat
Cc: Neil.Albert@dc.gov; Doggett, Rosalyn; O'Keeffe, Carol B.; Goldin, Steven
Subject: RE: Shaw-Howard Florida Avenue Joint Development Project

Nat et al.,

Thanks for sending over the additional material. I think it effectively summarizes the critical deal points. Neil is unfortunately out of town for the rest of the week, but I will coordinate with him once he returns. Specifically, to discuss the District's rationale on timing of this project.

In the mean time, can you please detail the next steps for getting this project in front of the committee and/or board? Outside of the District's rationale, are there any other deliverables, milestones, etc. that need to be produced in order to bring this before the board again. I assume that we are trying to get this on the agenda for November's Board meeting? Please advise.

Thanks for all your hard work thus far.

Yohance

From: Bottigheimer, Nat [mailto:NBottigheimer@wmata.com]
Sent: Sunday, November 08, 2009 4:26 PM
To: okarim@bannekerventures.com; jhagner@wcsr.com; Fuller, Yohance (EOM); Kass, Jonathon (COUNCIL)
Cc: Goldin, Steven; Doggett, Rosalyn; O'Keeffe, Carol B.; Bottigheimer, Nat
Subject: FW: Shaw-Howard Florida Avenue Joint Development Project

Omar et al--

fyi, this is the material that went out to the Board on Friday afternoon. I will be contacting Board members this week to ask them if they have follow-up questions that we can answer.

The materials sent out establish that the expected revenue stream for the transaction exceeds the current appraised value. We may receive questions about the details of the value to Metro of this deal, but I don't think these questions are the most important to address for the Board to feel comfortable acting on this.

The question that will most directly confront Board members -- in my view -- is the question of timing. Why should the Board approve this deal in this market, when in a few years the value of the land may significantly increase relative to today's value?

This timing question will, again in my view, require input from the District that Metro staff can not speak to as well as District representatives. For example, what is the policy imperative of moving forward at this time rather than in a few years? It is certainly the case that this property does not support an attractive streetscape at Florida and 9th, and eyesore properties can depress markets and slow revitalization. There may also be local economic development momentum that this project would help sustain. However, these are items that, as I said, District representatives can speak most strongly to in addressing the timing question with their Board colleagues.

I hope this information is helpful.

Best wishes,

Nat

From: Catoe, John B.
Sent: Friday, November 06, 2009 5:12 PM
To: agiancol@naco.org; catherine.hudgins@fairfaxcounty.gov; cz.arl@verizon.net; czimmerman@arlingtonva.us; ehewlett@shhpa.com; jeff.mckay@fairfaxcounty.gov; jim@grahamwone.com; linton_200@msn.com; mbrown@dccouncil.us; Neil.Albert@dc.gov; nomolos@verizon.net; peter.metro@verizon.net; Sequeira, Loyda; william.euille@alexandriava.gov; wmeuille@wdeuille.com
Cc: Bottigheimer, Nat; Green, Jennifer A.; Pant, Shiva K.; Sequeira, Loyda
Subject: Shaw-Howard Florida Avenue Joint Development Project

Dear Chairman and Members of the Board:

Attached is a memo that responds to the Planning, Development and Real Estate committee executive session request for information relative to the value of the Shaw-Howard Florida Avenue joint development project.

Please let me know if you have additional questions.

John

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, November 02, 2009 10:43 PM
To: Omar A. Karim
Subject: RE: Out of Office: Comments to Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites

thanks, I thought I had superseded that message
now, I am out of the office and can't fix
so just ignore

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Monday, November 02, 2009 6:23 PM
To: Doggett, Rosalyn
Subject: RE: Out of Office: Comments to Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites

Roz,

You have your old "out of office" response on your email.

Omar

From: Doggett, Rosalyn [mailto:RDoggett@wmata.com]
Sent: Monday, November 02, 2009 6:21 PM
To: Omar A. Karim
Subject: Out of Office: Comments to Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites

I will be out of the office returning Tuesday July 6. Please contact Shariyka Johnson for assistance during that time: 202
962 1273
sjohnson1@wmata.com

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, November 02, 2009 4:34 PM
To: Goldin, Steven; Mohsberg, Sid; Montague, Joshua W.; Meister, Mark K.
Subject: FL Ave
Attachments: Approve JDA and LEASE.pptx

Corrected per Steve's e-mail

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, November 02, 2009 4:11 PM
To: Mohsberg, Sid; Meister, Mark K.; Montague, Joshua W.
Cc: Goldin, Steven
Subject: Presentation for Dec PD & RE FL Ave
Attachments: Approve FL AVE JDA and LEASE.pptx

Attached with place holder language
For J. Requa pre-brief tomorrow
Please review and send to Michelle

Thanks.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, November 02, 2009 3:17 PM
To: Meister, Mark K.; Montague, Joshua W.
Cc: Marshall, Malcolm; Goldin, Steven
Subject: Confidential Statements for Shaw Howard FL Ave
Attachments: Shaw-Howard FL AVE Confidential 2008.rtf; Shaw-Howard FL AVE Confidential 2009.rtf

Here are the two Confidential summaries, with 2009 updated so far.
In the 2009 sheet, the yellow highlights changes from 2008. The red indicates items that are still open, to the best of my knowledge.

Two additional items:

1. Malcolm has done his best estimate of what the 1.5% of gross income is worth and it comes to @\$200,000. That being the case (I haven't reviewed Malcolm's "methodology"), it is probably a lot cleaner to fold it into the capitalized lease payment. (Malcolm did assume that after 40 years of HUD insurance the project would go to market rates, but still have an affordable component.) Omar suggested folding the participation into the capitalized lease payment a week or two ago.
2. John Hagner's suggestion to substitute 2% of gross capital event proceeds for 10% of net proceeds is probably also cleaner. I would like to see the numbers analyzed but expect that they would equalize based on work I did years ago. If it is the same, we can probably change this when doing the jda/lease.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, November 02, 2009 3:01 PM
To: Mohsberg, Sid; Meister, Mark K.; Potts, Gregory W.
Subject: RE: MEAD 100527 Approve Amended Term Sheet Shaw-Howard/FL Ave Site

I cannot change the routing title to lease; everything else has been changed but apparently once a routing title is forwarded, the wording is locked in.

I have called Greg Potts, explained the above, and asked him to try to have Shiva sign off. He told me that he would let me know.]

Greg, I will be out of the office starting tomorrow so please let Sid/Mark know if there is any issue. Thanks.

From: Mohsberg, Sid
Sent: Monday, November 02, 2009 2:21 PM
To: Meister, Mark K.
Cc: Doggett, Rosalyn
Subject: MEAD 100527 Approve Amended Term Sheet Shaw-Howard/FL Ave Site

Mark,

SAAM needs to obtain CHOS's approval of the subject MEAD, which has been awaiting his approval at Level 6 since 10/20/09.

For some reason, the title in the Routing Status window still says "Approve Term Sheet To Sell Shaw-Howard".

By contrast, the BAIS title is "Approve Amended Term Sheet Shaw-Howard/FL Ave Site."

SAAM needs to get rid of the word "Sell" before everyone gets confused.

Thanks.

Sid

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, October 28, 2009 5:53 PM
To: Mohsberg, Sid
Cc: Goldin, Steven; Meister, Mark K.
Subject: AMENDED term sheet writeups
Attachments: BAIS 100527 Amended Term Sheet to Lease 10-28.pdf; Approve amended LEASE term sheet.pptx

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, October 28, 2009 5:36 PM
To: Mohsberg, Sid
Cc: Goldin, Steven; Meister, Mark K.
Subject: RE: MEAD 100527 - Shaw-Howard Florida Avenue Joint Development Site

It should say Amended Term Sheet for Lease of Shaw-Howard U./Florida Avenue Joint Development Site
I will now change the MEAD and power point and send to you to send to Michelle just so someone proofs what I do...

From: Mohsberg, Sid
Sent: Wednesday, October 28, 2009 11:42 AM
To: Doggett, Rosalyn
Cc: Goldin, Steven; Meister, Mark K.
Subject: RE: MEAD 100527 - Shaw-Howard Florida Avenue Joint Development Site

Roz,

Please understand that SAAM owns this item, not me, and SAAM not me is responsible for updating the documents related to it. 18 people work in SAAM. If one is too busy to do something, one of the other 17 can be asked to pitch in. Please coordinate with the Director, SAAM as necessary to arrange for the cooperation of your 17 SAAM coworkers. In Steve's absence, that's Mark.

I will be happy to arrange for the BAR to be updated once SAAM gives me the exact language it wants to appear on the BAR.

Relative to this item, the BAR currently says:

NOVEMBER 05 **Planning, Development and Real Estate Committee**
Executive Session
Information Agenda:

PLJD Approve Amended Term Sheet for Lease of Shaw-Howard/Florida Avenue Joint Development Site (These documents support the development of Metro owned land) (N. Bottigheimer)

The language I need would be a total replacement for the above language, not just an indication that a word needs to be changed, deleted, or added here and there.

SAAM will need to update MEAD 100527 and the supporting presentation.

VERY IMPORTANT: The mail out copy of the updated version of BAIS 100527 is due to SECT by 2:00 PM tomorrow via Michelle Bellamy. SAAM therefore needs to provide it to me by COB today.

Since this item is going to Executive Session, the presentation will not be included in the 11/30/09 mail out; however, I need to receive the updated version by COB next Monday (11/2/09) so I can provide it to Michelle Bellamy later that day so she can prepare the overall package for the PDRE Cmte meeting on Thursday, 11/5/09.

Based on Carol O'Keeffe's e-mail below, it appears SAAM will need to either (1) include as part of its update of the presentation a side-by-side comparison between the old and new term sheet or (2) provide such a comparison on a separate sheet of paper.

Thanks.

Sid

From: Doggett, Rosalyn
Sent: Tuesday, October 27, 2009 5:25 PM
To: Goldin, Steven
Cc: Bottigheimer, Nat; Mohsberg, Sid
Subject: RE: MEAD 100527 - Shaw-Howard Florida Avenue Joint Development Site

From: Goldin, Steven
Sent: Tuesday, October 27, 2009 5:24 PM
To: Doggett, Rosalyn; Meister, Mark K.
Cc: Mohsberg, Sid
Subject: RE: MEAD 100527 - Shaw-Howard Florida Avenue Joint Development Site

Did the board ever even see the old term sheet?

From: Doggett, Rosalyn
Sent: Tuesday, October 27, 2009 5:21 PM
To: Meister, Mark K.; Goldin, Steven
Cc: Mohsberg, Sid
Subject: FW: MEAD 100527 - Shaw-Howard Florida Avenue Joint Development Site

The title, I guess, should be changed even though Carol did not respond directly. Sid, please handle as I am editing the term sheet.

We can do a comparison. Just one more item to put in the hopper.

From: O'Keeffe, Carol B.
Sent: Tuesday, October 27, 2009 5:18 PM
To: Doggett, Rosalyn
Subject: RE: MEAD 100527 - Shaw-Howard Florida Avenue Joint Development Site

Well, it is amended, isn't it. I assumed that what would be presented to the Board would be the differences between the old and the new Term Sheet. The details in exec session, of course.

From: Doggett, Rosalyn
Sent: Tuesday, October 27, 2009 3:00 PM
To: O'Keeffe, Carol B.
Subject: RE: MEAD 100527 - Shaw-Howard Florida Avenue Joint Development Site

Do you mean that the title for MEAD 100527 should say "Amended Term Sheet for lease etc. etc."?

From: O'Keeffe, Carol B.
Sent: Tuesday, October 27, 2009 2:23 PM
To: Doggett, Rosalyn; Moneme, Emeka; Obora, Heather A.; Requa, Jack; Kissal, Carol; Francis, Gerald C.; Sequeira, Loyda; Pant, Shiva K.
Cc: Bottigheimer, Nat; Goldin, Steven; Mohsberg, Sid
Subject: RE: MEAD 100527 - Shaw-Howard Florida Avenue Joint Development Site

There is an existing Term Sheet for a lease on this property. The one going through needs to reflect the amended term sheet.

From: Doggett, Rosalyn
Sent: Tuesday, October 27, 2009 2:00 PM
To: Moneme, Emeka; Obora, Heather A.; Requa, Jack; Kissal, Carol; O'Keeffe, Carol B.; Francis, Gerald C.; Sequeira, Loyda; Pant, Shiva K.
Cc: Bottigheimer, Nat; Goldin, Steven; Mohsberg, Sid
Subject: MEAD 100527 - Shaw-Howard Florida Avenue Joint Development Site

Please note that MEAD 100527 which all of you, except Shiva, previously approved has been changed from a sale to a lease per Board instructions. The revised BAIS is attached.

Shiva, please approve.

Thanks, Rosalyn

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, October 27, 2009 5:27 PM
To: Goldin, Steven; Meister, Mark K.
Cc: Mohsberg, Sid
Subject: RE: MEAD 100527 - Shaw-Howard Florida Avenue Joint Development Site

Nat presented the developer selection and term sheet to the Board in June 2008. I was not at the meeting. I know that I gave him copies of the term sheet and of the confidential statement to hand out but I am not sure that he even did that.

From: Goldin, Steven
Sent: Tuesday, October 27, 2009 5:24 PM
To: Doggett, Rosalyn; Meister, Mark K.
Cc: Mohsberg, Sid
Subject: RE: MEAD 100527 - Shaw-Howard Florida Avenue Joint Development Site

Did the board ever even see the old term sheet?

From: Doggett, Rosalyn
Sent: Tuesday, October 27, 2009 5:21 PM
To: Meister, Mark K.; Goldin, Steven
Cc: Mohsberg, Sid
Subject: FW: MEAD 100527 - Shaw-Howard Florida Avenue Joint Development Site

The title, I guess, should be changed even though Carol did not respond directly. Sid, please handle as I am editing the term sheet.

We can do a comparison. Just one more item to put in the hopper.

From: O'Keefe, Carol B.
Sent: Tuesday, October 27, 2009 5:18 PM
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Shiva, please approve.

Thanks, Rosalyn

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

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Sent: Tuesday, October 27, 2009 5:25 PM
To: Goldin, Steven
Cc: Bottigheimer, Nat; Mohsberg, Sid
Subject: RE: MEAD 100527 - Shaw-Howard Florida Avenue Joint Development Site

From: Goldin, Steven
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To: Doggett, Rosalyn; Meister, Mark K.
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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, October 27, 2009 5:01 PM
To: Montague, Joshua W.
Subject: FW: Shaw Howard

fyi

From: Goldin, Steven
Sent: Tuesday, October 27, 2009 4:58 PM
To: Marshall, Malcolm; Doggett, Rosalyn
Subject: RE: Shaw Howard

Just want to make sure the appraiser understands that and that his work product reflects that. Also, there is an \$80/FAR reduction for affordable housing

From: Marshall, Malcolm
Sent: Tuesday, October 27, 2009 4:56 PM
To: Goldin, Steven; Doggett, Rosalyn
Subject: RE: Shaw Howard

My understanding was that we were receiving \$50/FAR for additional density, so there would be a pro rata increase in rent based on the additional value. Is this accurate?

From: Goldin, Steven
Sent: Tuesday, October 27, 2009 4:50 PM
To: Doggett, Rosalyn; Marshall, Malcolm
Subject: RE: Shaw Howard

How is the appraiser dealing with the issue of the 100,000 sf and subsequent approvals for more than 100,000? Remember, we were getting \$2.2 M upfront and then \$1.2 M more if he got additional sf approved

From: Doggett, Rosalyn
Sent: Tuesday, October 27, 2009 4:00 PM
To: Marshall, Malcolm
Cc: Goldin, Steven
Subject: RE: Shaw Howard

If HUD insurance is used as proposed, the lease will be a flat rate for a probable term of 40 years so 2% annual ground rent escalation is not relevant.

The appraiser should appraise items 1 and 2 only, a 60 year lease at a flat base rent for the term of the lease. We will have a provision in the term sheet for reappraisal within the 60-year term if HUD insurance is no longer used but cannot anticipate the future.

He should include assumptions and methodology in the report.

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Subject: FW: Shaw Howard

See the appraisal proposal below.

Since the proposed lease will not likely provide for 2% annual escalations, this assumption would be eliminated. Also, since apparently the proposed ground lease provides for 1.5% of "cash flow" after mortgage payments, etc. and 10% of net proceeds of sale or refinancing after return of equity, etc., not 1.5% of collected revenues and 10% of net proceeds of sale or refinance, any revenues estimated from participation are highly speculative and would likely be discounted considerably by appraisers. In any case, it appears that revenue from participation cannot be estimated by appraisers in a timely fashion. Because of time constraints and the limited effect on value, it is recommended that the appraiser proceed with only passing consideration of the participation income. (The participation feature may, for example, have a very slight effect on the estimate of base rent or possibly the discount rate used, or the appraiser may choose to entirely ignore this possible source of revenue.)

Should we proceed with Integra & expect an analysis by Friday or should we obtain a more detailed analysis with a 2 week time frame?

From: Patrick C. Kerr
Sent: Tuesday, October 27, 2009 1:13 PM
To: 'Marshall, Malcolm'
Subject: FW: Florida Ave. between 7th & 9th Streets, Washington, DC

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11785 Beltsville Drive, Suite 925
Calverton, MD 20705
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Fax: 301-586-9322
Email: pkerr@irr.com
Internet: www.irr.com

From: Patrick C. Kerr
Sent: Tuesday, October 27, 2009 11:52 AM
To: 'Marshall, Malcolm'; Sam Sherwood
Cc: Doggett, Rosalyn; Meister, Mark K.
Subject: RE: Florida Ave. between 7th & 9th Streets, Washington, DC

Hi Malcolm-

We can deliver our letter opinion by this Friday and our fee would be \$3,000. Based on our conversation in addition to the assumptions stated below, we will:

- 1) Stipulate to a market value of the land at \$2,200,000, and
- 2) The kickers of additional payments of 1.5% of gross collected income and 10% of net proceeds from refinancing and sale will not be considered in our analysis, as stated in #3 below.

Thanks, Pat.

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From: Marshall, Malcolm [<mailto:MMarshall@wmata.com>]
Sent: Monday, October 26, 2009 12:01 PM
To: Patrick C. Kerr; Sam Sherwood
Cc: Doggett, Rosalyn; Meister, Mark K.
Subject: Florida Ave. between 7th & 9th Streets, Washington, DC

We are seeking an analysis to estimate a lump sum ground lease payment for a 60 year term with the following assumptions:

1. Land has estimated value of \$2,200,000
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4. Lessee has a 39-year renewal option at market with compensation to be determined at the time of lease renewal

We need an analysis this week. Please a proposal ASAP Thanks - MM

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, October 27, 2009 4:36 PM
To: Marshall, Malcolm
Subject: FW: Shaw-Howard/Florida Avenue Appraisal

Importance: High

Just a reminder.

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Wednesday, September 09, 2009 5:21 PM
To: Meister, Mark K.
Cc: Maurice' Perry; aives@bannekerventures.com; 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance S. Fuller; Doggett, Rosalyn; John' Hagner; Moneme, Emeka; Marshall, Malcolm; Bottigheimer, Nat
Subject: RE: Shaw-Howard/Florida Avenue Appraisal
Importance: High

Mark,

Thank you for the email with your thoughts on the basic WMATA Financial Terms. Below are our comments:

Capitalized Lease Payments

If we agree to all of the other terms, we could agree to pay the value of the capitalized lease payment of \$1.98M that your appraiser put together.

Please explain why you indicated that the value of the land was absent any subsidies other than 4% tax credits. Based on our knowledge of projects that include 20% affordable housing, and as discussed with you all on several occasions, the value of the land would be zero if we had to do 20% affordable housing and then we would still need some subsidies to cover the gap. We can't think of one project in the District that includes 20% affordable housing that is paying anywhere close to what we would pay WMATA AND these projects would still need subsidies.

We would not be willing to pay WMATA any portion of any subsidies that we obtain for the project, let alone paying 80% of anything that we get. We've mentioned this many times before as we believe that no project could move forward with 20% affordable housing and pay \$1.98M at closing for the land, without some public subsidies to help close the gap because of the inclusion of the affordable housing units.

Pre-Closing Payments

Okay with amounts but payments would be made quarterly.

Additional Density

This is confusing. The portion of the alley that will be closed is 1,025 SF. About ½ will be deeded to WMATA and ½ will be deeded to us as the purchasers of the adjacent parcels that are next to the alley. Since we are building a 5 story building, this would mean 512 SF x 5 stories = 2,560 SF would be attributable to WMATA land. Based on your calculations of the value of the land, this would mean that we would pay about \$16 per SF or \$42,000 in additional capitalized rent at Lease execution. We could agree to this increase over the \$1.98M.

Annual Operating Income Participation

We would agree to 1.5% of Effective Gross Income but would not run our Debt Service Coverage at 1.25. We've never run our DSC at 1.25 as our project couldn't be financed at this rate. We are using a 1.11 DSC because HUD allows this.

Capital Event Participation

Any equity or member loans to receive a 20% return prior to WMATA receiving its 10% of net proceeds. Member loans or equity are indistinguishable. We could agree that equity or member loans not to exceed 40% of the development costs.

Term

Initial term is 60 years with an option for the Developer to extend for another 39 years. Any annual escalation after the initial term to be at 1%, not 3%.

After yesterday's meeting, we thought that we were much closer to resolving the financial issues with you all. However, based on the terms that you sent us this afternoon, it appears that you all want to continue to raise new issues and change old ones. We cannot send over a summary of open issues until we know where we are with the ones above.

We welcome meeting with you again on Friday to try to come to some agreement on these terms.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: Meister, Mark K. [mailto:MMeister@wmata.com]
Sent: Wednesday, September 09, 2009 2:54 PM
To: okarim@bannekerventures.com
Cc: Bottigheimer, Nat; Moneme, Emeka; Doggett, Rosalyn; Marshall, Malcolm
Subject: RE: Shaw-Howard/Florida Avenue Appraisal

Omar,

As discussed, please see attached Basic WMATA Financial Terms.

Mark

Mark K. Meister
Acting Director
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Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001
Tel: 202-962-1589
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Email: mmeister@wmata.com

From: Omar Karim [mailto:okarim@bannekerventures.com]
Sent: Wednesday, September 09, 2009 2:38 PM
To: Meister, Mark K.
Cc: Twana Hicks
Subject: Re: Shaw-Howard/Florida Avenue Appraisal?

Thanks.

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Omar,

I will have it to you within the next half hour.

Mark

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Wednesday, September 09, 2009 1:55 PM

To: Meister, Mark K.
Cc: 'Tiwana Hicks'
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Importance: High

Mark,

Any word on the update appraisal results?

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From: Doggett, Rosalyn
Sent: Tuesday, October 27, 2009 2:00 PM
To: Moneme, Emeka; Obora, Heather A.; Requa, Jack; Kissal, Carol; O'Keeffe, Carol B.; 'gcfrancis@wmata.com'; Sequeira, Loyda; Pant, Shiva K. Bottigheimer, Nat; Goldin, Steven; Mohsberg, Sid
Cc: MEAD 100527 - Shaw-Howard Florida Avenue Joint Development Site
Subject: BAIS 100527 LEASE 10-26.pdf
Attachments:

Please note that MEAD 100527 which all of you, except Shiva, previously approved has been changed from a sale to a lease per Board instructions. The revised BAIS is attached.

Shiva, please approve.

Thanks, Rosalyn

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, October 27, 2009 1:18 PM
To: Mohsberg, Sid
Subject: RE: BAR Update for PDRE Cmte

Approve term sheet for lease of Shaw-Howard/Florida Avenue joint development site.

I THINK THIS CHANGE WAS ALREADY MADE BUT JUST WANT TO BE SURE

From: Mohsberg, Sid
Sent: Tuesday, October 27, 2009 1:15 PM
To: Doggett, Rosalyn
Subject: RE: BAR Update for PDRE Cmte

Roz,

Roz,

I don't do piecemeal. Please give me alpha to omega exactly how you want the Shaw Howard entry to read. I'm very simple minded.

Thanks.

Sid

From: Doggett, Rosalyn
Sent: Tuesday, October 27, 2009 1:01 PM
To: Mohsberg, Sid
Subject: RE: BAR Update for PDRE Cmte

Sid, I think that we have superseded this e-mail. They'll only be approving a Term Sheet and authorizing jda and lease negotiation

From: Mohsberg, Sid
Sent: Monday, October 26, 2009 2:37 PM
To: Bellamy, Michelle A.
Cc: Bottigheimer, Nat; Goldin, Steven; Doggett, Rosalyn
Subject: BAR Update for PDRE Cmte

Michelle,

Please update the BAR for the PDRE Cmte as follows:

NOVEMBER 5, 2009

Under the Executive Session Information Agenda, delete the language related to the **sale** of the Shaw-Howard U./Florida Avenue Joint Development Site and substitute the following language related to the **lease** of the same site:

PLJD Approve term sheet, joint development agreement, and lease for Shaw-Howard/Florida Avenue joint development site (These documents support the development of Metro owned land) (N. Bottigheimer)

The language related to the sale of the excess property at Chillum Place remains unchanged.

DECEMBER 3, 2009

Under the Public Session Action Agenda, move the item called "Relocation of Tie Breaker Station at 100 K Street NE to the January 14, 2010 PDRE Cmte meeting.

Under the Executive Session Information Agenda, delete the language related to the lease of the Shaw-Howard/Florida Avenue joint development site. As indicated above, this item will now be addressed on November 5, 2009.

For now, the language related to the other two items remains unchanged:

PLJD Approve joint development agreement and lease for Navy Yard Chiller joint development site (These documents support the

PLJD development of Metro owned land) (N. Bottigheimer)
Approve amended joint development master leasing agreement
and amended retail lease for Prince George's Plaza joint
development site (These documents support the development of
Metro owned land) (N. Bottigheimer)

Thanks.

Sid

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, October 27, 2009 1:01 PM
To: Mohsberg, Sid
Subject: RE: BAR Update for PDRE Cmte

Sid, I think that we have superseded this e-mail. They'll only be approving a Term Sheet and authorizing jda and lease negotiation

From: Mohsberg, Sid
Sent: Monday, October 26, 2009 2:37 PM
To: Bellamy, Michelle A.
Cc: Bottigheimer, Nat; Goldin, Steven; Doggett, Rosalyn
Subject: BAR Update for PDRE Cmte

Michelle,

Please update the BAR for the **PDRE Cmte** as follows:

NOVEMBER 5, 2009

Under the Executive Session Information Agenda, delete the language related to the **sale** of the Shaw-Howard U./Florida Avenue Joint Development Site and substitute the following language related to the **lease** of the same site:

PLJD Approve term sheet, joint development agreement, and lease for Shaw-Howard/Florida Avenue joint development site (These documents support the development of Metro owned land) (N. Bottigheimer)

The language related to the sale of the excess property at Chillum Place remains unchanged.

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Under the Public Session Action Agenda, move the item called "Relocation of Tie Breaker Station at 100 K Street NE to the January 14, 2010 PDRE Cmte meeting.

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For now, the language related to the other two items remains unchanged:

PLJD Approve joint development agreement and lease for Navy Yard Chiller joint development site (These documents support the development of Metro owned land) (N. Bottigheimer)
PLJD Approve amended joint development master leasing agreement and amended retail lease for Prince George's Plaza joint development site (These documents support the development of Metro owned land) (N. Bottigheimer)

Thanks.

Sid

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, October 27, 2009 11:22 AM
To: Mohsberg, Sid; Goldin, Steven; Meister, Mark K.
Subject: RE: PDRE 11.5.09 -- Please review before I make copies. (just want to make sure this is correct)

1. The Agenda page and 2. the cover page for Shaw Howard should say lease not sale

From: Mohsberg, Sid
Sent: Tuesday, October 27, 2009 11:19 AM
To: Goldin, Steven; Doggett, Rosalyn; Meister, Mark K.
Subject: FW: PDRE 11.5.09 -- Please review before I make copies. (just want to make sure this is correct)
Importance: High

All,

Please review.

The noon GMGR pre-brief for the 11/5/09 PDRE Cmte meeting has been cancelled.

However, we still need to tell Michelle if these are OK.

Please let me know, and then I will tell her.

Thanks.

Sid

From: Bellamy, Michelle A.
Sent: Tuesday, October 27, 2009 10:25 AM
To: Mohsberg, Sid
Subject: PDRE 11.5.09 -- Please review before I make copies. (just want to make sure this is correct)
Importance: High

Thank you.

Michelle A. Bellamy
Budget/Funding Program Assist.
Washington Metropolitan Area Transit Authority
OPRS
600 Fifth St., NW
Washington, DC 20001
202-962-2779
202-962-2410 Fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, October 27, 2009 11:05 AM
To: Johnson, Sharyka; Wallace, Maria A
Subject: FW: Revised BAIS and presentation for Shaw-Howard U. FL Ave
Attachments: BAIS 100527 LEASE 10-26.pdf; SHS2YA~1.PPT

From: Doggett, Rosalyn
Sent: Tuesday, October 27, 2009 9:55 AM
To: 'mbellamy@wmata.com'
Cc: Mohsberg, Sid
Subject: Revised BAIS and presentation for Shaw-Howard U. FL Ave

Michele, here is the latest version of the Shaw Howard documents.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, October 27, 2009 9:55 AM
To: 'mbellamy@wmata.com'
Cc: Mohsberg, Sid
Subject: Revised BAIS and presentation for Shaw-Howard U. FL Ave
Attachments: BAIS 100527 LEASE 10-26.pdf; SHS2YA~1.PPT

Michele, here is the latest version of the Shaw Howard documents.

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Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, October 27, 2009 9:50 AM
To: Mohsberg, Sid; Bottigheimer, Nat
Cc: Goldin, Steven; Wallace, Maria A
Subject: RE: AGM PDRE prebrief

Prince George's Plaza will not be on the December agenda. We have moved to March.

On Oct 15, Donatelli effectively asked to lower the price substantially (28%) on the Navy Yard Chiller site. After discussing with Steve I left a voice mail on Oct 21 for the developer (Larry Clark) that its proposal would not work and to get in touch. No answer. I will send a follow up e-mail today, as I had intended to do before I read this e-mail.

-----Original Message-----

From: Mohsberg, Sid
Sent: Monday, October 26, 2009 11:54 AM
To: Bottigheimer, Nat
Cc: Goldin, Steven; Wallace, Maria A; Doggett, Rosalyn
Subject: RE: AGM PDRE prebrief

Nat,

Maybe none.

At the moment, the BAR shows 4, but we've already moved the Shaw-Howard one to 11/5/09, Mark just told me the Tie Breaker one should be moved to 1/14/09, and I'm waiting to hear back from Steve (with you) and Roz (at the dentist) about the Navy Yard Chiller and the Prince George's Plaza joint development sites ones. There is a rumor that neither of them will go to the Board in December as well. I'll let you know as soon as I hear from Steve and/or Roz.

Sid

-----Original Message-----

From: Bottigheimer, Nat
Sent: Monday, October 26, 2009 11:29 AM
To: Wallace, Maria A
Cc: Mohsberg, Sid
Subject: AGM PDRE prebrief

Sid, what are our items for December?

Maria, I only need to invite people who have items...I think there's just one.

If it's SAAM, let's just have Steve, the project manager, and me and Sid.

I'd like to avoid shortening Steve's SAAM staff meeting scheduled tomorrow at the same time.

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, October 23, 2009 5:29 PM
To: Mohsberg, Sid
Subject: new presentation for GM prebrief on Monday
Attachments: Approve LEASE term sheet.pptx

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, October 23, 2009 12:39 PM
To: Goldin, Steven; Mohsberg, Sid; Bottigheimer, Nat
Subject: FL Ave lease MEAD
Attachments: MEAD 100538 term sheet to lease FL Ave.pdf

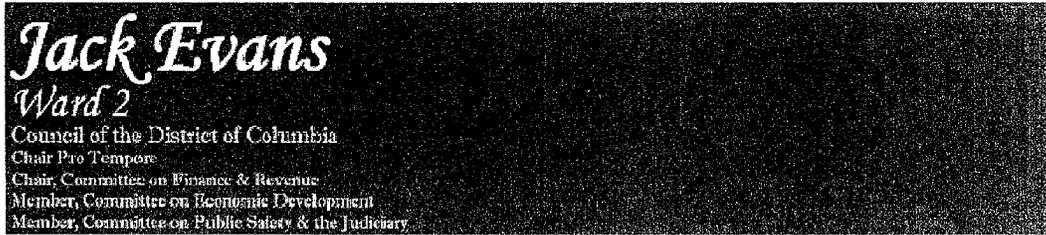
Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, October 23, 2009 10:43 AM
To: 'thedoggettgroup@cs.com'
Subject: FW: The Official Website of DC Councilmember Jack Evans - Jack's Newsletter

From: Jack (COUNCIL) Evans [mailto:JACKEVANS@DCCOUNCIL.US]
Sent: Thursday, October 22, 2009 6:36 PM
To: Doggett, Rosalyn
Subject: The Official Website of DC Councilmember Jack Evans - Jack's Newsletter



Jack Evans
Ward 2
Council of the District of Columbia
Chair Pro Tempore
Chair, Committee on Finance & Revenue
Member, Committee on Economic Development
Member, Committee on Public Safety & the Judiciary

Jack's Newsletter [\[Google\]](#)
[\(\)](#) WWW [\(X\)](#) Search Jack's site

Ward 2

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Constituent Services
Jack's Bi-Weekly Newsletter
Legislative Actions
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Bi-Weekly Newsletter
Ward 2 Info

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Burlleth
Chinatown
Dupont Circle
Foggy Bottom
Georgetown
Hillandale
Logan Circle
Mount Vernon Square
Shaw
Sheydara Kalorama

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Windy Abdul-Rahim
Schäfer
Amarde Brabham
Constituent Services Liaison
Jeff Coudriet
Committee Clerk
Schannette Grant
Chief of Staff
Sherri Kimbel
Director of Constituent Services
Carolyn Long
Office Manager
Serina Loy
Committee Assistant
Ruth Weiner
Legislative Analyst



This fall has arrived and with it the change of seasons that really defines the Washington region. The beauty of this area is that we really do have four distinct seasons to enjoy.

Our next big holiday is Halloween, my birthday. This Friday at 2:30 pm, I will be meeting with representatives of the Georgetown neighborhood and officials of MPD to plan for crowd control on Halloween, which this year falls on Saturday night!

When I first came on the City Council in 1991, Halloween was almost out of control in Georgetown. Crowds in the 1980's had grown so large that M Street and Wisconsin Avenue were closed to traffic. It had become "party central" for the region. This brought with it many issues and potential problems.

The residential streets were filled with traffic creating a danger to kids who were out trick or treating. It was impossible to get public safety vehicles (fire trucks and ambulances) into downtown Georgetown, and the crowds were getting more unruly with the increased danger of fights and property damage.

In October 1991, then 2nd District Commander Roland Perry and I made the decision to control the crowds and the traffic. We decided to keep Wisconsin Avenue and M Street open and to restrict traffic into the residential side streets. Access was limited at the Four Seasons Hotel, Key Bridge and upper Wisconsin Avenue.

The result worked and we have continued to implement this plan with minor changes ever since. As such, trick or treating in the residential areas is safe and enjoyable, and crowds in downtown Georgetown are smaller and more manageable.

As other celebrations have sprung up at 19th and M Streets, 17th Street in Dupont Circle, Penn Quarter and Howard University, the crowds are more dispersed. So, with good planning, I anticipate another enjoyable Halloween in the City.

This is the same approach we used when the Washington Redskins won the Super Bowl. It probably won't be needed this year.

Enjoy!

[11th Street Construction Update](#)

[LGBT Community Concerns](#)

✓ This Out

JOAN HISAOKA GALA

Robert G. Hisaoka
event chair
and the
Members of the
Executive Committee
invite you to join us for
benefiting
Smith Farm Center for
Healing and the Arts
Saturday, October 24,
2009

Mandarin Oriental
1330 Maryland Ave SW
Washington, D.C.

5:30 - 6:30 pm
vip reception

6:00 pm
general reception and
silent auction

7:30 pm
program, dinner
live auction

10:00 - 11:30 pm
after party black tie

www.joanhisaoka.com/gala

Joan Hisaoka

Founder and president of [Hisaoka Public Relations](#), was 48 when she lost her battle with cancer on May 14, 2008. This Gala was created to honor Joan and her dream of assisting those living with cancer. We will continue her unfinished work by supporting organizations that bring hope and healing to those faced with serious illness.

[Smith Farm Center for
Healing and the Arts](#)

A Washington, DC based non-profit health, education and creative arts organization that serves individuals living with cancer and other serious illnesses, their families and their caregivers by providing week-long retreats, workshops, support therapy, an artist-in-

Evans Speaks at East Central Civic Association

Road Closures for the Marine Corps Marathon - Sunday, Oct. 25

28th & 30th P Street, NW Lights

Evans Speaks at Mt. Vernon Square Neighborhood Association Meeting

Evans Addressed Logan Circle Residents at ANC 2F Meeting

[Weekly Newsletter Archive \/]

residence program, a healing arts gallery and nutritional education.

1350 Pennsylvania Avenue, NW - Room 106, Washington, DC 20004
202.724.8058 main - 202.724.8023 fax - jackevans@dccouncil.us

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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, October 20, 2009 4:54 PM
To: 'mbellamy@wmata.com'
Cc: Goldin, Steven; Mohsberg, Sid; Bottigheimer, Nat
Subject: Shaw Howard presentation
Attachments: Shaw Howard FI Ave Approve Term Sheet for Sale-rev5.pptx

Michelle, please prepare the requisite number of color copies for the PD & RE Exec Session on Thursday.

Thanks,

Roz

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com

202-962-2208 phone

202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, October 19, 2009 10:00 AM
To: Goldin, Steven
Subject: FW: BAIS 100527 Sale of FL Ave Joint Development Site

Fyi, after I talked to Sid

From: Doggett, Rosalyn
Sent: Monday, October 19, 2009 9:59 AM
To: Bottigheimer, Nat; Mohsberg, Sid
Subject: FW: BAIS 100527 Sale of FL Ave Joint Development Site

From: Sequelra, Loyda
Sent: Friday, October 16, 2009 6:40 PM
To: Moneme, Emeka; Doggett, Rosalyn; Yohance S. Fuller; jkass@dccouncil.us
Cc: Montague, Joshua W.; Goldin, Steven; Pant, Shiva K.
Subject: RE: BAIS 100527 Sale of FL Ave Joint Development Site

Hi,

Please see revision below in bold/red. Let me know if this is good to go. Thanks,

Loyda

DESCRIPTION:

In September 2009, the Board approved an extension to December 2009 to renegotiate a term sheet, to include affordable housing, for the Shaw-Howard U./Florida Avenue development site, which consists of three separate parcels totaling 28,376 sf located between 7th and 9th streets NW in Washington, DC.

The project will feature ground floor retail along Florida Avenue, with four stories of housing above, for a minimum of 100,000 sf. If additional density can be achieved, Metro will be compensated. At a minimum, the project will include affordable housing required by the District of Columbia's new mandatory Inclusionary Zoning law and regulations (approximately 8% of the housing that is built); however, the developer is exploring financing to extend affordability.

Staff and the development team, led by Banneker Ventures, LLC with Banc of America Community Development Corporation, have negotiated a term sheet for disposition of the development site.

The project was initially proposed as a lease; however, the development team subsequently gained control of additional adjacent land on 9th Street and proposes to combine that land with the two of the three Metro parcels between 8th and 9th streets. The combined site will allow potentially greater density on Metro's land than if the Metro parcels were developed alone and therefore greater economic benefit to Metro. The sale of the site will also allow the three sites to be financed and developed as one project. While these advantages would hold also for a lease, in the event of a lease default there is a high risk disadvantage to Metro, namely, that Metro could not gain effective control of Metro land under a portion of the building constructed on combined Metro land and development team land. For this reason, a sale is preferable.

Metro facilities on the site consist of two underground rail tunnels and a vent shaft opening to 8th Street. These facilities will be reserved in perpetuity for Metro.

A sale will provide for reversion of the property to Metro in the event that the developer does not commence construction of the project within three years of executing the sales agreement. However, the Metro Board may issue a one-time extension of one year.

Metro will receive 79% (its share of the total size of the development parcel) of the value of any bonus density granted the development team by the District of Columbia.

The negotiated sale agreement will be brought to the Board for approval within the extension period which ends in December 2009.

From: Moneme, Emeka
Sent: Friday, October 16, 2009 6:33 PM
To: Yohance S. Fuller; Sequeira, Loyda; Doggett, Rosalyn
Cc: Montague, Joshua W.; Goldin, Steven
Subject: Re: BAIS 100527 Sale of FL Ave Joint Development Site

Loyda, you got it?

From: Yohance (EOM) Fuller
To: Moneme, Emeka; Sequeira, Loyda; Doggett, Rosalyn
Cc: Montague, Joshua W.; Goldin, Steven
Sent: Fri Oct 16 18:25:33 2009
Subject: RE: BAIS 100527 Sale of FL Ave Joint Development Site
Roz –

I think it looks good. I made a minor edit to reflect that the one time extension should be one year.

"A sale will provide for reversion of the property to Metro in the event that the developer does not commence construction of the project within three years of executing the sales agreement. However, the Board may issue a one-time extension of a year."

From: Doggett, Rosalyn [mailto:RDoggett@wmata.com]
Sent: Friday, October 16, 2009 6:18 PM
To: Moneme, Emeka; Sequeira, Loyda
Cc: Fuller, Yohance (EOM); Goldin, Steven; Montague, Joshua W.
Subject: BAIS 100527 Sale of FL Ave Joint Development Site

Per your request, the BAIS language regarding reversion will be revised as follows on Monday:

"A sale will provide for reversion of the property to Metro in the event that the developer does not commence construction of the project within three years of executing the sales agreement. However, the Board may issue a one-time extension."

Yohance, please confirm that this language is what you intended and discussed with CM Graham. It would be consistent with the term sheet negotiated by Metro staff and Banneker over the past few days.

Rosalyn

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, October 19, 2009 9:59 AM
To: Bottigheimer, Nat; Mohsberg, Sid
Subject: FW: BAIS 100527 Sale of FL Ave Joint Development Site

From: Sequeira, Loyda
Sent: Friday, October 16, 2009 6:40 PM
To: Moneme, Emeka; Doggett, Rosalyn; Yohance S. Fuller; jkass@dccouncil.us
Cc: Montague, Joshua W.; Goldin, Steven; Pant, Shiva K.
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Metro facilities on the site consist of two underground rail tunnels and a vent shaft opening to 8th Street. These facilities will be reserved in perpetuity for Metro.

A sale will provide for reversion of the property to Metro in the event that the developer does not commence construction of the project within three years of executing the sales agreement. However, the Metro Board may issue a one-time extension of one year.

Metro will receive 79% (its share of the total size of the development parcel) of the value of any bonus density granted the development team by the District of Columbia.

The negotiated sale agreement will be brought to the Board for approval within the extension period which ends in December 2009.

From: Moneme, Emeka
Sent: Friday, October 16, 2009 6:33 PM
To: Yohance S. Fuller; Sequeira, Loyda; Doggett, Rosalyn
Cc: Montague, Joshua W.; Goldin, Steven
Subject: Re: BAIS 100527 Sale of FL Ave Joint Development Site

Loyda, you got it?

From: Yohance (EOM) Fuller
To: Moneme, Emeka; Sequeira, Loyda; Doggett, Rosalyn
Cc: Montague, Joshua W.; Goldin, Steven
Sent: Fri Oct 16 18:25:33 2009
Subject: RE: BAIS 100527 Sale of FL Ave Joint Development Site
Roz –

I think it looks good. I made a minor edit to reflect that the one time extension should be one year.

“A sale will provide for reversion of the property to Metro in the event that the developer does not commence construction of the project within three years of executing the sales agreement. However, the Board may issue a one-time extension of a year.”

From: Doggett, Rosalyn [<mailto:RDoggett@wmata.com>]
Sent: Friday, October 16, 2009 6:18 PM
To: Moneme, Emeka; Sequeira, Loyda
Cc: Fuller, Yohance (EOM); Goldin, Steven; Montague, Joshua W.
Subject: BAIS 100527 Sale of FL Ave Joint Development Site

Per your request, the BAIS language regarding reversion will be revised as follows on Monday:

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Yohance, please confirm that this language is what you intended and discussed with CM Graham. It would be consistent with the term sheet negotiated by Metro staff and Baneker over the past few days.

Rosalyn

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, October 16, 2009 4:59 PM
To: Yohance S. Fuller
Cc: Moneme, Emeka; Goldin, Steven; Mohsberg, Sid; Montague, Joshua W.
Subject: Presentation and BAIS- Florida Ave
Attachments: BAIS 100527 revised.pdf; Shaw Howard Fl Ave Approve Term Sheet for Sale-rev5.pptx

Per your request.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, October 16, 2009 4:51 PM
To: Mohsberg, Sid
Subject: FW: power point FL AVE
Attachments: Shaw Howard FI Ave Approve Term Sheet for Sale-rev5.pptx

Of course it would help if you had the attachment

From: Doggett, Rosalyn
Sent: Friday, October 16, 2009 4:44 PM
To: Mohsberg, Sid
Subject: power point FL AVE

Before I send to the world, please take a look and suggest any changes

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, October 16, 2009 4:06 PM
To: Sequeira, Loyda
Subject: revised FL MEAD
Attachments: MEAD 100527 revised.pdf

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, October 16, 2009 12:38 PM
To: Wallace, Maria A
Subject: FW: revised Power Point FL Ave
Attachments: Shaw Howard Fl Ave Approve Term Sheet for Sale-rev3.pptx

From: Doggett, Rosalyn
Sent: Friday, October 16, 2009 12:29 PM
To: Goldin, Steven; Moneme, Emeka
Subject: revised Power Point FL Ave

Per your request. BAIS to follow immediately.

If other changes are needed please call my cell phone # 202 431 4904

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, October 16, 2009 12:37 PM
To: Mohsberg, Sid; 'mbellamy@wmata.com'; Wallace, Maria A
Subject: FW: FI Ave revised BAIS
Attachments: MEAD 100527.pdf

From: Doggett, Rosalyn
Sent: Friday, October 16, 2009 12:34 PM
To: Goldin, Steven; Moneme, Emeka
Subject: FI Ave revised BAIS

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, October 16, 2009 12:34 PM
To: Goldin, Steven; Moneme, Emeka
Subject: FI Ave revised BAIS
Attachments: MEAD 100527.pdf

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, October 16, 2009 12:30 PM
To: Mohsberg, Sid; 'mbellamy@wmata.com'
Subject: FW: revised Power Point FL Ave
Attachments: Shaw Howard Fl Ave Approve Term Sheet for Sale-rev3.pptx

fyi

From: Doggett, Rosalyn
Sent: Friday, October 16, 2009 12:29 PM
To: Goldin, Steven; Moneme, Emeka
Subject: revised Power Point FL Ave

Per your request. BAIS to follow immediately.

If other changes are needed please call my cell phone # 202 431 4904

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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, October 16, 2009 10:15 AM
To: 'mbellamy@wmata.com'
Cc: Mohsberg, Sid
Subject: FW: MEAD 100527 Approve Term Sheet To Sell Shaw-Howard/FL Ave Site
Attachments: Shaw Howard Fl Ave Approve Term Sheet for Sale-m.pptx

Michelle, MEAD 100527 is good to print.

From: Goldin, Steven
Sent: Friday, October 16, 2009 6:04 AM
To: Doggett, Rosalyn
Subject: Fw: MEAD 100527 Approve Term Sheet To Sell Shaw-Howard/FL Ave Site

From: Mohsberg, Sid
To: Goldin, Steven
Sent: Thu Oct 15 15:53:09 2009
Subject: RE: MEAD 100527 Approve Term Sheet To Sell Shaw-Howard/FL Ave Site
Steve,

I have to leave at 4:00 PM today.

At 5:30 PM or so today, Roz can update her MEAD if necessary. She can then e-mail the attached presentation to Michelle and tell her about MEAD 100527.

Thanks.

Sid

From: Goldin, Steven
Sent: Thursday, October 15, 2009 3:49 PM
To: Mohsberg, Sid
Cc: Doggett, Rosalyn
Subject: RE: MEAD 100527 Approve Term Sheet To Sell Shaw-Howard/FL Ave Site

That meeting will end at 5:30. Hold off if you can

From: Mohsberg, Sid
Sent: Thursday, October 15, 2009 3:38 PM
To: Goldin, Steven
Cc: Doggett, Rosalyn
Subject: MEAD 100527 Approve Term Sheet To Sell Shaw-Howard/FL Ave Site

Steve,

If SAAM is happy with text of MEAD 100527 and the attached presentation, I will forward the presentation to Michelle Bellamy and let her know the supporting MEAD is 100527.

Is there a possibility that MEAD 100527 (a copy of the BAIS is attached) will have to be updated late this afternoon to reflect the outcome of this afternoon's meeting with the developer? If so, I'll hold off telling Michelle about the MEAD.

Thanks.

Sid

From: Bellamy, Michelle A.
Sent: Thursday, October 15, 2009 3:28 PM
To: Mohsberg, Sid
Cc: Hershorn, Julie G.
Subject: FW: PDRE Special meeting

Fyi.....

From: Requa, Jack
Sent: Thursday, October 15, 2009 10:55 AM
To: Sequeira, Loyda; Bottigheimer, Nat

Cc: Bellamy, Michelle A.; Pant, Shiva K.; Catoe, John B.; Smith, Candace E.; Yohance S. Fuller; Francis, Gerald C.
Subject: Re: PDRE Special meeting

We will prepare an agenda for an open session meeting on the one item

From: Sequeira, Loyda
To: Requa, Jack; Bottighelmer, Nat
Cc: Bellamy, Michelle A.; Pant, Shiva K.; Catoe, John B.; Smith, Candace E.; Yohance S. Fuller; Francis, Gerald C.
Sent: Thu Oct 15 10:11:35 2009
Subject: PDRE Special meeting
hi

I just spoke to Yohance from Mr. Alberts office.

Tomorrow, Mr. Albert will be getting in contact with the Chairman and the Members of the Board to let them know he would like to call a Special meeting of PDRE Committee to discuss the approval of the sale for 9th & Florida Avenue in public session. If it is approved at the Committee, then it will be considered by the Board afterwards. It is unclear if the Special PDRE meeting will happen at 9am or after the CSOS meeting, Yohance will let us know when that is established.

Jack,

Please prepare an agenda for the Special meeting so that we are ready to go. I have spoken to Nat B. and he's working with the Developers on getting the materials ready for tomorrow's mail out.

Let me know if there are any questions. thanks,

Loyda

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, October 16, 2009 10:13 AM
To: 'mbellamy@wmata.com'
Cc: Mohsberg, Sid; Goldin, Steven
Subject: updated FI Ave power point
Attachments: Shaw Howard FI Ave Approve Term Sheet for Sale-rev3.pptx

Two small corrections included

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Washington, DC 20001

rdoggett@wmata.com
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202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, October 14, 2009 4:50 PM
To: Brown, Matthew
Cc: Mohsberg, Sid
Subject: RE: MEAD Routing - MEAD(100527) Approve Term Sheet To Sell Shaw-Howard/FL Ave Site

Thank you for the e-mail. We reassigned you to Level 3 so you will get a copy to approve once Emeka (Level 2) signs off.
Rosalyn

-----Original Message-----

From: Brown, Matthew
Sent: Wednesday, October 14, 2009 4:41 PM
To: Doggett, Rosalyn
Subject: FW: MEAD Routing - MEAD(100527) Approve Term Sheet To Sell Shaw-Howard/FL Ave Site

Hi Rosalyn,

I tried to approve, but the MEAD said that it doesn't require my approval.

Matt

-----Original Message-----

From: ProcAdmin@wmata.com [<mailto:ProcAdmin@wmata.com>]
Sent: Wednesday, October 14, 2009 3:00 PM
To: Brown, Matthew
Subject: MEAD Routing - MEAD(100527) Approve Term Sheet To Sell Shaw-Howard/FL Ave Site

TO: MATTHEW BROWN
FROM: JOHN BOTTIGHEIMER (nbottigheimer@wmata.com)
INIT. ROUTER: ROSALYN DOGGETT (rdoggett@wmata.com)
DOCUMENT: MEAD(100527) Approve Term Sheet To Sell Shaw-Howard/FL Ave Site
SUBJECT: A document from MEAD has been routed to you and requires your approval at the MEAD web site.

Please go to the MEAD site by clicking on the link below:
<http://mead.wmata.com/prod/pimsApprove/approval.cfm?q route id=129400&q empid=011175>

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, October 14, 2009 3:54 PM
To: Montague, Joshua W.
Subject: RE: WMATA Term Sheet for Shaw-Howard Parcels

I have, too. Why don't you set up a time early aft tomorrow to go over this. CC Bruce and Steve, too.

From: Montague, Joshua W.
Sent: Wednesday, October 14, 2009 3:53 PM
To: Doggett, Rosalyn
Subject: RE: WMATA Term Sheet for Shaw-Howard Parcels

Thanks. I have reviewed and am ready to discuss whenever everyone else is.

From: Doggett, Rosalyn
Sent: Wednesday, October 14, 2009 3:53 PM
To: Montague, Joshua W.
Subject: FW: WMATA Term Sheet for Shaw-Howard Parcels
Importance: High

Forgot to cc. you

From: Doggett, Rosalyn
Sent: Wednesday, October 14, 2009 3:52 PM
To: Bushnaq, Tariq; Robinson, Thomas
Subject: FW: WMATA Term Sheet for Shaw-Howard Parcels
Importance: High

Please see the redline term sheet and let me know tomorrow if there are any issues, esp. 2.2 ,7.4, 8.1 but read it all! Quick turnaround needed as Board will approve or not on Oct 22 (next week). Thanks very much. Roz

From: Tiwana Hicks [<mailto:thicks@bannekerventures.com>]
Sent: Wednesday, October 14, 2009 10:49 AM
To: Montague, Joshua W.
Cc: Maurice' Perry; aives@bannekerventures.com; 'Omar A. Karim'; Neil.Albert@dc.gov; Yohance S. Fuller; Doggett, Rosalyn; John' Hagner; Bottigheimer, Nat; GoldIn, Steven
Subject: WMATA Term Sheet for Shaw-Howard Parcels
Importance: High

Josh:

Attached for your review are the clean and redline versions of our comments to the WMATA Term Sheet. The redline shows our comments to the original version received on Friday, October 9th. It remains our goal that this Term Sheet move forward for Committee and Board approval on October 22nd. Let's continue to work diligently towards that objective. Please contact us with any questions you may have. Thanks.

Tiwana

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F: (202) 393-5462
C: (202) 486-1863
thicks@bannekerventures.com

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, October 14, 2009 3:54 PM
To: Mohsberg, Sid
Subject: RE: MEAD 100527 Approve Term Sheet for Sale of Shaw-Howard U./Florida Avenue Joint Development Site

Yes, a lawyer who doesn't say "on the other hand..."

-----Original Message-----

From: Mohsberg, Sid
Sent: Wednesday, October 14, 2009 2:51 PM
To: Doggett, Rosalyn
Subject: RE: MEAD 100527 Approve Term Sheet for Sale of Shaw-Howard U./Florida Avenue Joint Development Site

One-handed?

-----Original Message-----

From: Doggett, Rosalyn
Sent: Wednesday, October 14, 2009 2:03 PM
To: Mohsberg, Sid
Subject: RE: MEAD 100527 Approve Term Sheet for Sale of Shaw-Howard U./Florida Avenue Joint Development Site

That's what I like. A one-handed "lawyer."

-----Original Message-----

From: Mohsberg, Sid
Sent: Wednesday, October 14, 2009 1:59 PM
To: Bottigheimer, Nat; Goldin, Steven; Doggett, Rosalyn; Montague, Joshua W.
Subject: MEAD 100527 Approve Term Sheet for Sale of Shaw-Howard U./Florida Avenue Joint Development Site

All,

To advance the ball towards the goal line, we're proceeding with the MEAD and PowerPoint presentation (copy attached) on the basis of this being a joint development project sale. If during the process of approving MEAD 100527, (which includes CHOS, COUN, GMGR, SECT, etc. as approvers) someone wants to characterize this item in some other way, (e.g., an excess property sale), we will accordingly adjust the supporting documents.

As I understand it, this item will be addressed during a special Executive Session of the PDRE Cmte on 10/22/09.

Thanks.

Sid

-----Original Message-----

From: Bottigheimer, Nat
Sent: Wednesday, October 14, 2009 1:03 PM
To: Doggett, Rosalyn; Goldin, Steven
Cc: Montague, Joshua W.; Mohsberg, Sid
Subject: Re: Florida Ave note

I'm honestly not sure. Josh, can you check with Carol, please?
I asked Carol this same question last week but did not understand the answer.

----- Original Message -----

From: Doggett, Rosalyn
To: Goldin, Steven; Bottigheimer, Nat
Cc: Montague, Joshua W.; Mohsberg, Sid
Sent: Wed Oct 14 11:42:00 2009
Subject: FW: Florida Ave note

Nat, I am presuming this is a joint development sale and will write it up as such. Please let me know immediately if that is not the case.

In the attached pro forma, please note that the npv at time of sale will be less than the appraiser's price. However, the appraiser indicates in his report, pp. 36,37, that "Given the complexities of developing the subject site, the necessity of obtaining approvals and processing reviews and agreements relating to the WMATA easements and tunnels, and the difficulty of obtaining development financing in the current economic climate, the exposure time associated with the values set forth herein is estimated at 12 to 18 months or more."

Either the appraiser's reasoning would obtain or we would need to get from Banneker an additional payment at lease execution to make up the difference between \$2,092,000 and \$2,200,000.

The term sheet we sent out provided that if closing does not occur by 600 days from execution of a sales agreement that the price goes up 5.8% per year.

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, October 14, 2009 3:52 PM
To: Bushnaq, Tariq; Robinson, Thomas
Subject: FW: WMATA Term Sheet for Shaw-Howard Parcels
Attachments: WMATA Term Sheet for Sale of Shaw-Howard-U-Florida Ave Site (Redline Ver).doc; WMATA Term Sheet for Sale of Shaw-Howard-U-Florida Ave Site (Clean Ver).doc

Importance: High

Please see the redline term sheet and let me know tomorrow if there are any issues, esp. 2.2, 7.4, 8.1 but read it all! Quick turnaround needed as Board will approve or not on Oct 22 (next week). Thanks very much. Roz

From: Tiwana Hicks [<mailto:thicks@bannekerventures.com>]
Sent: Wednesday, October 14, 2009 10:49 AM
To: Montague, Joshua W.
Cc: Maurice 'Perry'; aives@bannekerventures.com; 'Omar A. Karim'; Neil.Albert@dc.gov; Yohance S. Fuller; Doggett, Rosalyn; John 'Hagner; Bottigheimer, Nat; Goldin, Steven
Subject: WMATA Term Sheet for Shaw-Howard Parcels
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Sent: Wednesday, October 14, 2009 2:03 PM
To: Mohsberg, Sid
Subject: RE: MEAD 100527 Approve Term Sheet for Sale of Shaw-Howard U./Florida Avenue Joint Development Site

That's what I like. A one-handed "lawyer."

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Subject: MEAD 100527 Approve Term Sheet for Sale of Shaw-Howard U./Florida Avenue Joint Development Site

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Sid

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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, October 14, 2009 11:34 AM
To: Goldin, Steven
Cc: Montague, Joshua W.
Subject: RE: WMATA Term Sheet for Shaw-Howard Parcels

It's in the term sheet. That is, they send in plans for us to review- 1. Before they go to zoning and 2. After zoning under the "Adjacent Construction Manual" procedures. A competent developer can get through this in 20 months before closing, I think, but we can discuss.

From: Goldin, Steven
Sent: Wednesday, October 14, 2009 10:55 AM
To: Montague, Joshua W.; Doggett, Rosalyn
Subject: FW: WMATA Term Sheet for Shaw-Howard Parcels
Importance: High

Does JDAC come into play for this project? How do we address their "6 month" review process in the context of this agreement?

From: Tiwana Hicks [<mailto:thicks@bannekerventures.com>]
Sent: Wednesday, October 14, 2009 10:49 AM
To: Montague, Joshua W.
Cc: Maurice 'Perry'; aives@bannekerventures.com; 'Omar A. Karim'; Neil.Albert@dc.gov; Yohance S. Fuller; Goldin, Steven; John 'Hagner; Bottigheimer, Nat; Doggett, Rosalyn
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thicks@bannekerventures.com

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, October 09, 2009 5:47 PM
To: 'Omar A. Karim'
Subject: FW: Florida Avenue - Draft Sale Term Sheet
Attachments: Draft FL AVE Sale Term Sheet 100809.doc

From: Montague, Joshua W.
Sent: Friday, October 09, 2009 4:21 PM
To: Tiwana Hicks
Cc: Doggett, Rosalyn; Goldin, Steven; Heppen, Bruce P.; jhagner@wcsr.com
Subject: Florida Avenue - Draft Sale Term Sheet

Attached is an electronic version of the Term Sheet that was provided at today's meeting.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

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Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Friday, October 09, 2009 4:21 PM
To: Tiwana Hicks
Cc: Doggett, Rosalyn; Goldin, Steven; Heppen, Bruce P.; jhagner@wcsr.com
Subject: Florida Avenue - Draft Sale Term Sheet
Attachments: Draft FL AVE Sale Term Sheet 100809.doc

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Josh Montague

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Doggett, Rosalyn

From: Burns, Bob
Sent: Friday, October 09, 2009 3:54 PM
To: eric.smart@bolasmart.com
Cc: Doggett, Rosalyn
Subject: FW: More Parking Analysis
Attachments: Analysis Nelson-Nygaard Memo.docx; EFC Replacement Parking Memo.doc; EastFallsChurchrev3.xlsx; EFC Parking Cost-Benefit Analysis_092209.xls

Eric,

Attached are analyses and emails related to development possibilities for the E. Falls Church station. Arlington Co. would like to see the development revenue and ridership impact for various levels of parking replacement, 0-100%. We need an outside review/reality check of the analyses. We can discuss a work product in more detail during our conference call. Tuesday looks doubtful now. I'll give you some dates and times for next week. Let me know what your schedule is.

Thanks,

Bob Burns
202 962 2392

From: Peterson, Scott
Sent: Thursday, October 08, 2009 3:22 PM
To: Doggett, Rosalyn
Cc: Burns, Bob; McElhenny-Smith, Robin
Subject: FW: More Parking Analysis

Roz,

Bob advised that we hire Bolin-Smart to provide some fresh market analysis of the East Falls Church planning study using the work I've done so far. I agree it would be good to get an independent assessment of our cost/benefit analysis for replacement parking with Joint Development. Please review the attached email and documents, then we can meet and discuss at your convenience. Thanks, Scott

From: Peterson, Scott
Sent: Thursday, October 08, 2009 10:45 AM
To: Burns, Bob; Marshall, Malcolm
Cc: McElhenny-Smith, Robin; Johnston, Kasandra
Subject: FW: More Parking Analysis

Bob and Malcolm,

I should have included you guys on the CC: list for the attached documents I sent to Robin for review. Ya'll ought to look at the numbers I came up with for revenue. The file: Analysis Nelson-Nygaard Memo.doc provides an outline of my analysis and the two spreadsheets, which are linked with data, provides the background. As recommended, I used a 10% figure for a land lease option, with the lease revenue being 10% of the land value of each alternative and parking option. The numbers I've come up with are surprising, since the Nelson-Nygaard conclusions show an upward straight line revenue curve b/w 0 %, 50%, and 100% parking replacement. But, my bow curve could be wrong.

However, if the County and community reject apartment development in favor of condominium development, then the lease option is off the table. Please review as early as possible, thanks. - Scott

From: Peterson, Scott
Sent: Wednesday, September 30, 2009 9:56 AM
To: McElhenny-Smith, Robin
Cc: Kennedy, Sean; Greenan, Brian
Subject: More Parking Analysis

Robin,

Attached is a memo with my response to Arlington County consultant's analysis of our analysis. So my memo is an analysis of their analysis, which is also an analysis of our earlier analysis. I reformatted my earlier analysis to conform to Nelson/Nygaard's formatting of Arlington County criteria, so to speak.

My new analysis is providing some interesting numbers in regard to overall revenue generated by the different development alternatives and parking options with a lease agreement. It was not what I expected. Please provide comments as early as practical.

*Scott Peterson, Architect/Transit Facilities Planner
Office of Station Area Planning and Asset Management
Department of Planning and Joint Development
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW Room 6E-17
Washington, DC 20001
202-962-1458 (w)
571-235-7581 (c)
speterson@wmata.com*

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, October 09, 2009 2:19 PM
To: Mohsberg, Sid
Cc: Goldin, Steven
Subject: REvised Shaw Howard Power Point
Attachments: Shaw Howard FI Ave Approve Term Sheet for Sale rev 2.pptx

Sid, I am now told that there will be a special exec session of PD & RE on Oct 22 AND that we are not sure at the moment whether the sale will be excess property or joint development. So I have revised the date on the front page and taken out the two references to excess property in the purpose and recommendation slides. I am now starting a MEAD.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Marshall, Malcolm
Sent: Friday, October 09, 2009 1:53 PM
To: richard harps
Cc: Doggett, Rosalyn
Subject: Shaw Howard
Attachments: ScopeShawHoward4.doc

Attached is revised scope

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Friday, October 09, 2009 1:36 PM
To: Goldin, Steven; Heppen, Bruce P.; Meister, Mark K.; O'Keefe, Carol B.
Cc: Doggett, Rosalyn
Subject: RE: Florida Avenue Draft Sale Term Sheet - UPDATED
Attachments: Draft FL AVE Sale Term Sheet 100809.doc

Attached is an updated version of the Term Sheet.

Please note the following changes/issues:

1. Since this is apparently going to go before the Board on 10/22, the parties now have two months to take a Sale Agreement to the Board (in December).
2. The reversion language was changed so that the Developer has to commence excavation of building foundations within twelve (12) months of Closing, as opposed to just "commence construction."
3. The Term Sheet no longer refers to "Joint Development." Should it?

Please let me know if you have any comments or questions.

Thanks,

Josh

From: Goldin, Steven
Sent: Thursday, October 08, 2009 2:26 PM
To: Heppen, Bruce P.; Meister, Mark K.; Montague, Joshua W.; O'Keefe, Carol B.
Cc: Doggett, Rosalyn
Subject: RE: Florida Avenue Draft Sale Term Sheet - UPDATED

Josh

Please incorporate all of the comments you have received and circulate a cleaned-up copy we can give to the developer tomorrow

Steve

From: Heppen, Bruce P.
Sent: Thursday, October 08, 2009 12:58 PM
To: Meister, Mark K.; Montague, Joshua W.; Goldin, Steven; O'Keefe, Carol B.
Cc: Doggett, Rosalyn
Subject: RE: Florida Avenue Draft Sale Term Sheet - UPDATED

2. The Definitive Agreement, to be prepared initially by WMATA and presented by WMATA to the WMATA Board for approval within one month of Board Term Sheet approval, will be a Purchase and Sale Agreement ("Definitive Agreement"), together with all related documentation upon which WMATA and DEVELOPER mutually agree. The sale ("Closing") will take place at the earlier of twenty (20) months after the WMATA Board approves the Definitive Agreement or the start of construction of the Project. (Should a timeframe be identified for execution of the Definitive Agreement after Board approval?)

I agree with Mark's comment that there should be a timeframe (really a maximum number of months or perhaps a calendar year) for execution of the Definitive Agreement - since they have put this on a fast track for Board approval (as I understand this, this calls for Board approval of the Definitive Agreement before Thanksgiving), we should require execution of the agreement on a similar fast track i.e. within 2 weeks of Board approval.

I think the second sentence of this provision should be rephrased to provide that the sale (closing) will take place no later than 20 months after Board approval of the project. Section 7.4 of the agreement contemplates that the 20 months is an absolute deadline. Our problem is generally with holding the developers to the deadlines rather than allowing them to start earlier. Section 7.9 contemplates that closing can occur as long as 12 months prior to the beginning of construction. I think the "either/or" language of the current 2nd sentence is confusing

From: Meister, Mark K.
Sent: Thursday, October 08, 2009 11:41 AM
To: Montague, Joshua W.; Goldin, Steven; Heppen, Bruce P.; O'Keefe, Carol B.

Cc: Doggett, Rosalyn
Subject: RE: Florida Avenue Draft Sale Term Sheet - UPDATED

Josh,

Please see my comment at the end of Section 2 and proposed revision to Section 7.8.

Mark

From: Montague, Joshua W.
Sent: Thursday, October 08, 2009 10:56 AM
To: Goldin, Steven; Heppen, Bruce P.; O'Keeffe, Carol B.
Cc: Meister, Mark K.; Doggett, Rosalyn
Subject: Florida Avenue Draft Sale Term Sheet - UPDATED

A new draft of the term sheet is attached, updated with comments from Mark Meister.

Please work off of this version going forward.

Thanks,

Josh

From: Montague, Joshua W.
Sent: Wednesday, October 07, 2009 5:47 PM
To: Doggett, Rosalyn; Goldin, Steven
Cc: Meister, Mark K.; O'Keeffe, Carol B.; Heppen, Bruce P.
Subject: Florida Avenue Draft Sale Term Sheet

Attached is the updated draft of the term sheet. Please take a look and let me know what you think.

Please note while reviewing that Section 7.9 is a concept that has not totally been fleshed out and so your feedback here will be very helpful.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

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Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Thursday, October 08, 2009 5:31 PM
To: Goldin, Steven; Heppen, Bruce P.; Meister, Mark K.; O'Keeffe, Carol B.
Cc: Doggett, Rosalyn
Subject: RE: Florida Avenue Draft Sale Term Sheet - UPDATED
Attachments: Draft FL AVE Sale Term Sheet 100809.doc

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Please take a look and let me know what you think.

Thanks,

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Attachments: Analysis Nelson-Nygaard Memo.docx; EFC Replacement Parking Memo.doc; EastFallsChurchrev3.xlsx; EFC Parking Cost-Benefit Analysis_092209.xls

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Subject: More Parking Analysis

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Office of Station Area Planning and Asset Management
Department of Planning and Joint Development
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600 Fifth Street, NW Room 6E-17
Washington, DC 20001
202-962-1458 (w)
571-235-7581 (c)
speterson@wmata.com*

Doggett, Rosalyn

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Attachments: Draft FL AVE Sale Term Sheet 100809.doc

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Cc: Meister, Mark K.; Doggett, Rosalyn
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Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Wednesday, October 07, 2009 5:47 PM
To: Doggett, Rosalyn; Goldin, Steven
Cc: Meister, Mark K.; O'Keefe, Carol B.; Heppen, Bruce P.
Subject: Florida Avenue Draft Sale Term Sheet
Attachments: Draft FL AVE Sale Term Sheet 100709.doc

Attached is the updated draft of the term sheet. Please take a look and let me know what you think.

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Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

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Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Wednesday, October 07, 2009 3:13 PM
To: Doggett, Rosalyn
Subject: RE: draft FL Ave sale term sheet
Attachments: Draft FL AVE Sale Term Sheet 10-7-09 - JWM Redline.doc

See redline with comments attached.

Please let me know when you are free to discuss.

Josh

From: Doggett, Rosalyn
Sent: Wednesday, October 07, 2009 12:21 PM
To: Montague, Joshua W.
Subject: draft FL Ave sale term sheet

Josh please review as soon as possible. Steve wants a draft by COB. I have meetings all afternoon but could leave my 1 o'clock early. 2-3:30 is Emeka and 4 is about Dunn Loring, which I think I would have to stay for. But we can squeeze in something.

Thanks,
Roz

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, October 07, 2009 12:21 PM
To: Montague, Joshua W.
Subject: draft FL Ave sale term sheet
Attachments: Draft FL AVE Sale Term Sheet 10-7-09.doc

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600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Wednesday, October 07, 2009 10:42 AM
To: Doggett, Rosalyn
Subject: RE:
Attachments: Final FL AVE Term Sheet COUN 031808.doc

From: Doggett, Rosalyn
Sent: Wednesday, October 07, 2009 10:27 AM
To: Montague, Joshua W.
Subject: RE:

Just starting. Thanks. I'll be in touch with you.

From: Montague, Joshua W.
Sent: Wednesday, October 07, 2009 10:10 AM
To: Doggett, Rosalyn
Subject: RE:

Hi Roz,

Are you drafting? If so, let me know how I can help.

Josh

From: Doggett, Rosalyn
Sent: Tuesday, October 06, 2009 5:50 PM
To: Montague, Joshua W.
Subject: FW:

Please note item 2 below

From: Goldin, Steven
Sent: Tuesday, October 06, 2009 5:18 PM
To: Doggett, Rosalyn
Subject:

Also pls remind harps we need app by 1:00 on Friday

Term sheet draft tomorrow for internal review

Steven E. Goldin
Director, Station Area Planning & Asset Management
Washington Metropolitan Area Transit Authority
sgoldin@wmata.com
202-962-2616

Doggett, Rosalyn

From: Goldin, Steven
Sent: Tuesday, October 06, 2009 5:26 PM
To: Doggett, Rosalyn
Cc: Bottigheimer, Nat; Meister, Mark K.; Marshall, Malcolm
Subject: RE: Shaw Howard

Friday by 1:00 is fine but Thursday AM is even better

From: Doggett, Rosalyn
Sent: Tuesday, October 06, 2009 12:57 PM
To: Goldin, Steven
Cc: Bottigheimer, Nat; Meister, Mark K.; Marshall, Malcolm
Subject: FW: Shaw Howard

My response below was not acceptable to Yohance; he called to say he must have the appraisal tomorrow.

I called Richard Harps who said that he really cannot promise tomorrow. He WILL aim for Thursday morning and let us know around lunch time tomorrow how he is doing.

From: Doggett, Rosalyn
Sent: Tuesday, October 06, 2009 12:29 PM
To: Yohance S. Fuller; 'okarim@bannekerventures.com'
Cc: Marshall, Malcolm
Subject: FW: Shaw Howard

As soon as the appraisal comes in, I will forward to you both.
Rosalyn

From: Marshall, Malcolm
Sent: Tuesday, October 06, 2009 10:52 AM
To: Meister, Mark K.
Cc: Bottigheimer, Nat; Goldin, Steven; Doggett, Rosalyn
Subject: Shaw Howard

The appraiser, Richard Harps, expects to send over a revised appraisal, incorporating the latest changes, this Friday

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, October 06, 2009 12:57 PM
To: Goldin, Steven
Cc: Bottigheimer, Nat; Meister, Mark K.; Marshall, Malcolm
Subject: FW: Shaw Howard

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From: Mohsberg, Sid
Sent: Friday, October 02, 2009 5:39 PM
To: Ackerman, Heidi; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Goldin, Steven; Haldeman, Kristin M.; Harrington, Thomas; Hendren, Patricia; Jachles, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Johnston, Kasondra; Jones, Catherine; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Mohsberg, Sid; Peterson, Scott; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S.
Attachments: Board Items Preparation Milestones - 2009.xls

All:

Latest Board agenda/schedule is attached.

BAR: http://p590a3.wmata.com:7778/pls/bar/p_bar_public

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Thursday, October 01, 2009 10:32 AM
To: Goldin, Steven
Cc: Doggett, Rosalyn
Subject: RE: Approve Term Sheet for Sale of Shaw-Howard U./Florida Avenue Joint Development Site

Steve and Roz,

OPSV had added it, and this morning they removed it.

Sid

From: Goldin, Steven
Sent: Wednesday, September 30, 2009 3:27 PM
To: Mohsberg, Sid
Subject: Re: Approve Term Sheet for Sale of Shaw-Howard U./Florida Avenue Joint Development Site

Needs to be removed

From: Mohsberg, Sid
To: Goldin, Steven
Cc: Doggett, Rosalyn; Bottigheimer, Nat; Wallace, Maria A
Sent: Wed Sep 30 14:55:53 2009
Subject: Approve Term Sheet for Sale of Shaw-Howard U./Florida Avenue Joint Development Site
Steve,

The subject item has been added to the Executive Session agenda of the 10/8/09 PDRE Cmte as "Shaw-Howard University Station Agreement".
See: http://p590a3.wmata.com:7778/pls/bar/p_bar_public

Currently, the title of the PowerPoint presentation (copy attached) is "Approve Term Sheet for Sale of Shaw-Howard U./Florida Avenue Joint Development Site". The two titles need to match. Please decide what you want the title to be and let me know.

Per Nat, no materials for this item will be included in this Friday's mailout to the Board.

This morning, Roz raised a question about whether this is a joint development project or simply the sale of excess land. Nat said he would like to hear her thoughts about this before he shares his.

Important: Between now and the day the Board meets, 10/8/09, SAAM has to create a MEAD and get it approved by various parts of the staff. A week is not much time to get a MEAD approved.

Thanks.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, September 30, 2009 2:56 PM
To: Goldin, Steven
Cc: Doggett, Rosalyn; Bottigheimer, Nat; Wallace, Maria A
Subject: Approve Term Sheet for Sale of Shaw-Howard U./Florida Avenue Joint Development Site
Attachments: Shaw Howard Fl Ave Approve Term Sheet for Sale.pptx

Steve,

The subject item has been added to the Executive Session agenda of the 10/8/09 PDRE Cmte as "Shaw-Howard University Station Agreement".

See: http://p590a3.wmata.com:7778/pls/bar/p_bar_public

Currently, the title of the PowerPoint presentation (copy attached) is "Approve Term Sheet for Sale of Shaw-Howard U./Florida Avenue Joint Development Site". The two titles need to match. Please decide what you want the title to be and let me know.

Per Nat, no materials for this item will be included in this Friday's mailout to the Board.

This morning, Roz raised a question about whether this is a joint development project or simply the sale of excess land. Nat said he would like to hear her thoughts about this before he shares his.

Important: Between now and the day the Board meets, 10/8/09, SAAM has to create a MEAD and get it approved by various parts of the staff. A week is not much time to get a MEAD approved.

Thanks.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, September 30, 2009 1:13 PM
To: Wallace, Maria A
Cc: Doggett, Rosalyn; Bottigheimer, Nat; Goldin, Steven
Subject: Shaw Howard Presentation - with new slide
Attachments: Shaw Howard Fl Ave Approve Term Sheet for Sale.pptx

Maria,

This version has an additional slide (#4) compared to the version used for the GMGR's pre-brief this morning.

Sid

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, September 30, 2009 12:54 PM
To: Mohsberg, Sid
Attachments: Shaw_U_St unsolicited proposal.pdf

The image of the parcels is in here

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, September 30, 2009 12:50 PM
To: Mohsberg, Sid
Subject: FI parcels
Attachments: Shaw-Howard FI Ave developer selection presentation-Revision 2.ppt

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, September 30, 2009 8:17 AM
To: Doggett, Rosalyn
Subject: RE: Shaw Howard

Your e-mail had no attachments. Please send me the elevations. Thanks.

From: Doggett, Rosalyn
Sent: Tuesday, September 29, 2009 6:15 PM
To: Mohsberg, Sid
Subject: FW: Shaw Howard

These are newer elevations that should be substituted for the slide presentation which I will send you in a minute

From: Meister, Mark K.
Sent: Monday, September 07, 2009 5:49 PM
To: Bottigheimer, Nat
Cc: Marshall, Malcolm; Doggett, Rosalyn
Subject: RE: Shaw Howard

Nat,

The estimated lump sum rental value is greater than the fee value of the property since WMATA's discount rate (6.8%) is below market, which I believe is about 8.4%. I will verify this with Malcolm or Roz tomorrow. We definitely should be prepared to discuss highest and best use with both the Board and FTA, and I will talk to Malcolm about this as well.

By copy of this email, I am requesting Roz to prepare a timeline for you.

I'm all for restricting use of the property to residential development, but I believe Omar has a retail component. Roz, is that correct?

Mark

From: Bottigheimer, Nat
Sent: Monday, September 07, 2009 1:36 PM
To: Meister, Mark K.
Cc: Moneme, Emeka
Subject: FW: Shaw Howard

Mark --

Thanks for passing this on. I'm a little confused as to the relationship between the 1.9 and the 1.2 million dollar numbers. Can you clarify for me, please?

Also, do we have an estimate for the value of the land in its highest and best use? We will need to be able to speak to that in committee.

Related, can we condition the agreement on the development of a residential project so that it can not be used for anything but that? The Board's decision would then be an endorsement of both a residential use of the site and a substantial affordable development component.

I can't imagine that the FTA will approve this, but that does not bother me.

Emeka, the market value of the property without the onerous affordable housing requirements is about 4.6 million. The value with the Duke plan goals and the stringent AMI requirements is a really substantial deduction from the value of the land. How the Board deals with this is very difficult to foresee.

Mark, one last thing: for Thursday's committee meeting, I would like to have a timeline that explains why it has taken us the amount of time that it has to get to this point. I do not have the words in my brain right now to tell this story to the Board. I think Mr. Graham will be energetically curious about this, and I need to have some words to say.

Thanks,

Nat

From: Meister, Mark K.
Sent: Sunday, September 06, 2009 3:07 PM
To: Bottigheimer, Nat
Subject: FW: Shaw Howard

Nat,

For our meeting with Omar on Tuesday, it looks like our number for a capitalized lease is \$1,905,000. My only concern is Malcolm's statement at the end that residential development with a 20% affordable housing component does not represent the highest and best use of the property. This may be hard to defend, especially if this is Harps' conclusion as well. I will speak with Malcolm on Tuesday.

Mark

From: Marshall, Malcolm
Sent: Friday, September 04, 2009 5:11 PM
To: Meister, Mark K.; Doggett, Rosalyn
Subject: Shaw Howard

I have a doctor's appointment Tuesday morning but should be in about 10:00 AM.

As shown on the attachment, if Eric Smart's estimated cost of approximately \$3,464,000 for providing 20% affordable housing at 50% AMI is deducted from the estimated land value after adjustments for the costs of building over the tunnel, the net land value is estimated at \$1,126,000 which equates to \$9 per SF of FAR and \$39 per SF of land. Please note that proposed development with 20% affordable housing clearly does not appear to be the highest and best use of the site since higher values can be generated from commercial development of the site.

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, September 29, 2009 6:26 PM
To: Mohsberg, Sid
Subject: FI Ave Sale Power Point WITH ATTACHMENT
Attachments: Shaw Howard FI Ave Approve Term Sheet for Sale.ppt

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Tuesday, September 29, 2009 6:15 PM
To: Goldin, Steven; Doggett, Rosalyn; Bottigheimer, Nat
Cc: Wallace, Maria A
Subject: 9th & FL Ave Board Item: Metro PowerPoint Models
Attachments: Shaw Howard Fl Ave FURTHER extend negotiation period rev 4-m.ppt; BAIS 100376 Shaw Howard Lease.pdf; BCP Presentation 5-27-09m (2).ppt

Steve and Roz,

Here are the models we discussed.

The Shaw Howard presentation is in the new format. The BCP presentation is in the old format, but the story line and pictures are typical.

The Shaw Howard Board Action Information Summary (BAIS) is a typical example of a BAIS.

Nat needs a presentation to show Neal Albert tomorrow.

1:00 PM: SAAM delivers draft presentation to Nat for his review.

1:00 PM to 1:15 PM: Nat reviews presentation and delivers comments to SAAM.

1:15 PM to 2:00 PM: SAAM finalizes and prints presentation

2:00 PM to 2:30 PM: Nat travels to Wilson Building with presentation

2:30 PM to 3:30 PM: Nat meets with Neil Albert at Wilson Building on 9t & FL Ave item

3:30 PM to 4:00 PM: Personal Time

4:00 PM to 5:00 PM: Nat meets with Jim Graham at Wilson Building on 9t & FL Ave item

Roz: Please draft the 9th & FL Ave presentation early tomorrow morning using the new format reflected in the Shaw Howard FL Ave presentation.

I will then work with you to smooth it up.

Nat: Please confirm that tomorrow afternoon the 9th & FL Ave item will be discussed first with Neil Albert and then separately with Jim Graham.

See: <http://poetry.eserver.org/light-brigade.html>

Thanks.

Sid

Doggett, Rosalyn

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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, September 29, 2009 11:18 AM
To: Goldin, Steven
Subject: FW: Shaw Howard
Attachments: Scan001.PDF

Shaw Howard/Florida Avenue appraisal instructions

-----Original Message-----

From: Marshall, Malcolm
Sent: Tuesday, September 29, 2009 9:59 AM
To: Yohance S. Fuller; Doggett, Rosalyn; Meister, Mark K.
Subject: Shaw Howard

Attached is a final copy of the scope of work for the appraisal of the above property

-----Original Message-----

From: tprint1@wmata.com [<mailto:tprint1@wmata.com>]
Sent: Tuesday, September 29, 2009 6:30 AM
To: Marshall, Malcolm
Subject: Scan from Xerox WorkCentre

Please open the attached document. It was sent to you using a Xerox WorkCentre Pro.

Sent by: Guest [tprint1@wmata.com]
Number of Images: 1
Attachment File Type: PDF

WorkCentre Pro Location: JGB By 5B Corridor Device Name: XRX0000AA70D44F

Doggett, Rosalyn

From: Marshall, Malcolm
Sent: Tuesday, September 29, 2009 9:59 AM
To: Yohance S. Fuller; Doggett, Rosalyn; Meister, Mark K.
Subject: Shaw Howard
Attachments: Scan001.PDF

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Sent by: Guest [tprint1@wmata.com]
Number of Images: 1
Attachment File Type: PDF

WorkCentre Pro Location: JGB By 5B Corridor Device Name: XRX0000AA70D44F

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Monday, September 28, 2009 4:21 PM
To: Ackerman, Heidi; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Goldin, Steven; Haldeman, Kristin M.; Harrington, Thomas; Hendren, Patricia; Jachles, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Johnston, Kasondra; Jones, Catherine; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Mohsberg, Sid; Peterson, Scott; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S.
Subject: Board Items Preparation Milestones
Attachments: Board Items Preparation Milestones -2010.xls; Board Items Preparation Milestones - 2009.xls

The latest status.

Sid

Doggett, Rosalyn

From: Marshall, Malcolm
Sent: Monday, September 28, 2009 2:55 PM
To: richard harps
Cc: Doggett, Rosalyn; Meister, Mark K.
Subject: Shaw Howard
Attachments: Jazz.pdf

As discussed, attached are copies of 2 contracts for sites on the block acquired by Omar. Price was \$91/FAR

Doggett, Rosalyn

Subject: Shaw Howard Florida Avenue Properties Appraisal
Location: Room JGB 5B Land Conference

Start: Tue 9/29/2009 3:00 PM
End: Tue 9/29/2009 4:00 PM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Doggett, Rosalyn
Required Attendees: okarim@bannekerventures.com; Moneme, Emeka; Bottigheimer, Nat; Goldin, Steven; Meister, Mark K.; Marshall, Malcolm; rharps@earthlink.net; Yohance S. Fuller
Resources: Room JGB 5B Land Conference

Archives

Archives
Florida Ave

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, July 29, 2010 9:13 AM
To: Chu, Mable; Bushnaq, Tariq
Subject: FW: FTA quarterly
Attachments: FTA Quarterly-- Update 7-29-10 final final.doc

from PPD

Mable, please read the writeup on PGP foreclosure and make sure that I have characterized it correctly. Do we have a date to meet with Westbrook reps?

Thanks

Tariq, please let us know about Fred's "unfulfilled" requests, if any.

Thanks

From: Doggett, Rosalyn
Sent: Thursday, July 29, 2010 9:04 AM
To: Wyner, Jonathan S.
Subject: RE: FTA quarterly

Pls see attached

From: Wyner, Jonathan S.
Sent: Thursday, July 29, 2010 8:15 AM
To: Doggett, Rosalyn
Subject: RE: FTA quarterly

Got me!

Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development
600 Fifth Street, NW, #5B-A
Washington, DC 20001
202/962-1577

From: Doggett, Rosalyn
Sent: Thursday, July 29, 2010 8:08 AM
To: Wyner, Jonathan S.
Subject: RE: FTA quarterly

I've been waiting for the doc. ☺

From: Wyner, Jonathan S.
Sent: Thursday, July 29, 2010 8:07 AM
To: Doggett, Rosalyn
Subject: FW: FTA quarterly
Importance: High

Roz:

If you could up-date yours for this morning...

I'm working on the rest of the comments this morning...

Thanks,

jonathan

Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development
600 Fifth Street, NW, #5B-A
Washington, DC 20001
202/962-1577

From: Wyner, Jonathan S.
Sent: Wednesday, July 28, 2010 2:43 PM
To: Goldin, Steven
Subject: FTA quarterly

For your review pending submission....final for July 28

Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development
600 Fifth Street, NW, #5B-A
Washington, DC 20001
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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, July 29, 2010 9:04 AM
To: Wyner, Jonathan S.
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Attachments: FTA Quarterly-- Update 7-29-10 final final.doc

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Sent: Thursday, July 29, 2010 8:15 AM
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Got me!

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600 Fifth Street, NW, #5B-A
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I'm working on the rest of the comments this morning...

Thanks,

jonathan

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To: Goldin, Steven
Subject: FTA quarterly

For your review pending submission....final for July 28

Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
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600 Fifth Street, NW, #5B-A

Washington, DC 20001
202/962-1577

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, July 28, 2010 1:49 PM
To: Malasky, Gary; Wyner, Jonathan S.; Goldin, Steven; Burns, Bob; Bushnaq, Tariq
Cc: Meister, Mark K.; Bellamy, Michelle A.
Subject: RE: FTA Quarterly - Final Up-date
Attachments: FTA Quarterly--Roz Update 7-28-10.doc

As promised, Jonathan

From: Malasky, Gary
Sent: Tuesday, July 27, 2010 5:05 PM
To: Wyner, Jonathan S.; Goldin, Steven; Doggett, Rosalyn; Burns, Bob; Bushnaq, Tariq
Cc: Meister, Mark K.; Bellamy, Michelle A.
Subject: RE: FTA Quarterly - Final Up-date

Sorry forgot attachment

Gary Malasky
Senior Real Estate Advisor
WMATA
600 Fifth Street, NW
Washington, DC 20001
202-962-1504

From: Wyner, Jonathan S.
Sent: Tuesday, July 27, 2010 2:48 PM
To: Goldin, Steven; Doggett, Rosalyn; Malasky, Gary; Burns, Bob; Bushnaq, Tariq; McElhenny-Smith, Robin
Cc: Meister, Mark K.; Bellamy, Michelle A.
Subject: RE: FTA Quarterly - Final Up-date
Importance: High

Attached is latest copy of FTA quarterly update.

Please review and update as soon as possible, hopefully by tomorrow...or let me know, no changes.

Much appreciated,

Jonathan

Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development
600 Fifth Street, NW, #5B-A
Washington, DC 20001
202/962-1577

From: Bellamy, Michelle A.
Sent: Tuesday, July 27, 2010 2:42 PM
To: Wyner, Jonathan S.
Cc: Meister, Mark K.
Subject: FTA Quarterly

Hi Jonathan,

In your absence Mark pulled together the FTA Quarterly update. Have there been any more updates since the pre-brief?

I need to put together a clean package and need all updates by Thursday.

Please advise.

Thank you,
Michelle

Michelle A. Bellamy
Washington Metropolitan Area Transit Authority

Office of Planning & Joint Development (PIJD)
202-962-2779
202-962-6258 Fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, July 26, 2010 9:57 AM
To: Hicks, Ima
Cc: Montague, Joshua W.
Subject: FL Ave Return of Proposal Security
Attachments: Shaw Howard FL Ave return of Proposal Security letter 7-10.doc

Please prepare the following letter for Steve's signature. I will bring the check to you.
Thanks.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, July 19, 2010 5:19 PM
To: Malasky, Gary
Subject: Florida Avenue Example
Attachments: Shaw-Howard Florida Avenue COUN Unsolicited Proposals Memo 7-9-10.doc

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, July 19, 2010 4:12 PM
To: eric.smart@bolansmart.com
Subject: FW: Twinbrook Analysis

I want to get something back from Rich before I do this. Do we have all his analysis assumptions for when he tells us how worthless our current JDA is? This is like what happened on Florida Avenue when we let the appraisals be shared with the developer.

From: Richard Jordan [<mailto:rjordan@jbg.com>]
Sent: Monday, July 19, 2010 1:50 PM
To: Doggett, Rosalyn
Cc: Goldin, Steven
Subject: RE: Twinbrook Analysis

Roz,
Would you please also send the analysis that shows how you derived the \$76.7 MM of total project value per your earlier spreadsheet? Thanks,
Rich

From: Doggett, Rosalyn [<mailto:RDoggett@wmata.com>]
Sent: Friday, July 16, 2010 1:01 PM
To: Richard Jordan
Cc: Goldin, Steven
Subject: Twinbrook Analysis

Attached is what I handed you at our meeting today.

Rosalyn P. Doggett
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Washington Metropolitan Area Transit Authority
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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, July 15, 2010 2:16 PM
To: jmontague@wmata.com
Subject: FW: Joint Development Lease - Deposits - Interest calculations
Attachments: Joint Solicit Dep Refunds.xls

From: Williams, Henry
Sent: Thursday, July 15, 2010 9:47 AM
To: Doggett, Rosalyn
Subject: Joint Development Lease - Deposits - Interest calculations

Hello Rosalyn,

Attached is the interest calculations for Florida Ave. The interest rate through June 30th is based on the weighted average of the Authority's portfolio yield. I do not have July's interest rate yet.

Thanks

Henry Williams

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, July 15, 2010 10:44 AM
To: Allison Ladd
Subject: RE: Reminder! Please join us for the Let's Celebrate event! July 16, 2010

Thanks, I will be out of town. Glad to read in Pipeline that you are back in business!

From: Allison Ladd [<mailto:aladd@dchfa.org>]
Sent: Friday, July 09, 2010 11:39 AM
To: Harry D. Sewell
Subject: Reminder! Please join us for the Let's Celebrate event! July 16, 2010



Let's Celebrate

Come celebrate mixed income
and affordable housing
developments in the District

Friday, July 16, 2010 from 5 P.M.—9

Ulah Bistro — 2nd Floor
1214 U Street NW, Washington, DC
R.S.V.P. to rsvp@dchfa.org



District of Columbia
Housing Finance Agency

Allison Ladd | Associate Executive Director |
815 Florida Avenue, NW | Washington, DC 20001 |
Phone: 202-777-1634 | Fax: 202-986-6736 | www.dchfa.org |

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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, July 15, 2010 9:18 AM
To: Montague, Joshua W.
Subject: FW: Shaw Howard Florida Avenue
Attachments: Shaw Howard FL Ave return of Proposal Security letter 7-10.doc

Please see draft letter attached. I have asked TREAS to calculate interest. Then I need to ask ACCT to cut a check. So the letter probably won't go out for another week.

From: Goldin, Steven
Sent: Wednesday, July 14, 2010 6:23 PM
To: Doggett, Rosalyn
Cc: Montague, Joshua W.
Subject: FW: Shaw Howard Florida Avenue

Please process. Have check sent to you so you and Josh can draft a letter to Baneker, which Carol signs off on. thnx

From: O'Keeffe, Carol B.
Sent: Wednesday, July 14, 2010 6:19 PM
To: Goldin, Steven
Cc: Bottigheimer, Nat
Subject: RE: Shaw Howard Florida Avenue

Yes. I think we should return the deposit.

From: Goldin, Steven
Sent: Wednesday, July 14, 2010 5:47 PM
To: O'Keeffe, Carol B.
Cc: Bottigheimer, Nat
Subject: FW: Shaw Howard Florida Avenue

Carol

Just learned of this; please advise

Steve

From: Doggett, Rosalyn
Sent: Wednesday, July 14, 2010 5:44 PM
To: Goldin, Steven
Cc: Montague, Joshua W.
Subject: Shaw Howard Florida Avenue

In April 2010, you wrote to Baneker Ventures notifying them that their exclusive negotiation period had expired on March 31. We have not returned to them their check for \$100,000 Proposal Security. We also deposited into the TIF their nonrefundable Option Fee of \$100,000.

It seems to me that we should now return the Proposal Security (with interest as we normally do).

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, July 14, 2010 5:44 PM
To: Goldin, Steven
Cc: Montague, Joshua W.
Subject: Shaw Howard Florida Avenue

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Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, July 14, 2010 4:48 PM
To: Rooths, Cathy
Cc: Goldin, Steven
Subject: FW: Bolan Smart contract, Purchase Order CQ8132
Attachments: BSA Task Order 2009-3.doc

Is the attached ok for me to sign?

From: Doggett, Rosalyn
Sent: Wednesday, July 14, 2010 1:37 PM
To: Rooths, Cathy
Subject: FW: Bolan Smart contract, Purchase Order CQ8132

Do the emails below answer your question? An additional \$30k but money is available

From: Doggett, Rosalyn
Sent: Monday, June 28, 2010 10:48 AM
To: Rooths, Cathy
Cc: Carthorn, Debbie D.
Subject: FW: Bolan Smart contract, Purchase Order CQ8132

Of the \$99,654 available, I am expecting a bill from BSA for @ \$30,000 for the past several months. That will still leave enough for the \$30,000 upset extension through Dec 2010 that Steve Goldin, SAAM director, authorized.

From: Carthorn, Debbie D.
Sent: Wednesday, June 23, 2010 3:05 PM
To: Doggett, Rosalyn
Cc: Rooths, Cathy
Subject: Bolan Smart contract, Purchase Order CQ8132

Rosalyn,

Per your inquiry, the Bolan Smart contract, purchase order CQ8132, has a total value of \$157,000. Of that amount, \$57,346 has been paid to Bolan Smart. The amount of \$99,654 is available for making payments for work completed.

Debbie

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, July 14, 2010 1:47 PM
To: Goldin, Steven; Montague, Joshua W.
Subject: Florida Avenue Example
Attachments: Shaw-Howard Florida Avenue COUN Unsolicited Proposals Memo 7-9-10.doc

I have attached a corrected version. The Board moved at its March (not April) meeting to table this project.

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Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, July 14, 2010 9:00 AM
To: Meister, Mark K.
Cc: Goldin, Steven
Subject: RE: FTA Quarterly Report
Attachments: FTA Quarterly Report 7-20-10.doc

Please see attached

From: Meister, Mark K.
Sent: Tuesday, July 13, 2010 2:01 PM
To: Doggett, Rosalyn; Burns, Bob; Wyner, Jonathan S.; Malasky, Gary
Cc: Goldin, Steven; Bellamy, Michelle A.
Subject: FTA Quarterly Report

All,

Need your redline updates for the August 2010 FTA Quarterly Report ASAP. Sorry for the short notice, but Jonathan is out and I'm doing this in his absence.

Mark

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, July 09, 2010 5:24 PM
To: Goldin, Steven
Cc: Montague, Joshua W.; Malasky, Gary
Subject: Unsolicited Proposal example
Attachments: Shaw-Howard Florida Avenue COUN Unsolicited Proposals Memo 7-9-10.doc

Josh and I put this example together. Let us know if it needs any changes.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, July 09, 2010 3:10 PM
To: Montague, Joshua W.
Subject: shaw howard
Attachments: Shaw-Howard Florida Avenue COUN Unsolicited Proposals Memo 7-9-10.doc

How's this?

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, July 09, 2010 10:13 AM
To: Montague, Joshua W.
Subject: FW: Unsolicited Proposals Memo
Attachments: Unsolicited Proposals to BoD r3.docx

From: Goldin, Steven
Sent: Thursday, July 08, 2010 2:21 PM
To: Burns, Bob; Doggett, Rosalyn; Malasky, Gary; Wyner, Jonathan S.
Subject: FW: Unsolicited Proposals Memo

I need to present this memo to Graham next Thursday morning. We want to have two examples (one page each) based on the memo, so I can hand them to Graham in conjunction with the memo.

Roz: please work with Kermit on Florida Avenue

Gary/Bob: same thing on New Carrollton's original RFP(s)

Thanks,
Steve

From: O'Keeffe, Carol B.
Sent: Thursday, July 08, 2010 8:57 AM
To: Bottigheimer, Nat; Malasky, Gary; Goldin, Steven
Subject: FW: Unsolicited Proposals Memo

For your review.

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, July 09, 2010 10:14 AM
To: Montague, Joshua W.
Subject: FW: Unsolicited Proposals Memo

From: Goldin, Steven
Sent: Friday, July 09, 2010 6:50 AM
To: Malasky, Gary; Burns, Bob; Doggett, Rosalyn; Wyner, Jonathan S.
Subject: Fw: Unsolicited Proposals Memo

Fyi

From: Biondi, Marc E.
To: Goldin, Steven
Cc: Heppen, Bruce P.; O'Keeffe, Carol B.
Sent: Thu Jul 08 16:05:55 2010
Subject: RE: Unsolicited Proposals Memo
Steve,

Carol asked that I respond to your question below.

I think the question should have read: Do the 2008 (not 2005) Guidelines apply to an on-going JD project that was originally solicited in 2002? (The 2005 Guidelines would not be applicable to any actions that could be taken with regard to an on-going 2002 solicitation).

Answer: Board Resolution 2008-16 states that the 2008 Guidelines apply to "all new joint development solicitations issued and proposals received after the effective date." If the scenario below contemplates receipt of a unsolicited proposal or re-advertising the site, the 2008 Guidelines would apply. If the scenario below contemplates bump-down; term sheet/developer approval or final negotiations on the proposal received in response to the solicitation, the 2002 Guidelines apply.

In either scenario, the original solicitation document (in the hypothetical below the 2002 Solicitation) remains in effect.

Please let me know if you have additional questions,

Marc

Marc Biondi
Assistant General Counsel
mebiondi@wmata.com
202-962-1011

From: O'Keeffe, Carol B.
Sent: Thursday, July 08, 2010 2:41 PM
To: Biondi, Marc E.
Cc: Heppen, Bruce P.
Subject: FW: Unsolicited Proposals Memo

Marc, see Steve's question below and answer if an answer is possible. Tx.

From: Goldin, Steven
Sent: Thursday, July 08, 2010 2:30 PM
To: O'Keeffe, Carol B.
Subject: RE: Unsolicited Proposals Memo

Carol

So we can proceed, what is the answer to the question in the middle paragraph below?

Steve

From: O'Keeffe, Carol B.
Sent: Thursday, July 08, 2010 1:29 PM
To: Goldin, Steven
Cc: Blondi, Marc E.; Bottigheimer, Nat
Subject: RE: Unsolicited Proposals Memo

Go ahead and add the examples. You have the info.

From: Goldin, Steven
Sent: Thursday, July 08, 2010 1:26 PM
To: O'Keeffe, Carol B.
Cc: Blondi, Marc E.; Bottigheimer, Nat
Subject: RE: Unsolicited Proposals Memo

Carol/Mark

Very interesting. It seems like we should clean-up/tighten our guidelines.

My question is this: If a solicitation is issued under, say, the 2002 Guidelines, but the process was still ongoing (pre-JDA) and the 2005 Guidelines were approved, which Guidelines then govern the process regarding that 2002 solicitation?

I think to avoid further wrangling we need to actually show two examples to present to Mr. Graham at our meeting next Thursday: New Carrollton and Florida Avenue. Using your memo and showing how each solicitation should now be interpreted. If we don't do this, he's going to want to do it in that meeting. I know we will be unable to parse it on the spot and the issue will re-emerge at the next week's Board Meeting. Can COUN provide a one page analysis of each of those projects for next week?

Steve

From: O'Keeffe, Carol B.
Sent: Thursday, July 08, 2010 8:57 AM
To: Bottigheimer, Nat; Malasky, Gary; Goldin, Steven
Subject: FW: Unsolicited Proposals Memo

For your review.

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, July 07, 2010 2:48 PM
To: Schmitt, Patrick
Subject: FW: Upcoming Programs

Note July 16 performance!

From: National Building Museum [mailto:programs@nbm.org]
Sent: Wednesday, July 07, 2010 2:22 PM
To: Doggett, Rosalyn
Subject: Upcoming Programs

NATIONAL BUILDING MUSEUM UPCOMING PROGRAMS



Special Performance: garage/dances
July 16 + 17, 8:00 - 9:00 pm

This program takes place at [1711 Florida Avenue NW, Washington, D.C.](#)

Parking garages combine form with function. In this specially commissioned performance, **Liz Lerman Dance Exchange** brings out the motion and emotion inherent in an actual parking garage.

FREE. Registration required.

[Register now for Friday, July 16](#)

[Register now for Saturday, July 17](#)

The National Building Museum and Liz Lerman Dance Exchange gratefully acknowledge Colonial Parking's generous support of this program.

...

The 2010 L'Enfant Lecture on City Planning and Design
July 15, 7:00 - 8:30 pm

This program is being held at the [Chicago Cultural Center, 78 E. Washington St. Chicago, IL 60602](#)

Barry Bergdoll, the Philip Johnson Chief Curator of Architecture and Design at the Museum of Modern Art, will discuss MoMA's current exhibition "Rising Currents: Projects for New York's Waterfront." This innovative project addresses one of the most urgent challenges facing the nation's largest city: sea-level rise resulting from global climate change. Five inter-disciplinary teams have worked together to re-envision New York City's harbor and coastline. **1.5 CM (AICP) 1.5 CEU (AIA)**

\$10 members of APA and National Building Museum members; \$15 nonmembers; free for college students with ID. Registration required. Register online at <http://www.planning.org/enfant/>

[Learn more about this series.](#)

This program is co-sponsored by the American Planning Association and the National Building Museum.

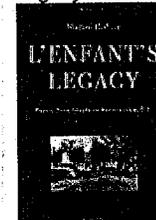
Watch: Pas-de-Dirt



Choreographed by **Liz Lerman Dance Exchange** and set to music from Tchaikovsky's Swan Lake, **Pas-de-Dirt** took place outside the National Building Museum in a family-fun performance that explored the relationship between movement, architecture, and the tools we use to build our environment.

[Watch now.](#)

Read: L'Enfant's Legacy



Many of America's democratic ideals are embodied in the public spaces of its cities, especially in Washington, D.C. In *L'Enfant's Legacy: Public Open Spaces in Washington, D.C.*, architect and scholar **Michael Bednar** explores the public spaces of the nation's

Mark your calendar...

July 19
[Building in the 21st Century: Energy-Efficient Retrofits and ROI: Self-funding Improvements to Reduce Energy Consumption](#)

July 19
[Drawing Toward Home](#)

July 22
[Spotlight On Design: Rejkind/UrbanLab](#)

capital.
[Purchase Here.](#)

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Attend.



401 F Street NW Washington DC 20001 | 202.272.2448 | Red Line Metro, Judiciary Square
Free Admission | Hours: Mon-Sat 10am-5pm, Sun 11 am-5pm
<http://www.nbm.org/> unsubscribe from this email forward to a friend

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, June 29, 2010 3:24 PM
To: Goldin, Steven
Cc: Wyner, Jonathan S.; Burns, Bob
Subject: FW: Review Draft Recommendations: Bike/Ped Study
Attachments: WMATA BikePedFacilities_062910_Full_Plan.pdf

fyi

From: Haldeman, Kristin M.
Sent: Tuesday, June 29, 2010 1:46 PM
To: Rydstrom, Ronald R.; Pierce, Jackie O.; Kram, Paul; Pavlik, Ronald A. Jr.; Wallace, Bruce; Harrington, Thomas; McBride, Michael; Lawson, Arturo V.; Chisholm, Ann; Scott, Charlie; Schmitt, Patrick; Otto Anderson, Rayann; McElhenny-Smith, Robin; Meister, Mark K.; Bushnaq, Tariq; Peterson, Scott; Benson, Sara E.; Biondi, Marc E.; Malasky, Gary; Doggett, Rosalyn; Bottigheimer, Nat; Zych, Matthew
Cc: Murray, Donna; Ochia, Krys; Agee, Carroll
Subject: Review Draft Recommendations: Bike/Ped Study

All,

Attached is the draft. The recommendations have been developed based on local and Metro staff and public input, best practices research, field observations, and planning data. There are many recommendations, but some have been identified as more critical than others. The goal of the document is to consolidate a lot of what we already know into a focused plan so we can chart a course to making improvements that encourage more biking and walking to stations.

Again, we'll be in 2G02 tomorrow.

Thanks

Kristin

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From: Doggett, Rosalyn
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Again, we'll be in 2G02 tomorrow.

Thanks
Kristin

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, June 23, 2010 8:57 AM
To: Goldin, Steven
Subject: RE: Florida Avenue: Graham draft

Will do

-----Original Message-----

From: Goldin, Steven
Sent: Wednesday, June 23, 2010 8:57 AM
To: Doggett, Rosalyn
Subject: Fw: Florida Avenue: Graham draft

Plan to attend to discuss dun loring and fl ave

----- Original Message -----

From: Bottigheimer, Nat
To: O'Keefe, Carol B.; Goldin, Steven
Cc: Pohl, Mark R.; Welch, Kermit A.; Wallace, Maria A
Sent: Wed Jun 23 08:38:27 2010
Subject: RE: Florida Avenue: Graham draft

I'm free at 4 -- your office, Carol?

From: O'Keefe, Carol B.
Sent: Wednesday, June 23, 2010 8:20 AM
To: Goldin, Steven; Bottigheimer, Nat
Cc: Pohl, Mark R.; Welch, Kermit A.
Subject: Re: Florida Avenue: Graham draft

4 would work for me. Mark? Kermit?

Sent using BlackBerry

From: Goldin, Steven
To: O'Keefe, Carol B.; Bottigheimer, Nat
Cc: Pohl, Mark R.; Welch, Kermit A.
Sent: Tue Jun 22 19:39:59 2010
Subject: Re: Florida Avenue: Graham draft

I'm avail 10-11:30 and 2:30-5:00

From: O'Keefe, Carol B.
To: Goldin, Steven; Bottigheimer, Nat
Cc: Pohl, Mark R.; Welch, Kermit A.
Sent: Tue Jun 22 19:37:27 2010
Subject: Re: Florida Avenue: Graham draft

Fairly open. Kermit and Mark need to join us

Sent using BlackBerry

From: Goldin, Steven
To: O'Keefe, Carol B.; Bottigheimer, Nat
Sent: Tue Jun 22 19:33:51 2010
Subject: Re: Florida Avenue: Graham draft

What is your avail tomorrow to discuss this and Dunn Loring?

From: O'Keefe, Carol B.
To: Goldin, Steven; Bottigheimer, Nat
Sent: Tue Jun 22 19:26:22 2010
Subject: Re: Florida Avenue: Graham draft

I told you there was no time period. In the absence of a time period the question would be what is reasonable if the act were challenged or otherwise questioned.. What is the business case for reopening in case someone asks? I do not want to discuss further via email.

Sent using BlackBerry

From: Goldin, Steven
To: Bottigheimer, Nat; O'Keeffe, Carol B.
Sent: Tue Jun 22 18:12:33 2010
Subject: Florida Avenue: Graham draft
Carol/Nat

Comments/suggestions on this response to Jim Graham? Apparently we don't need to go back to the Board to reopen the process, unless you think we should (Section 7.38 grants me explicit authority to proceed). The only reason to go back would be due to how controversial the Banneker proposal became. The 2002 guidelines make no mention whatsoever of a time period in which Metro must process the responses, so the "reasonable" period of time discussion is moot. Please advise

Steve

Jim

The Florida Avenue RFP was issued on 8/24/07, prior to the 11/20/08 adoption of the current Joint Development Policies and Guidelines. Under the 2002 Guidelines, in the event Metro cannot come to agreement with the selected respondent, it may keep the solicitation open to negotiate with the other respondents. Accordingly, my staff will be contacting the two other respondents to commence negotiations for the site.

Steven E. Goldin
Director, Station Area Planning & Asset Management

Washington Metropolitan Area Transit Authority sgoldin@wmata.com
202-962-2616

Doggett, Rosalyn

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To: Goldin, Steven; Bottigheimer, Nat
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Steve

Jim

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Steven E. Goldin
Director, Station Area Planning & Asset Management

Washington Metropolitan Area Transit Authority sgoldin@wmata.com
202-962-2616

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, June 23, 2010 8:31 AM
To: Goldin, Steven
Subject: RE: Florida Avenue

August 2007

From: Goldin, Steven
Sent: Tuesday, June 22, 2010 5:11 PM
To: Doggett, Rosalyn
Subject: Florida Avenue

Please confirm ASAP the date of the solicitation document.

Want to be sure that we are looking at the correct JD guidelines that were controlling

Steven E. Goldin
Director, Station Area Planning & Asset Management

Washington Metropolitan Area Transit Authority
sgoldin@wmata.com
202-962-2616

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, June 23, 2010 8:31 AM
To: Goldin, Steven
Subject: RE: Florida Avenue

August 2007

From: Goldin, Steven
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Steven E. Goldin
Director, Station Area Planning & Asset Management

Washington Metropolitan Area Transit Authority
sgoldin@wmata.com
202-962-2616

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, June 16, 2010 1:46 PM
To: Goldin, Steven
Cc: Bottigheimer, Nat; O'Keefe, Carol B.; Montague, Joshua W.
Subject: RE: Florida Avenue

The other two respondents were
Lakritz Adler Development LLC who is still in business and who call periodically, as recently as six weeks ago, to see if we
can deal with them
Moddie Turay Company LLC (backed by Clark Interests) who is still in business

From: Goldin, Steven
Sent: Wednesday, June 16, 2010 1:02 PM
To: O'Keefe, Carol B.; Doggett, Rosalyn
Cc: Bottigheimer, Nat
Subject: Florida Avenue

Roz: Please tell me who the respondents were to the Florida Avenue solicitation and which ones are still in business?

Carol: Can we go back to those respondents, without issuing a new RFP, and ask them to rebid on the project? Or, are
they limited to their original bids?

I need to advise Mr. Graham by 2:00 PM tomorrow in response to his call today

Thank you

Steven E. Goldin
Director, Station Area Planning & Asset Management

Washington Metropolitan Area Transit Authority
sgoldin@wmata.com
202-962-2616

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, June 04, 2010 12:03 PM
To: Wallace, Maria A
Cc: Goldin, Steven; Thom, Keysia A.
Subject: FW: PARP 10-0236
Attachments: PARP Estimate Worksheet FL Ave.doc

Maria, here is my PARP worksheet. If complete, please forward officially to Keysia Thom. Thank you.

From: Thom, Keysia A.
Sent: Friday, May 28, 2010 3:30 PM
To: Doggett, Rosalyn
Cc: Goldin, Steven; Bottigheimer, Nat; Wallace, Maria A
Subject: RE: PARP 10-0236

Ros,

Please complete the PARP Estimate Worksheet that was sent to you (see attached email). Please coordinate your estimate/response with the PARP Records Custodian for PLJD, Maria Wallace, to ensure that the estimate is completed in accordance with the PARP procedures.

Keysia A. Thom
PARP/Privacy Policy Administrator
WMATA Office of General Counsel
600 Fifth Street, NW
Washington, DC 20001
(202) 962-2058
(202) 962-2550 fax
kthom@wmata.com

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From: Doggett, Rosalyn
Sent: Thursday, May 27, 2010 1:59 PM
To: Bottigheimer, Nat; O'Keeffe, Carol B.; Goldin, Steven
Cc: Thom, Keysia A.; Heppen, Bruce P.
Subject: RE: PARP 10-0236

4 hours for files, 2 hours for emails

From: Bottigheimer, Nat
Sent: Thursday, May 27, 2010 1:15 PM
To: O'Keeffe, Carol B.; Goldin, Steven; Doggett, Rosalyn
Cc: Thom, Keysia A.; Heppen, Bruce P.
Subject: RE: PARP 10-0236

The amount of time to produce the requested documents would be probably 2 hours to pull together all emails. An additional two hours to identify and gather all additional materials of which I have custody. I need a separate estimate from Roz.

The

From: O'Keeffe, Carol B.
Sent: Monday, May 24, 2010 11:48 AM
To: Bottigheimer, Nat; Goldin, Steven; Doggett, Rosalyn

Cc: Thom, Keysia A.; Heppen, Bruce P.
Subject: FW: PARP 10-0236

Please see the attached PARP request. Although many of the documents will not be provided, there are still quite a few that will be need to be produced. The first step will be preparing an estimate of the time required to produce the documents. Keysia has probably already spoken with your documents custodian. cok

From: Thom, Keysia A.
Sent: Monday, May 24, 2010 10:28 AM
To: Heppen, Bruce P.; O'Keefe, Carol B.
Cc: Shaffer, David
Subject: PARP 10-0236

Carol and Bruce,

FYI, attached is a request from a law firm regarding the Shaw/Florida Avenue Joint Development site. I had a brief discussion with Josh about this request on Friday. He indicated that the contract was not officially awarded, so it appears that most of the records will not be releasable.

Keysia A. Thom
PARP/Privacy Policy Administrator
WMATA Office of General Counsel
600 Fifth Street, NW
Washington, DC 20001
(202) 962-2058
(202) 962-2550 fax
kthom@wmata.com

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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, May 28, 2010 5:34 PM
To: Thom, Keysia A.
Subject: Re: PARP 10-0236

I take it that you want me to do it for me, Nat and Steve? If so I will do
Wed when I get back. Sorry if I misunderstood that the low person on the totem pole filled in the form. :)

From: Thom, Keysia A.
To: Doggett, Rosalyn
Cc: Goldin, Steven; Bottigheimer, Nat; Wallace, Maria A
Sent: Fri May 28 15:30:11 2010
Subject: RE: PARP 10-0236
Ros,

Please complete the PARP Estimate Worksheet that was sent to you (see attached email). Please coordinate your estimate/response with the PARP Records Custodian for PLJD, Maria Wallace, to ensure that the estimate is completed in accordance with the PARP procedures.

Keysia A. Thom
PARP/Privacy Policy Administrator
WMATA Office of General Counsel
600 Fifth Street, NW
Washington, DC 20001
(202) 962-2058
(202) 962-2550 fax
kthom@wmata.com

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From: Doggett, Rosalyn
Sent: Thursday, May 27, 2010 1:59 PM
To: Bottigheimer, Nat; O'Keeffe, Carol B.; Goldin, Steven
Cc: Thom, Keysia A.; Heppen, Bruce P.
Subject: RE: PARP 10-0236

4 hours for files, 2 hours for emails

From: Bottigheimer, Nat
Sent: Thursday, May 27, 2010 1:15 PM
To: O'Keeffe, Carol B.; Goldin, Steven; Doggett, Rosalyn
Cc: Thom, Keysia A.; Heppen, Bruce P.
Subject: RE: PARP 10-0236

The amount of time to produce the requested documents would be probably 2 hours to pull together all emails. An additional two hours to identify and gather all additional materials of which I have custody. I need a separate estimate from Roz.

The

From: O'Keeffe, Carol B.
Sent: Monday, May 24, 2010 11:48 AM
To: Bottigheimer, Nat; Goldin, Steven; Doggett, Rosalyn
Cc: Thom, Keysia A.; Heppen, Bruce P.
Subject: FW: PARP 10-0236

Please see the attached PARP request. Although many of the documents will not be provided, there are still quite a few that will be need to be produced. The first step will be preparing an estimate of the time required to produce the documents. Keysia has probably already spoken with your documents custodian. cck

From: Thom, Keysia A.
Sent: Monday, May 24, 2010 10:28 AM
To: Heppen, Bruce P.; O'Keeffe, Carol B.
Cc: Shaffer, David
Subject: PARP 10-0236

Carol and Bruce,

FYI, attached is a request from a law firm regarding the Shaw/Florida Avenue Joint Development site. I had a brief discussion with Josh about this request on Friday. He indicated that the contract was not officially awarded, so it appears that most of the records will not be releasable.

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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, May 24, 2010 2:08 PM
To: Montague, Joshua W.; Thom, Keysia A.
Subject: FW: PARP 10-0236
Attachments: 10-0236 A. Scott Bolder.PDF

Keysia, do you simply want me to give you all my files? And all my e-mail. I confess I am not sure how to get you all my e-mail, print it out I suppose, which may take a few hours. Or perhaps I can just forward anything from the development negotiation participants.

From: O'Keeffe, Carol B.
Sent: Monday, May 24, 2010 11:48 AM
To: Bottigheimer, Nat; Goldin, Steven; Doggett, Rosalyn
Cc: Thom, Keysia A.; Heppen, Bruce P.
Subject: FW: PARP 10-0236

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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, May 07, 2010 2:04 PM
To: Montague, Joshua W.; Goldin, Steven; Burns, Bob; Malasky, Gary; Marshall, Malcolm; Wyner, Jonathan S.
Cc: Dickerson, Tracie S.; Biondi, Marc E.; Welch, Kermit A.; Chu, Mable; Heppen, Bruce P.; O'Keeffe, Carol B.
Subject: RE: Reconciling FTA/HUD impediments to JD

To expand upon Josh's remarks, in particular item 3, HUD insurance rules seemingly deprive WMATA of the much of the benefit of participating in value appreciation and cash flow upside as an unsubordinated ground lessor: we have been told that there can be no set annual rent escalations, nor can there be participations in cash flow above a rate initially set at the beginning of the loan, unless they come out of Surplus Cash (after operating expense deductions and debt service but not after equity investor returns acc. to a veteran loan originator). So, for example in Prince George's Plaza (Mosaic at Metro) we had to capitalize two-thirds of the projected lease amount and, for the other third get annual rent of 2.85%/year of adjusted gross income, unsubordinated—and that's it for 40 years. We were told that there can be no resets, no base rent adjustments, etc., no late fee or penalty payments except from Surplus Cash for a 42-year period until the loan guarantee runs out. FHA debt service coverage ratios now at 1.3 (vs. 1.15 when PGP was done) will further limit rent.

From: Montague, Joshua W.
Sent: Friday, May 07, 2010 12:04 PM
To: Goldin, Steven; Burns, Bob; Doggett, Rosalyn; Malasky, Gary; Marshall, Malcolm; Wyner, Jonathan S.
Cc: Dickerson, Tracie S.; Biondi, Marc E.; Welch, Kermit A.; Chu, Mable; Heppen, Bruce P.; O'Keeffe, Carol B.
Subject: RE: Reconciling FTA/HUD impediments to JD

Here are a couple that we ran into on the Florida Avenue project:

1. Indemnification restrictions. Generally a ground lease tenant fully indemnifies the landlord. But, the 220A financing limited the tenant's indemnification to "surplus cash." As a steward of public funds, WMATA should avoid this type of risk allocation.
2. Environmental problems. Environmental penalties/remediation can be extremely expensive. Parties cannot avoid environmental liability to the government, but they can allocate liability between themselves (i.e., if WMATA has to pay the environmental penalty, it can then go after the other party for reimbursement). The 220A financing limits the developer's environmental indemnification to surplus cash.
3. Restrictions on participation rent. The Developer used HUD financing rules to limit how much participation rent the developer was allowed to pay. It would be helpful to know these rules better. What are the limits? Is there any flexibility or alternative solutions?
4. Rent re-sets. The developer in FL Ave told us that the HUD financing would not allow a rent re-set for the first 50 years. But in our PGP transaction, which also involved HUD financing, the rent re-set after 42 years. We should seek clarification on this issue.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

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From: Goldin, Steven
Sent: Friday, May 07, 2010 11:05 AM
To: Burns, Bob; Doggett, Rosalyn; Malasky, Gary; Marshall, Malcolm; Wyner, Jonathan S.
Cc: Dickerson, Tracie S.; Biondi, Marc E.; Welch, Kermit A.; Chu, Mable; Heppen, Bruce P.; O'Keeffe, Carol B.; Montague, Joshua W.
Subject: FW: Reconciling FTA/HUD impediments to JD
Importance: High

Please get back to me with comments ASAP and I will coordinate the meeting

From: Bottigheimer, Nat
Sent: Friday, May 07, 2010 10:53 AM
To: jeffrey.reczek@dot.gov
Cc: Goldin, Steven
Subject: RE: Reconciling FTA/HUD impediments to JD

Hi, Jeff.

Thanks very much for your note, and my apologies for taking this long to respond.

I'm going to ask Steve Goldin, our director of real estate, to contact you directly about this, because he has had more direct experience with the impacts of this provision on our project negotiations.

You can also reach Steve at 202-962-2616.

Best wishes, and let me know anytime if there's anything further we can do to help support the Partnership for Sustainable Communities ...

Nat

From: jeffrey.reczek@dot.gov [mailto:jeffrey.reczek@dot.gov]
Sent: Wednesday, May 05, 2010 2:16 PM
To: Bottigheimer, Nat
Subject: Reconciling FTA/HUD impediments to JD

Good Afternoon Nat,

I was in the meeting that occurred last week when you all came over to FTA to discuss how we can move forward on JD policy. I am heavily involved in the Partnership for Sustainable Communities work and am always interested in identifying and breaking down barriers that limit the ability for grantees to innovate.

More specifically, a HUD financing document, 220A was identified as a document that was impeding progress. It would be great if key folks at WMATA could come back over to DOT to discuss how we tackle any issues.

If you are interested, it would be helpful if you could briefly outline what you guys see the problem with this document to be. I will then come up with a list of FTA and HUD folks who should be in on that conversation and set up a meeting. I was hoping we could meet sometime in the week of May 17th.

Please let me know if you would like to do this and send me any information you think is important to disseminate before the meeting.

Thanks!

Jeff Reczek

Program Analyst

Office of Budget and Policy

Federal Transit Administration

U.S. Department of Transportation

*202-366-5217 -- Office
Jeffrey.Reczek@dot.gov*

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, May 05, 2010 9:30 AM
To: Wyner, Jonathan S.; Malasky, Gary; Burns, Bob; Meister, Mark K.; McElhenny-Smith, Robin
Cc: Bottigheimer, Nat; Goldin, Steven
Subject: FW: Spring 2010 ULI Washington Enews

From: ULI Washington [mailto:dccustomerservice@uli.org]
Sent: Wednesday, May 05, 2010 9:12 AM
To: Doggett, Rosalyn
Subject: Spring 2010 ULI Washington Enews

SPRING 2010

<p>Inside This Issue</p> <p>From the Chair</p> <p>Coming Events – Stay Tuned for Dates</p> <p>Please Join ULI Washington on Facebook</p> <p>Corporate Sponsorship Campaign Winds Down</p> <p>Fall Meeting Registration Opening Soon; Sponsorship Opportunities Still Available</p> <p>13th Annual ULI Washington Real Estate Trends Conference Held April 20</p> <p>Case Study Series – Hilton Garden Inn, Bethesda Air Rights Center</p> <p>Community Action Grant Awarded to ULI Washington</p> <p>UrbanPlan on Track for 11 Classrooms this May and June</p> <p>Columbia Heights Chosen as winner in national ULI Awards for Excellence</p> <p>Regional Sustainability Grant Application Process Underway</p> <p>REAP to Return to Washington, D.C.</p> <p>Twinbrook Station Young Leaders Event</p> <p>ULI Real Estate School in Washington, DC</p> <p>University of Maryland</p>	<p>From the Chair</p> <p>During the course of the Trends Conference last month, I was again reminded of the power of ULI and its ability to provide incisive, thought-provoking, and relevant information across the topics of most interest to the real estate industry. The keynotes and panelists each brought their own insights into the future of real estate, and the opportunities to see so many colleagues in one place was terrific. While it is evident that there is still a long way to go towards a true recovery where jobs are plentiful and capital is unconstrained, there are new opportunities on the horizon. ULI will continue to examine these opportunities, as well as the challenges of our world.</p> <p>As you will read in this enews, many other good things are happening, from Community Action Grants, to Awards for Excellence, to ULI Hines Competition finalists coming from our region. Our membership is stabilizing and we encourage you to continue to be involved in the many activities of the district council. Now that the Spring Council Forum in Boston is behind us, ULI's attention is focusing even more on the 2010 ULI Fall Meeting and Urban Land Expo to be held in Washington, D.C. on October 12-15. We have already engaged a large number of ULI Washington members in the effort to make this a great event. Registration will be open by mid-May and we encourage everyone to sign up early for the meeting.</p> <p>We have recently begun a marketing campaign, as reported in the last newsletter, to engage our public sector colleagues in Technical Assistance Panels. In late Spring we will follow up to a mail campaign that was recently undertaken, and hold a series of small information sessions to describe the TAP process and opportunities. Any members who are working with local governments who might need expertise and guidance to jump start a specific planning issue should contact Jason Stuart, the ULI Washington Director of Community Outreach to work with him to see if a TAP panel can be developed to meet the needs of the agencies.</p> <p>I look forward to the continuing engagement of our members in ULI Washington for the coming months!</p> <p>Robert M. Pinkard Chair, ULI Washington</p> <p>Back to Top</p> <p>Coming Events – Stay Tuned for Dates</p> <p>ULI Washington has a number of events planned. While they are not yet posted, they will be shortly, and you should check the ULI Washington web site at Washington.uli.org to get details.</p>
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Team in "Final Four" for ULI Hines Competition

YLG Community Service Project in NOMA

YLG "H" Street Brown Bag

Breakfast Meeting: Social Media as a Tool to Drive Demand for Projects

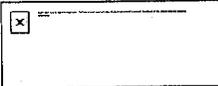
- Breakfast Meeting, Infrastructure Initiatives
- YLG event on Retrofitting Green Buildings
- Real Estate 101, Capital Markets for YLG
- Case Study Number 3
- YLG Town Hall Meeting

[Back to Top](#)

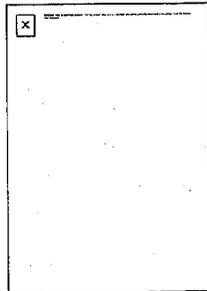
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Welcome to our New

Please Join ULI Washington on Facebook

The ULI Washington Facebook page fan base is growing – it is now up to 26 intrepid souls. We are beginning to post photos and announcements more regularly, and you don't want to miss all the ULI Washington news. You may even find yourself in a photo! If you are already a Facebook member, please sign up as a fan on our Facebook page.



[Back to Top](#)

Corporate Sponsorship Campaign Winds Down

A big thank you to those companies who have committed to being ULI Washington corporate sponsors this year. The 2010 Corporate sponsors are listed in the left column of this newsletter. Support from our annual sponsors enables us to provide first-rate educational and networking opportunities and essential community outreach services throughout the Washington region.

As a reminder, each sponsor is entitled to a number of complimentary registrations to our main events, based upon the level of sponsorship. To register attendees using complimentary registrations, call Bernadine Dullaghan at 301-894-7310 or fax a completed registration form for the event to 301-894-0410. Another registration option is to email Bernadine at bdullaghan@uli.org.

If you are interested in working with the Sponsorship Committee next year please contact Lisa Rother, Executive Director at lrother@uli.org to let her know of your interest.

[Back to Top](#)

Fall Meeting Registration Opening Soon; Sponsorship Opportunities Still Available



In mid-May, the 2010 Fall Meeting registration will officially open. Details about the programming, mobile workshops, and special interest tours will be included. Check the Fall meeting website often for information as it becomes available. Sign up early for a discounted registration.

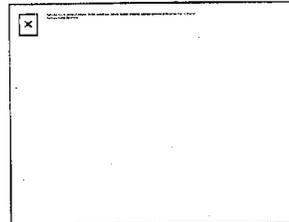
There are still opportunities for sponsorship of the Fall meeting to be held in D.C. in October. Your company's logo could be on the marketing materials going out to the over 30,000 ULI members who receive notifications about the Fall meeting this year. If you are interested in finding out more about sponsorship opportunities, please review the attached sponsorship brochure. Once you

have reviewed the materials, feel free to contact David Mayhood, Chair, 2010 Fall Meeting Sponsorship Committee at dmayhood@mayhoodcompany.com or Lisa Rother, ULI Washington Executive Director at lrother@uli.org.

[Back to Top](#)

13th Annual ULI Washington Real Estate Trends Conference Held April 20

The Ronald Reagan Building Amphitheater was once again filled to capacity as this year's Trends Conference got underway on April 20th. Over 750 people registered for the conference, and there were 10 exhibitors. Panels provided insight on capital markets, the new consumer



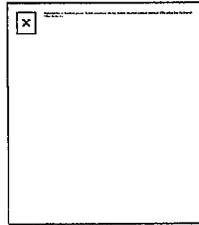
Members!*

- Garrett Adler
- Daniel Bakst
- Gary Ball
- John Barron
- Hansel Bauman
- Christina Belton
- R. Cary Blackwelder-Plair
- Carla Brown
- Jeremy Brown
- Abid Butt
- Patrick Carlini
- Shane Carmadella
- Joseph Carter
- Colleen Casey
- Monica Castro
- Candace Chazen
- Peter Chinloy
- Clay Christian
- Gary Cohen
- Baraka Daudi
- Timothy Doves
- Chris French
- Joe Friedman
- Jason Fudin
- Andrew Garrison
- Doug Gatlin
- Erica Gordy
- Andrew Grant
- Arisha Griffith
- Catherine Heymann
- Tuan Hoang Doan
- Mark Jackson
- Trent Jaklitsch
- Lauren Keating
- Charlie Kieler
- Robert Kuhns
- Serge Learsy
- Sarah Lengyel Steel
- Richard Lundregan
- Rebekah Lusk
- Benjamin Macfarland
- Dan Mazur
- Michael McCarthy
- Charlie McCombs
- Marcus McEaddy
- Malcoim McGregor
- Georgia McLaughlin
- Peter Mellen
- Sanja Mishra
- Christopher Nagle
- Kareem Nakshbandi
- Mark Negus
- Dung Nguyen
- Everett O'Neal
- Adam Ortiz
- Taylor Ott
- Phyllis Owusu-Adjapong
- Oyeyinka Oyelaran
- Joshua Riitamo
- Michael Rodan
- John Ross
- Jared Russell
- Reginald Samuel

mindset, green building technology, and the hotel industry. Keynote speakers included Doug Poutasse, Ivy Zelman, Ethan Penner and Doug Shorestein. An interactive session was held again this year giving the attendees an opportunity to express their opinions about the state of the real estate industry and financial trends. Look in your snail mail boxes in a few weeks for a newsletter containing detailed information about the conference.

[Back to Top](#)

Case Study Series – Hilton Garden Inn, Bethesda Air Rights Center



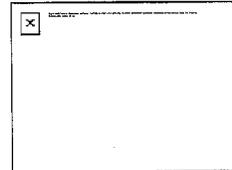
Developing a new building on a tight infill site is never easy. When the property in question is carved out of an existing parking garage that must remain open and functional during construction, requires cooperation between two jurisdictions (Montgomery County and the Town of Chevy Chase), involves two different ownership/development entities and ends up being financed at the beginning of the Great Recession, the level of difficulty becomes almost Olympian. The latest ULI Case Study, "Creating Synergy:

Adding a New Hotel to the Air Rights Center, a Mixed Use Project in Bethesda" explored how these challenges and others were overcome to create the first new hotel in Bethesda in 23 years. The panel, held on March 23, included Peter Gartlan and Chris Bruch with Donohoe Development Company and Donohoe Hospitality Services, respectively, Frank Coppola with Jones Lang LaSalle and Patricia Harris with Holland & Knight. The event was generously sponsored by Hilton Garden Inn. For more details about this project and the case study, [click here](#).

[Back to Top](#)

Community Action Grant Awarded to ULI Washington

ULI Washington was awarded a \$25,000 Community Action Grant this spring to undertake a project to quantify what makes a Walkable Urban Place. The CAG comes from ULI and the ULI Foundation as part of a program which seeks to encourage entrepreneurial projects at the state, regional and local levels to build community consensus for action and change.



Grants are awarded for creative, innovative community outreach, research, or education programs. By encouraging new ideas and supporting the most entrepreneurial projects, all communities can benefit because successful projects can be replicated.

For the proposed project, ULI Washington, in partnership with the Brookings Institution, will convene a pair of advisory panel meetings to inform development of an operational definition of, and performance metrics for, walkable urban places (WUPs) and to produce a white paper summarizing the results of the panels. Interim results will be shared at the 2010 ULI Fall Meeting and Urban Land Expo to be held in Washington D.C. in October.

[Back to Top](#)

UrbanPlan on Track for 11 Classrooms this May and June



The Legos, site plans, laptops, and handbooks have already been delivered, and are the subject of student curiosity as they sit tucked

away in corners of classrooms. On Tuesday, May 4th, the day after students in Bethesda, MD and Fairfax, VA put down their pencils from their Advanced Placement (AP) Government exams, 307 of them will begin ULI's UrbanPlan program, now in its sixth and fifth years, respectively, at the two schools. The five classes at Bethesda-Chevy Chase High School and six classes at Robinson Secondary are more classes than we have ever undertaken concurrently, and as a result, we are asking all our trained volunteers to "give early and give often" of your time. Although we now have almost 200 trained UrbanPlan Volunteers—including twenty who were just trained in two sessions this Spring—with eleven classes all running at the same time (and five teams

Adam Schwartz
Galen Sencil
Jamie Steinberg
Adam Stone
Douglas Svitchan
Samuel Swiller
Erik Taylor
Robert Taylor
Sara Towner
Pamela Tyrrell
Corrie Wade
Serena Washington
Kent Watkins
Dave Watts
Fred Weiner
Pamela Wessing
Ryan Whitaker
Tony Williams
Michael Winstanley
George Wisecarver
Ian Wittkoff
Jonathan Wyner
Jon Zubiller

*Joined since January 1,
2010

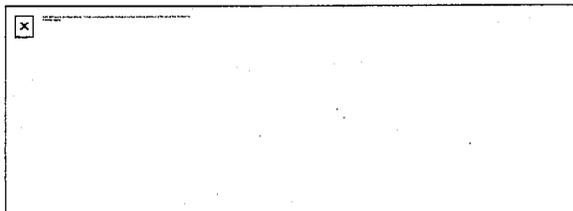
per class) we'll need plenty of volunteers to work with the students in facilitations and the City Council sessions. If you haven't already responded to Jason's e-mail listing the dates and times for which he needs volunteers, please do so as soon as possible, at stuart@uli.org.

Although we are now at full capacity for this part of the school year, we are always looking for new schools where we can implement UrbanPlan during a different part of the year (most likely requiring a non-AP class to do so). If you know an exceptional high school teacher of Government, Geography, or Economics, please let Jason know. As always, thanks to ULI Washington's Corporate Sponsors, and especially to ULI Washington's Platinum Sponsor, Grosvenor, whose generous contributions make it possible for ULI to provide all the necessary UrbanPlan supplies to local schools, educating the next generation of leaders about land use issues.

[Back to Top](#)

Columbia Heights Chosen as Winner in National ULI Awards for Excellence

A Washington, D.C. project was selected as one of ten outstanding developments in the ULI Awards for Excellence: The Americas competition. The winners of the awards competition, widely recognized as the land use industry's most prestigious recognition program, were announced in Boston at the 2010 ULI Real Estate Summit at the Spring Council Forum.



The winning Washington, D.C. project was Columbia Heights, Washington, DC (The Government of the District of Columbia). Arising from a city-led initiative to revitalize a neighborhood destroyed in the riots following Martin Luther King, Jr.'s assassination, Columbia Heights features 1.2 million square feet of new development, including more than 600 housing units, 650,000 square feet of large-format and community retail, and refurbished cultural and public spaces.

The region was well-represented among the 17 finalists for the competition, with Bethesda Row and the National Association of Realtors headquarters building also achieving that coveted status. "All of the finalists demonstrate best practices in land use and property development. In addition, many of these developments involve environmentally sustainable features, public/private partnerships, and innovative financing," said Jury Chair Marty Jones, president, Corcoran Jennison Companies in Boston. "All have proven to be financially successful in their industry class while enhancing and strengthening the surrounding community. Especially in these challenging times, ULI hopes to inspire others to by sharing the stories of these creative, high quality finalists."

[Back to Top](#)

Regional Sustainability Grant Application Process Underway

Last year, U.S. Secretary of Transportation Ray LaHood, U.S. Secretary of Housing and Urban Development Shaun Donovan, and U.S. Environmental Protection Agency Administrator Lisa P. Jackson announced plans for an interagency Partnership for Sustainable Communities, and outlined six guiding "livability principles" they will use to coordinate federal transportation, environmental protection, and housing investments at their respective agencies. The principles include programmatic and funding efforts to provide more transportation choices; promote equitable, affordable housing; enhance economic competitiveness; support existing communities; coordinate policies and leverage investment; and value communities and neighborhoods.

On February 4, HUD released a Request for Comments on the proposed Sustainable Communities Planning Grant Program, seeking input on specific programmatic elements of the Program. The notice states that \$100 million in funding is proposed nationally for the Program and that large regions, like metropolitan Washington, would be eligible for a maximum award of \$5 million.

The Metropolitan Washington Council of Governments is taking on the role of

the lead agency in preparing the regional grant. The Washington Smart Growth Alliance and ULI Washington will serve on a task force to guide the grant preparation effort which will be due in the first week of June, with grant award announcements expected in August. ULI Washington will inform members of the activities in pursuit of the grant and will likely be seeking member comment on the application at some point during the process.

For more information on the HUD, DPT, EPA partnership and the Sustainable Communities Initiative, [click here](#).

[Back to Top](#)

REAP to RE-turn to DC This September

REAP, the Real Estate Associate Program, created to bring minority talent to the commercial real estate industry, comes back to Washington, DC for a thirteen week, 26 class program beginning September 7. Applications will be available at www.projectreap.org beginning June 1. Applications will be screened by the REAP Washington advisory council with interviews conducted to determine the final class roster. Tuition for the program is \$750.00.



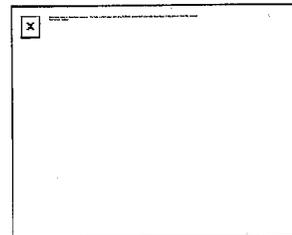
The REAP curriculum will focus on office, shopping center and multi-family real estate with additional classes on market analysis, financial analysis and government leasing. There will also be a class on how projects come to fruition and why most projects succeed and others fail.

REAP is an industry-backed, market-driven program that finds and trains career-changing minority professionals for positions in commercial real estate, through education, networking, and on-the-job training with leading firms. With the enthusiastic support of industry leadership, REAP is now widely acknowledged to be the most successful diversity initiative in the commercial real estate industry, with over 80 REAP graduates working in the commercial real estate industry today in markets as diverse as Washington, New York, Atlanta, and Chicago.

[Back to Top](#)

Twinbrook Station Young Leaders Event

On April 15 a group of over 70 ULI Young Leaders met to learn more about one of the hottest trends in real estate: transit oriented development (TOD). The Washington region contains the nation's second-busiest subway system, with 86 stations, and more to come with the creation of the Silver line. At present Maryland, Virginia and the District all have underdeveloped Metro stations, creating plenty of future TOD opportunities.



Twinbrook Station in Montgomery County can soon be crossed off the list of underdeveloped stations. The JBG Companies are transforming 26 acres surrounding the station into over 2.2 million square feet (SF) of office, retail and residential space. The ultimate development plan calls for 1,600 residential units, including 500 condos, 300,000 SF of office and 200,000 SF of retail. Their Phase 1 development, The Alaire, which contains over 280 high-end apartments and 15,000 SF of retail, served as host for the Young Leaders presentation. Panelists included Anthony Wolf Greenberg, Vice President at JBG; Nat Bottigheimer, Assistant General Manager Planning and Joint Development at WMATA; and Andrew Scott, Special Assistant to the Secretary at the Maryland Department of Transportation (MDOT).

For more details on the case study, [click here](#).

[Back to Top](#)

ULI Real Estate School in Washington, DC

June 2-14, 2010
The Westin Grand
Washington, D.C.

Experience is the best teacher. For more than 20 years, ULI has been assembling some of the most experienced academics and professionals in the country as its Real Estate School faculty. Each course curriculum is carefully prepared, with materials, research, and case studies drawn from the instructors' own classrooms and professional experience. Emphasizing a real-world perspective, each of the Real Estate School's ten courses is designed to provide students with practical, hands-on knowledge and information. From understanding the development process to advanced financial analysis, the ULI Real Estate School gives students exceptional insights into today's real estate industry.



The professional development program of the Urban Land Institute is uniquely positioned in its ability to draw upon a membership of nationally recognized professionals representing the entire spectrum of the real estate industry. This interdisciplinary approach offers students balanced and effective knowledge of the real estate business

from multiple perspectives. While highly structured, the courses encourage interaction among participants and faculty to foster a more complete understanding of the development process and the real estate industry by the many players, both public and private. [Click here to learn more about this year's Real Estate School.](#)

If you want to gain knowledge and expertise in a particular aspect of real estate, or simply want to bring yourself up to date, take advantage of this offering. And you can earn a ULI professional development certificate when you attend the Real Estate School. To be the best, you have to learn from the best.

[Back to Top](#)

University of Maryland Team in "Final Four" for ULI Hines Competition

A team from the University of Maryland was a runner-up in the prestigious 2010 Urban Land Institute (ULI) Gerald D. Hines Student Urban Design Competition. The Maryland team was one of four finalists in the competition. The other finalists were from NC State/UNC, Harvard University and the University of Pennsylvania. The students on the team are: Gregory Patrick Vernon, Master of Urban Studies and Planning; Lin Mao, Master of Architecture; Brian H. Brodeur, Master of Architecture; Kameron Aroom, Master of Landscape Architecture; and Timothy Martin Phillips, Master of Real Estate Development. The Faculty Advisor for the project is Matthew Bell. To view Maryland's Finalist Stage submission, please [click here](#). To view Maryland's Competition Stage submission, please [click here](#).

The ULI Gerald D. Hines Student Urban Design Competition was created in 2003 to encourage cooperation and teamwork—necessary talents in the planning, design and development of sustainable communities—among future land use professionals and allied professions, such as architecture, landscape architecture, urban planning, historic preservation, engineering, real estate development, finance, psychology and law.

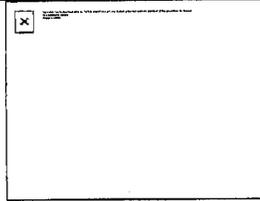
Nearly 660 students comprising 132 teams from 48 universities in the U.S. and Canada applied to compete in the 2010 competition. They were challenged to create a design and development proposal for a 73.5 acre site in East Village in downtown San Diego.

[Back to Top](#)

YLG Community Service Project in NOMA

Eighteen ULI Young Leaders and staff ventured to NoMa on Saturday, March 27th, for a morning of learning and service. The NoMa Business Improvement District (BID) hosted the group at its office for breakfast and an enlightening presentation by NoMa BID president, Liz Price. Ms. Price spoke of the BID's initiatives as well as the past, present, and future of the area North of Massachusetts Avenue.

The volunteers then assisted members of the BID's Clean Team in a massive cleanup of the area between the Florida Avenue Market and the New York Avenue Bridge. Merrit Drucker, Director of Operations for the BID, explained that the area was one of the dirtiest in all of DC. With the help of the ULI volunteers, the team was able to fill an entire dumpster before lunch. The clean-up was planned in preparation for the upcoming restoration of the New York Avenue Bridge.



[Back to Top](#)

YLG "H" Street Brown Bag

On Tuesday, March 16, a group of Young Leaders met at the offices of Holland & Knight for a brown bag session on the redevelopment of the H Street Corridor. Anwar Saleem, Executive Director of H Street Main Street, Inc., and a lifelong resident of the Capitol Hill area, kicked off the event with a brief overview of the history of the H Street Corridor.

According to Derrick L. Woody, Representative for the District's Deputy Major of Planning and Economic Development office (DMPED) and Coordinator for the District's Great Streets Initiative, H Street's revitalization has been successful in part due to the major public investments made along the corridor. H Street NE is one of nine targeted areas in DC to receive public funds from the Great Streets Initiative, to pay for streetscape improvements such as new sidewalks, landscaping and lighting, and building façade updates.

Guy T. Stuart, Senior Vice President at Stuart Investment Company, rounded out the panel with an overview of his company's marquee development project near the western edge of the H Street corridor. Situated on the south side of H Street, between 3rd and 4th Streets, the property has approvals for 212 apartment units (10% of which will be affordable); 42,000 square feet of retail, including a full-service grocery store; and 125 parking spaces below-grade.

[Click here to learn more about the H Street Corridor and planned improvements there.](#)

[Back to Top](#)

Breakfast Meeting: Social Media as a Tool to Drive Demand for Projects

On February 25th, over 150 attendees came to the Grand Hyatt in downtown Washington to learn more about social media, including Facebook, Twitter, LinkedIn, and others. This proved to be a popular and current topic, specifically how social media is leveraged to promote sales, marketing, and community building. The cadre of speakers and panelist included Evan Goldman, a developer with Federal Realty who talked about using social media in the White Flint sector planning process; Lynda Tocci, a public relations consultant, stressed that social media marketing cannot stand on its own but needs to be combined with "old" media such as phone calls and face to face meetings; Christine Delucchi, a communications consultant, described marketing campaigns using social media for specific properties; Josh Freeman, president of a web/video collaboration company demonstrated some new uses of video in social media; and Nicolas Jemmett, co-founder of sweetgreen restaurant described how his brand has been enhanced by the use of social media.



[Back to Top](#)

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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, May 03, 2010 10:56 AM
To: Malasky, Gary
Subject: Re: PUD Application for Washington Gateway Project at Florida and New York Avenues, NE

No

From: Malasky, Gary
To: Talala, Anabela
Cc: Burns, Bob; Doggett, Rosalyn; Wyner, Jonathan S.; Goldin, Steven
Sent: Sun May 02 23:04:24 2010
Subject: Fw: PUD Application for Washington Gateway Project at Florida and New York Avenues, NE

I don't remember this. Anabela do you have a map of what we own. Does anyone else know about it?

From: Leila.Batties@hklaw.com
To: Malasky, Gary
Cc: mrobinson@mrprealty.com
Sent: Thu Apr 29 15:43:10 2010
Subject: PUD Application for Washington Gateway Project at Florida and New York Avenues, NE
Good afternoon, Mr. Malasky.

We represent MidAtlantic Realty Partners in connection with the development of the 3 acre site at Florida and New York Avenues, NE, in Square 3584, D.C. The property was the subject of Zoning Commission Case No. 06-14, which was approved for the development of a planned unit development consisting of residential, hotel, office, retail uses.

MidAtlantic Realty Partners is now seeking a modification to the original PUD approval. Specifically, they are seeking to have the option to develop residential units, in lieu of the hotel originally approved for the project. This proposed option requires the filing of a PUD Modification application, including forms signed by the property owners.

A portion of the property is owned by WMATA -- Lots 812 and 813 of Square 3584, which means WMATA must sign the application form for the PUD Modification. (When the original PUD application was filed, Lot 813 was owned by the District, but based on the District's website, it appears that Lot 813 is now owned by WMATA.)

For the original PUD application, you signed the application form on behalf of WMATA. Please confirm that you would sign the application form on behalf of WMATA for the PUD modification. If so, I will send it to you via email. If you have any questions, please let me know. I can be contacted directly at (202) 419-2583.

Thanks,

Leila Batties | Holland & Knight
Partner
701 Brickell Avenue, Suite 3000 | Miami FL 33131
Phone 305.789.7626 | Fax 305.789.7799

2099 Pennsylvania Avenue, NW | Washington DC 20006
Phone 202.419.2583 | Fax 202.955.5564
leila.batties@hklaw.com | www.hklaw.com

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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, April 26, 2010 4:56 PM
To: Malasky, Gary
Subject: template
Attachments: Florida Ave Amended Term Sheet 3-10- rev 4.pptx

Remember there is a new Committee name
And your presentation would end with recommendation which FL Ave did not.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, April 13, 2010 10:37 AM
To: Goldin, Steven
Subject: FW: Florida Avenue Properties

How would you like to handle this? I do not think that we are in any position to address this now.

From: Talaja, Anabela
Sent: Tuesday, April 13, 2010 8:53 AM
To: Doggett, Rosalyn
Cc: michaelussman@starpower.net
Subject: Florida Avenue Properties

Roz,

Mr. Sussman currently leases the Florida Avenue properties on weekends on which he which operates a flea market. Please see his note below.

Anabela

From: Michael Sussman [mailto:michaelsussman@starpower.net]
Sent: Monday, April 12, 2010 7:57 PM
To: Talaja, Anabela
Subject: Re: WMATA Lease

Dear Anabela,

I am aware that the sale to the Bannaker group has fallen through. I would be interested in exploring a purchase based upon the package that city was offering that group. Would I discuss that with your office?

Regards, Michael

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, April 12, 2010 11:05 AM
To: Wyner, Jonathan S.
Cc: Meister, Mark K.; Goldin, Steven
Subject: FTA updates
Attachments: FTA Quarterly REV 4 Status of Current Projects 2-3-2010.doc

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, March 24, 2010 10:17 AM
To: Wyner, Jonathan S.
Subject: RE: Banneker Ventures Questioned on Development Process - from DCMUD

Thanks, Jonathan. Both Steve and I get DC Mud so I saw this but appreciate your sending it on. The project is on the agenda for tomorrow.

From: Wyner, Jonathan S.
Sent: Wednesday, March 24, 2010 9:44 AM
To: Doggett, Rosalyn; Goldin, Steven
Subject: Banneker Ventures Questioned on Development Process - from DCMUD

Banneker Ventures Questioned on Development Process

13 comments Posted by Shaun on 3/19/2010 06:37:00 PM

Labels: [Banneker Ventures](#), [Florida Ave.](#), [Mayor Adrian Fenty](#), [Silver Spring](#), [WMATA](#) 



Pressure on **Mayor Adrian Fenty** heated up today as questions increased about the Mayor's developer selection process amid news that [WMATA](#) may be backing away from [Banneker Ventures](#) as a development partner. Banneker has been awarded [numerous projects](#) worth tens of millions of dollars by the Mayor's office despite its perceived lack of development experience.



Today, the WMATA board removed the Banneker project "[The Jazz @ Florida Avenue](#)" at [8th and Florida Avenue](#) from the agenda for the real estate committee next Thursday, at which time it would have taken-up a joint development agreement for the WMATA-owned property. Today's move comes after WMATA issued a 120-day extension on the agreement in September 2009. Banneker was [chosen for the project in June of 2008](#), but has not yet started work on the site. More than a year later it [announced it would partner with Bank of America and had petitioned for government funds](#), advances that were to have moved the project forward. The developer had already been pledged a \$7m TIF grant from the District.

The move by WMATA likely comes in response to questions raised [first by this publication](#) about justification for awarding so many projects to a team with so little apparent experience, then by the [CityPaper](#) and [Washington Post](#) about the how the relationship between Banneker's founder and D.C. **Mayor Adrian Fenty** may have affected the selection process. The two men attended Howard University and were in the same fraternity.

In addition to the WMATA site on Florida Avenue, the virtually unknown Banneker has been selected by the District on numerous multi-million dollar projects throughout the city, despite a large roster of construction and development firms available for such projects as private financing for construction was drying up. Banneker's luck began in late 2007 when it was [selected by the District](#) to be part of the \$700 million [Northwest One](#) project. Around the same time, Banneker was named as a master planner on the monstrous [Park Morton](#) project (see [DC's summary](#)). Despite lack of movement in those two projects, or on its private projects (see more below) it was then selected for a string of projects such as [the WMATA site](#) in June of 2008, and by DC for the iconic [Strand Theater](#) in July of that year, then in October to head the \$33m [Deanwood Community Center](#) project. In October of last year the District named [Landex Corp](#), Spectrum Management and the [Warrenton Group](#) as developers of Park Morton. The Warrenton Group is run by a [former Banneker member](#) that has also had a contentious relationship with the city.

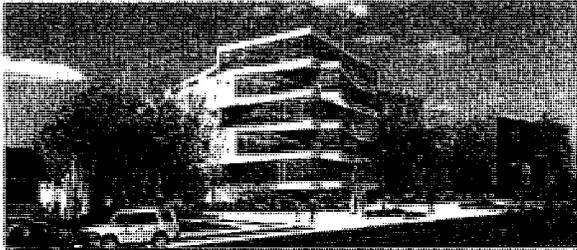
Park Morton raised eyebrows at the Mayor's development process for yet another reason; the District announced just last October that the Mayor had selected its team members for Park Morton in part because that [development team said it controlled and would bring the Central Union Mission site](#) into the development plan, increasing its scope. [DCMud](#) learned a few days later that the [Missions' owners had never agreed to transfer their property](#) to the development

team, calling into question the District's selection process and the claims made by the development team to secure the project. Banneker is also being considered for its development offer at Hill East, a massive 50-acre parcel on the Anacostia River. Banneker's publicly-funded projects at the WMATA site, the Strand, Park Morton have yet to break ground.

In a contentious radio interview on the Kojo Nnamdi show following the announcement, **Omar Karim**, founder and principal at Banneker Ventures, called out the WMATA board for further delaying review of the agreement on the RFP awarded in 2008. In the interview, Karim, who dismissed suggestions that the board had legitimate concerns, argued that WMATA continued to "move the bar" on his project for "political" reasons. The Jazz @ Florida Avenue would theoretically bring 124 apartment units above 20,000 s.f. of ground floor retail and a 61-space parking garage to 3 flea market-sporting lots.

Tom Sherwood, resident analyst at NPR, asked Karim how many contracts he had received prior to Fenty taking office, to which Sherwood ultimately answered his own question with "none." Asked specifically about his experience, Karim answered that he had solid development experience at a large firm prior to starting Banneker, but would not name the firm or elaborate on the experience. As for Banneker's experience, Karim could only cite that his firm held an office building in Silver Spring and an unspecified site in which he "has been in conversations with Safeway about developing." At the time of publication, Safeway was unable to confirm or deny these conversations.

So what about that Silver Spring office building? That would presumably be 814 Thayer Avenue. Banneker purchased the site in May of 2006, submitted plans later in the year, and in July 2007 obtained Montgomery County Planning Board approval of a preliminary plan for a 52-unit residential building, a plan that was reviewed in November of 2007. The next step would be site plan approval, but, to date, the team has not even submitted a site plan to the planning staff for certification. Banneker will need a certified plan before the group can file for any construction permits for the property, making the September 2010 ground breaking date seem, at best, optimistic.



The 5-story Thayer project, designed by Sorg & Associates, would entail construction of a 53-unit condominium, in place of National Association of the Deaf office building. **Joshua Sloan**, a staff reviewer at the MNCPPC, provided an update on the project, "my understanding is that they want to amend their proposal, but I have not seen anything. I suppose it is "officially still pending." Sloan and his comments are the last stop before Banneker can proceed, a process which "can take a week or a year...depending on the Applicant's response time to comments."

Banneker's website also boasts the Pattern Shop Lofts on the Waterfront, a project led by Forest City Washington that has not yet broken ground. Banneker registered with the District government as a small, minority-owned business in 2005.

Washington, DC real estate development news

Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development
600 Fifth Street, NW, #5B-A
Washington, DC 20001
202/962-1577

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, March 24, 2010 9:55 AM
To: Bellamy, Michelle A.
Cc: Bottigheimer, Nat; Goldin, Steven; Montague, Joshua W.; Mohsberg, Sid
Subject: FL AVE Comparison Table
Attachments: FLAVETerm Sheets Comparison Table 3-23-2010 rev 5.xlsx

Current version of table incorporating minor change suggested by Steve.

Please send to Loyda.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, March 22, 2010 3:20 PM
To: Mohsberg, Sid
Subject: FW: DCRealEstate.com Newsletter - March 22nd

From: richard harps [mailto:rharp@earthlink.net]
Sent: Monday, March 22, 2010 2:59 PM
To: Doggett, Rosalyn; Marshall, Malcolm
Subject: Fw: DCRealEstate.com Newsletter - March 22nd

FYI

-----Forwarded Message-----
From: "DCRealEstate.com"
Sent: Mar 22, 2010 2:14 PM
To: rharp@earthlink.net
Subject: DCRealEstate.com Newsletter - March 22nd

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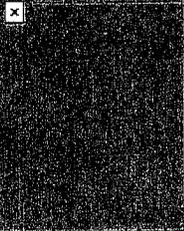
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Gute Studio
Dupont Circle

Banneker Ventures Questioned on Development Process

Pressure on **Mayor Adrian Fenty** heated up today as questions increased about the Mayor's developer selection process amid news that **WMATA** may be backing away from **Banneker Ventures** as a development partner. Banneker has been awarded numerous projects worth tens of millions of dollars by the Mayor's office despite its perceived lack of development experience. [Read Full Story](#)

Donatelli Breaks More Ground in Petworth

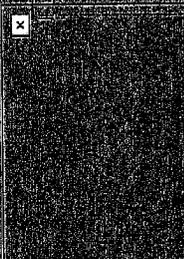
Donatelli Development broke ground this past week at 3801 Georgia Avenue, until now a vacant lot in DC's Petworth neighborhood. The 49-unit, 7-story project will rise across from the Petworth Metro, and across the street from Park Place, Donatelli's last project. Actual construction could begin in the next few weeks. [Read Full Story](#)



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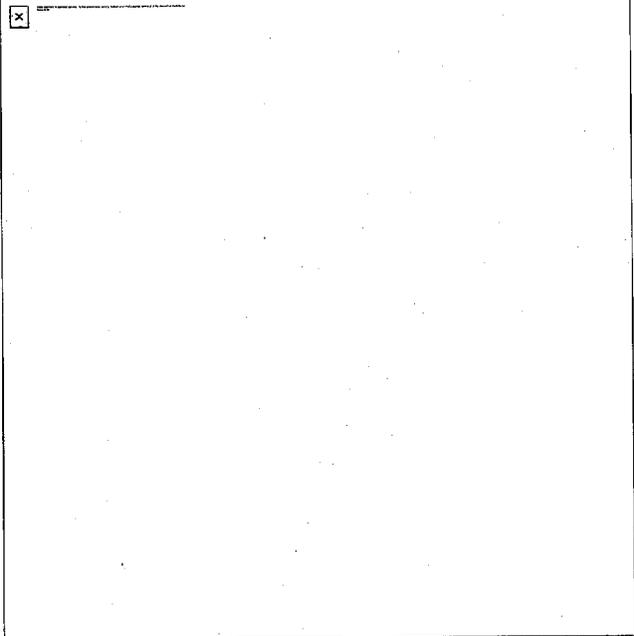


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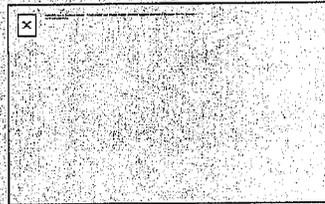
District to Give Money to Start Rhode Island Mixed-Use

Last week, the District government announced it will provide financing for development team **Urban Atlantic and A&R Development Corp.**, meaning plans can now move forward to transform the 8.5-acre surface parking lot at the Rhode Island Avenue Metro station, one of DC's most stalled projects, into a sizable mixed-use neighborhood, **Rhode Island Station**. The District will provide \$7.2 million in financing through a PILOT note toward the \$108 million project, which will bring 274 rental units above 70,000 s.f. of retail in two buildings. Additional financing will come from the federal government. Wednesday's announcement marks a significant step toward the execution of the District's Great Streets Plan for Rhode Island Avenue. [Read Full Story](#)



MoCo's Tallest Building Will Be Ready by Summer

The best views in Montgomery County will be up for grabs when JBG begins leasing MoCo's tallest building in the coming days. According to **The JBG Companies' Marketing Manager, Julie Contos**, the first of North Bethesda Market's 397 rental apartments are scheduled for delivery the Summer of 2010, but will become available for lease by "late Spring." The group has not finalized the rates yet. [Read Full Story](#)



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rharps@earthlink.net

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, March 22, 2010 2:48 PM
To: Goldin, Steven; Montague, Joshua W.
Subject: FW: DCRealEstate.com Newsletter - March 22nd

From: DCRealEstate.com [mailto:ken@dcrealestate.ccsend.com] **On Behalf Of** DCRealEstate.com
Sent: Monday, March 22, 2010 2:15 PM
To: Doggett, Rosalyn
Subject: DCRealEstate.com Newsletter - March 22nd

Link to [Web Version](#)

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**Banneker Ventures
Questioned on Development
Process**

Pressure on **Mayor Adrian Fenty** heated up today as questions increased about the Mayor's developer selection process amid news that **WMATA** may be backing away from **Banneker Ventures** as a development partner. Banneker has been awarded numerous projects worth tens of millions of dollars by the Mayor's office despite its perceived lack of development experience... [Read Full Story](#)

**Donatelli Breaks More
Ground in Petworth**

Donatelli Development broke ground this past week at 3801 Georgia Avenue, until now a vacant lot in DC's Petworth neighborhood. The 49-unit, 7-story project will rise across from the Petworth Metro, and across the street from Park Place, Donatelli's last project. Actual construction could begin in the next few weeks... [Read Full Story](#)

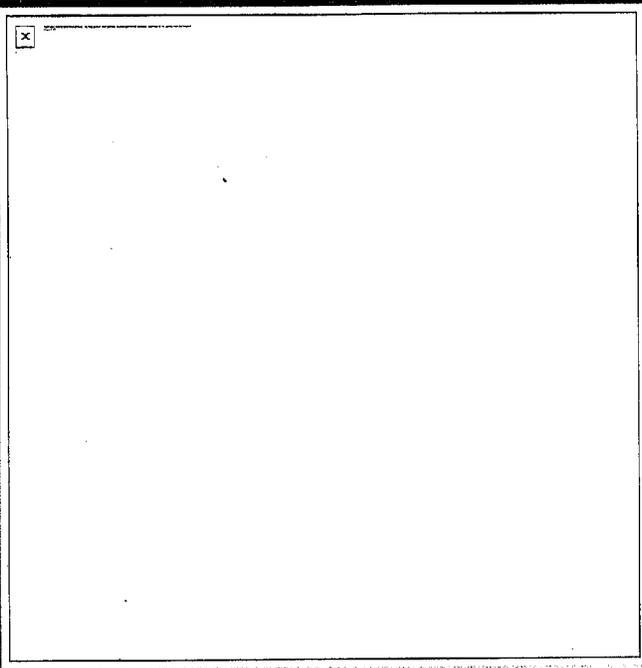
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District to Give Money to Start Rhode Island Mixed-Use

Last week, the District government announced it will provide financing for development team **Urban Atlantic and A&R Development Corp.** meaning plans can now move forward to transform the 8.9-acre surface parking lot at the Rhode Island Avenue Metro station, one of DC's most stalled projects, into a sizable mixed-use neighborhood, **Rhode Island Station.** The District will provide \$7.2 million in financing through a PILOT note toward the \$108 million project, which will bring 274 rental units above 70,000 s.f. of retail in two buildings. Additional financing will come from the federal government. Wednesday's announcement marks a significant step toward the execution of the District's Great Streets Plan for Rhode Island Avenue. [Read Full Story](#)



MoCo's Tallest Building Will Be Ready by Summer

The best views in Montgomery County will be up for grabs when JBG begins leasing MoCo's tallest building in the coming days. According to **The JBG Companies' Marketing Manager, Julie Contos,** the first of North Bethesda Market's 397 rental apartments are scheduled for delivery the Summer of 2010, but will become available for lease by late Spring. The group has not finalized the rates yet. [Read Full Story](#)



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Email Marketing by



Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, March 19, 2010 8:20 AM
To: Mohsberg, Sid
Subject: RE: Florida Ave item OFF the agenda

Please note that this MEAD is 100628 (not 100638)

From: Mohsberg, Sid
Sent: Thursday, March 18, 2010 7:26 PM
To: Bottigheimer, Nat
Cc: Goldin, Steven; Doggett, Rosalyn; Bellamy, Michelle A.
Subject: FW: Florida Ave item OFF the agenda

Nat,

In light of this email and pending further developments, we will not restart the routing of MEAD 100638 "Act on Amended Florida Avenue Term Sheet and Time Extension to Negotiate a Joint Development Agreement", which Loyda disapproved this morning, Thursday, 3/18/10, at Level 6.

For now, it will not be in tomorrow's mail out package.

Sid

From: Sequeira, Loyda
Sent: Thursday, March 18, 2010 7:05 PM
To: Bottigheimer, Nat; Goldin, Steven; Catoe, John B.; Pant, Shiva K.
Cc: Green, Jennifer A.; Lawson, Arturo V.; Doggett, Rosalyn; Chambliss, Leenda M.; Pierce, Necola; Mohsberg, Sid; Farbstein, Lisa; Bellamy, Michelle A.
Subject: Florida Ave item OFF the agenda

Hello Everyone,

I just received a call from Mr. Graham who has instructed me to take the Florida Ave/Shaw Howard off the Joint Dev & Real Estate agenda.
He has asked to be consulted before any public statements are made on this matter.

I explained to him that the agenda has not been made public or distributed (other than internally) so it would be as it was never on it.

Please let me know if there are any questions.

Loyda Sequeira-Castillo
Board Secretary, Metro
600 Fifth Street, NW
Washington, DC 20001

Direct: 202-962-1816
Fax: 202-962-1133

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, March 18, 2010 5:17 PM
To: Montague, Joshua W.
Cc: Goldin, Steven
Subject: RE: Florida Avenue - Term Sheet

As a result of the meeting yesterday with the chair of our RE Committee, please remove the not to be unreasonably withheld clause at the end of Section 1.2.

Thank you.

From: Montague, Joshua W.
Sent: Wednesday, March 17, 2010 3:06 PM
To: Goldin, Steven; Doggett, Rosalyn
Subject: RE: Florida Avenue - Term Sheet

Here is the revised Term Sheet with language to clarify that it is a singular 25 year period.

From: Goldin, Steven
Sent: Wednesday, March 17, 2010 1:17 PM
To: Doggett, Rosalyn; Montague, Joshua W.
Subject: Re: Florida Avenue - Term Sheet

Ok

From: Doggett, Rosalyn
To: Montague, Joshua W.
Cc: Goldin, Steven
Sent: Wed Mar 17 13:06:28 2010
Subject: RE: Florida Avenue - Term Sheet

I have reviewed the red line parts and the capital events write-up. They look fine to me. I do not think it necessary to keep language about the DSCR since it was put in there to protect our chances of getting something from the Surplus Cash part of EGI.

From: Montague, Joshua W.
Sent: Tuesday, March 16, 2010 5:03 PM
To: Doggett, Rosalyn
Cc: Goldin, Steven
Subject: RE: Florida Avenue - Term Sheet

1. The following language was in the EGI section:
At all times during the Lease term, the debt service coverage ratio on any senior loans, other than HUD-insured senior loans or public subsidies, shall be no less than 1.20:1.00.
Should this still be included in the term sheet somewhere?
2. This is a redline off of WMATA's previous version. Working off of the Developer's blue line of our redline was making my eyes hurt. Once this draft gets everyone's OK, I will send this and a clean version.
3. I sent to Carol and Bruce to see if they need to review *before* we transmit to the Developer. I will let you know ASAP.

Josh

From: Doggett, Rosalyn
Sent: Tuesday, March 16, 2010 4:33 PM

To: Montague, Joshua W.
Subject: FW: Florida Avenue - Term Sheet

Josh, can you do?

From: Omar Karim [mailto:okarim@bannekerventures.com]
Sent: Tuesday, March 16, 2010 4:30 PM
To: Doggett, Rosalyn
Cc: Goldin, Steven; Montague, Joshua W.; Bottigheimer, Nat; Tiwana Hicks; Anthony James Ives
Subject: Re: Florida Avenue - Term Sheet

Roz,

Thanks for your comments. For the sake of getting this thing done this week, we are acceptable to your comments.

Please send a final clean version to us.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 office
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Doggett, Rosalyn" <RDoggett@wmata.com>
Date: Tue, 16 Mar 2010 16:03:00 -0400
To: Omar A. Karim <okarim@bannekerventures.com>
Cc: Goldin, Steven <sgoldin@wmata.com>; Montague, Joshua W. <jwmontague@wmata.com>; Bottigheimer, Nat <NBottigheimer@wmata.com>
Subject: RE: Florida Avenue - Term Sheet

Omar,

We have reviewed your points below as well as the "blue line" you sent us and have the following to relate:

We will accept your comments on items 1, 2 and 4. On item 1, you are correct, in your e-mail about increasing your offer to \$5.2 million indicated that you were including the value of Effective Gross Income (EGI) participation. On item 2, we have no problem with keying the deadline to lease closing. On item 4, which you newly raise, we can agree as we will value the land as if vacant in year 50 (per draft lease language) and have a 3% annual escalation per the term sheet. Just to be clear on item 4, we are talking about a total 75-year lease: a 50 year initial term and 25 year extension.

With respect to item 3, we hold to the language that we sent you and reiterate the reasoning that Josh gave you. The capital event exclusions that you had-- transfers among existing members and to wholly owned entities and transfer of interests in publicly traded entities-- could all be profitable events in which WMATA should participate. Hence, we cannot agree to excluding them. And, in a refinancing we are talking about getting only 2% of proceeds after original senior project mortgage debt, which debt according to your pro forma represents 70% of project cost. So given that we are getting no EGI, we do not think it reasonable to further water down the 2% refinancing proceeds that we participate in and cannot agree to do so.

We are available to discuss further if need be.

Roz

Sent: Tuesday, March 16, 2010 11:17 AM
To: Montague, Joshua W.; 'Tiwana Hicks'
Cc: Doggett, Rosalyn; Goldin, Steven; 'Anthony Ives'; Neil.Aibert@dc.gov; Yohance.Fuller@dc.gov
Subject: RE: Florida Avenue - Term Sheet
Importance: High

Josh,

Attached please find our comments to the Term Sheet. All comments are consistent with our recent emails and meeting a few weeks ago. Three points of note:

1. Getting our investors to increase the capitalized lease from \$2.8M to \$5.2M required us to remove the EGI participation in order to make the deal work;
2. Getting to grade will be based on a certain number of days from Closing as oppose to execution of the JDA;
3. The terms that we previously negotiated on what triggers Capital Event participation (transfers, etc.) must remain the same; and
4. Since we decreased the lease from 99 years to 75 years, our investors require one option period of 25 years as oppose to several which the term sheet was unclear about.

Can we meet this week to finalize the document? We are available tomorrow after 10, Thursday after 12 and Friday except 1-2:30.

Thanks.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell

From: Montague, Joshua W. [mailto:jwmontague@wmata.com]
Sent: Friday, March 12, 2010 9:08 AM
To: okarim@bannekerventures.com; Tiwana Hicks
Cc: Doggett, Rosalyn; Goldin, Steven
Subject: RE: Florida Avenue - Term Sheet

Attached is a redline version of this document.

Please feel free to contact me with any questions.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

The information contained in this email may be confidential and/or legally privileged. It has been sent for the sole use of the intended recipient(s). If the reader of this message is not an intended recipient, you are hereby notified that any unauthorized review, use, disclosure, dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please contact the sender by reply email and destroy all copies of the original message.

From: Omar Karim [mailto:okarim@bannekerventures.com]
Sent: Thursday, March 11, 2010 5:46 PM
To: Montague, Joshua W.; Tiwana Hicks
Cc: Doggett, Rosalyn; Goldin, Steven
Subject: Re: Florida Avenue - Term Sheet

Josh,

Thanks for the term sheet. Can you forward this as a redline to the last version. Would make it much easier for us to go to the changes made versus having our counsel comb through the entire agreement line by line.

Thanks in advance.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 office
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Montague, Joshua W." <jwmontague@wmata.com>
Date: Wed, 10 Mar 2010 16:44:09 -0500
To: Omar A. Karim<okarim@bannekerventures.com>; 'Tiwana Hicks'<thicks@bannekerventures.com>
Cc: Doggett, Rosalyn<RDoggett@wmata.com>; Goldin, Steven<sgoldin@wmata.com>
Subject: RE: Florida Avenue - Term Sheet

Omar and Tiwana,

The updated draft of the Term Sheet is attached hereto.

We have incorporated the lease execution and foundation completion dates in the second schedule that Tiwana sent us (this shows 21, instead of 20 months as in the Nov term sheet, to get to lease closing and 7 months after that to get to foundation completion, the latter not having been addressed in the Nov term sheet).

We have eliminated exclusions from the capital events definition that seem to us to be the equivalent of profit making events in which WMATA should share, namely transfers among existing members and to wholly-owned entities and transfers of interests in publicly traded entities—all of which allow buyouts by partners, which *are* capital events. Given Metro's modest 2% stake in capital events, we cannot see that this is at issue.

We have clarified net capital event proceeds to exclude any payouts below the retirement of original senior mortgage debt. This again is to eliminate carve outs that further reduce Metro's limited 2% participation.

Please do not hesitate to contact me with any questions.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

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From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Tuesday, March 09, 2010 11:29 PM
To: 'Tiwana Hicks'; Montague, Joshua W.
Cc: Doggett, Rosalyn
Subject: RE: Florida Avenue - Term Sheet

Thanks Josh.

From: Montague, Joshua W. [mailto:jwmontague@wmata.com]
Sent: Tuesday, March 09, 2010 6:55 PM
To: okarim@bannekerventures.com; Tiwana Hicks
Cc: Doggett, Rosalyn
Subject: Florida Avenue - Term Sheet

Omar and Tiwana,

We were hoping to provide the updated draft of the Term Sheet by COB today. Unfortunately, we are still waiting for principals to approve.

I hope to have for you tomorrow morning. Please feel free to call me with any questions.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, March 18, 2010 5:03 PM
To: Goldin, Steven
Subject: FW: Followup on Florida Avenue

In answer to your question of a few minutes ago...

From: Omar Karim [mailto:okarim@bannekerventures.com]
Sent: Thursday, February 25, 2010 3:50 PM
To: Anthony James Ives; Tiwana Hicks; Doggett, Rosalyn
Cc: Eric Smart; Neil.Albert@dc.gov; Yohance.Fuller@dc.gov; Montague, Joshua W.; Goldin, Steven; Bushnaq, Tariq
Subject: Re: Followup on Florida Avenue

Roz,

When do you need responses for these items? As you know, bc of the birth of my child, I will be out for a few days and we will need to coordinate with the GC, our legal counsel and investor re 2, 3, 8 and 9. The balance of the responses are below:

1. The location of the spaces haven't been finalized yet as we are considering either having (a) 1 level of parking under each of the larger bldgs which we proposed in our initial submittal, or (b) use a mechanical system at level G1 of one bldg which would accommodate the 41 spaces. Based on the 153,000 sf, zoning would require 55 spaces. However, we met with OP and they expressed their interest in having us build less parking spaces for the project, even less than what zoning requires. This could be accomplished either through the BZA or Zoning Commission through a PUD, which they fully support.

4. 70 yrs is fine.

5. Yes. However, as previously discussed, bc Graham wanted us to do a lease vs a sale, he and I, and then Catoe and the staff, agreed that we would replace BACDC in the future as they were comfortable with a sale but not a lease.

6. Graham agreed to the adjustment and Catoe was fine with it. We will review what we sent you re the adjustment amount.

7. Ok. Our GC will provide a bond from an insurer of at least AA similar to what you've seen on other wmata projects.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 office
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Doggett, Rosalyn" <RDoggett@wmata.com>
Date: Thu, 25 Feb 2010 13:51:49 -0500
To: Omar A. Karim <okarim@bannekerventures.com>; aives@bannekerventures.com <aives@bannekerventures.com>; 'Tiwana Hicks' <thicks@bannekerventures.com>
Cc: Goldin, Steven <sgoldin@wmata.com>; eric.smart@bolansmart.com <eric.smart@bolansmart.com>; Montague, Joshua W. <jwmontague@wmata.com>; Bushnaq, Tariq <TBushnaq@wmata.com>
Subject: Followup on Florida Avenue

Good afternoon, Omar. Per our staff review this morning, we have the following comments/requests:

1. Parking feasibility- where will the 41 spaces go, precisely, and how will you be able to justify only 41 spaces for 153,000 gsf of residential and retail vis a vis zoning regulations and market?
2. What type of foundation system are you using to support the light gauge steel construction? The question, of course, relates to how you will span our tunnels.

3. We think that with a 20% IRR to the developer, the return on adjusted gross income from capital event refinancing proceeds should be 10% of adjusted gross proceeds. Also, exclusions from capital events should be limited to estate transfers and to inclusion of equity/debt partners where no profit to participants is involved. They should definitely not include transfers among partners.
4. From discussions with other developers and comments from time to time from our board members, we believe that a 70 year lease would be sufficient and are requesting a reduction from 99 years.
5. Please reaffirm that BACDC is still in the deal as a development/financial partner.
6. On the cost credit for your consideration of a sale vs. lease this past Sept/Oct, please provide certification that Mr. Catoe or Mr. Graham offered that adjustment. Secondly, please be aware that from what you sent us previously, we can validate at best \$30,000 if you still want to include this item in a term sheet.
7. We still need a development guaranty from a third party rated at least AA.
8. Please attach an updated schedule. We will include language in our agreement, per Board request, that if a foundation to street level is not provided by a date x , the project will revert to WMATA.
9. I want to reiterate the need for the pro formas and elevations/plans and, also, itemized sources of funds for development which I did not ask for yesterday.

Items 8 and 9 are important to get ASAP because the project has changed.

On a happy note, congratulations on your new son. Great news!

I look forward to your response.

Roz

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, March 18, 2010 4:55 PM
To: Bottigheimer, Nat; Green, Jennifer A.; Chambliss, Leenda M.
Cc: Goldin, Steven; Mohsberg, Sid
Attachments: BAIS 100628 3-18-10 rev. final.pdf

Revised paragraph on BACDC March proposal for your review

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, March 18, 2010 2:25 PM
To: Goldin, Steven; Bottigheimer, Nat
Subject: Florida Avenue BAIS

Apparently Loyda thought that we were going to emphasize that Banneker is the only development partner going forward and has lost three partners. She thought that we were going to change the order of the bullets and make that the first bullet in describing the March offer. Secondly, she thought that a better financial offer should be the second bullet. I did not think that you all wanted me to make any changes, and I just want to confirm before talking to Loyda.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, March 18, 2010 10:19 AM
To: Goldin, Steven; Montague, Joshua W.
Cc: Mohsberg, Sid; Bottigheimer, Nat; Wallace, Maria A
Subject: Comparison Table as of the Date Below
Attachments: FLAVETerm Sheets Comparison Table 3-17-2010 rev 4.xlsx

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, March 18, 2010 10:16 AM
To: Bellamy, Michelle A.
Cc: Goldin, Steven; Mohsberg, Sid; Bottigheimer, Nat; Wallace, Maria A; Montague, Joshua W.
Subject: finals on Florida Ave
Attachments: BAIS 100628 3-18-09 FINAL.pdf; Florida Ave Amended Term Sheet 3-10- rev 4.pptx

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

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Doggett, Rosalyn

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To: Montague, Joshua W.
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Subject: RE: Florida Avenue - Term Sheet

I have reviewed the red line parts and the capital events write-up. They look fine to me. I do not think it necessary to keep language about the DSCR since it was put in there to protect our chances of getting something from the Surplus Cash part of EGI.

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Sent: Tuesday, March 16, 2010 5:03 PM
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Sent: Tuesday, March 16, 2010 4:33 PM
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Please send a final clean version to us.

Omar

Omar A. Karim
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(301) 523-1810 cell
okarim@bannekerventures.com

From: "Doggett, Rosalyn" <RDoggett@wmata.com>
Date: Tue, 16 Mar 2010 16:03:00 -0400
To: Omar A. Karim <okarim@bannekerventures.com>
Cc: Goldin, Steven <sgoldin@wmata.com>; Montague, Joshua W. <jwmontague@wmata.com>; Bottigheimer, Nat <NBottigheimer@wmata.com>
Subject: RE: Florida Avenue - Term Sheet

Omar,

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Roz

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Cc: Doggett, Rosalyn; Goldin, Steven; 'Anthony Ives'; Neil.Albert@dc.gov; Yohance.Fuller@dc.gov
Subject: RE: Florida Avenue - Term Sheet
Importance: High

Josh,

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Omar

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From: Montague, Joshua W. [mailto:jwmontague@wmata.com]
Sent: Friday, March 12, 2010 9:08 AM
To: okarim@bannekerventures.com; Tiwana Hicks
Cc: Doggett, Rosalyn; Goldin, Steven
Subject: RE: Florida Avenue - Term Sheet

Attached is a redline version of this document.

Please feel free to contact me with any questions.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

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From: Omar Karim [mailto:okarim@bannekerventures.com]
Sent: Thursday, March 11, 2010 5:46 PM
To: Montague, Joshua W.; Tiwana Hicks
Cc: Doggett, Rosalyn; Goldin, Steven
Subject: Re: Florida Avenue - Term Sheet

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Thanks in advance.

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(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Montague, Joshua W." <jwmontague@wmata.com>
Date: Wed, 10 Mar 2010 16:44:09 -0500
To: Omar A. Karim <okarim@bannekerventures.com>; 'Tiwana Hicks' <thicks@bannekerventures.com>
Cc: Doggett, Rosalyn <RDoggett@wmata.com>; Goldin, Steven <sgoldin@wmata.com>
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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, March 17, 2010 9:29 AM
To: Montague, Joshua W.
Subject: RE: Saw-Howard U Florida Ave
Attachments: BAIS 100628 3-17-10.pdf

Here is the revised BAIS. I did not change the table- suggestion was reasonable but I am going to leave well enough alone.

I do not think that Carol needs to approve but you should inform her. Wait however until I get Steve's additional comments if any.

From: Montague, Joshua W.
Sent: Tuesday, March 16, 2010 6:31 PM
To: Doggett, Rosalyn
Subject: RE: Saw-Howard U Florida Ave

Roz , here are my comments:

1. Bais:
 - a. 1st bullet point, 2nd to last sentence, this sentence needs to be corrected.
 - b. Instead of "revert to metro," we should use the phrase "default and terminate" or some variation thereof.
2. .ppt:
 - a. No comments.
3. Comparison Table:
 - a. No substantive comments, one style comment.
 - b. Base rent section – why don't we mention here that monthly rent begins on 50th anniversary of closing? I know we say it in the revaluation section, but it seems like it should be mentioned here.
4. COUN approval – is this something that you need Carol to approve?

Josh

From: Doggett, Rosalyn
Sent: Tuesday, March 16, 2010 6:08 PM
To: Goldin, Steven; Montague, Joshua W.
Cc: Bottigheimer, Nat; Mohsberg, Sid; Bellamy, Michelle A.; Wallace, Maria A
Subject: Saw-Howard U Florida Ave

I have incorporated the developer changes that we agreed to today. Attached are the revised BAIS, Power Point and Table.

Sid, Michelle I want you to be aware that there are small changes to the BAIS and Power Point but changes nevertheless. (And to the comparison table.) However, I do not want you to officially send them to SECT until Josh and Steve have looked at them. I will let you know in the a.m. if these are final or require any further changes.

Rosalyn P. Doggett
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202-962-2396 fax

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Attachments: BAIS 100628 3-16-10.pdf; Florida Ave Amended Term Sheet 3-10- rev 4.pptx; FLAVETerm Sheets Comparison Table 3-10-2010 rev 4.xlsx

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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, March 16, 2010 5:14 PM
To: 'eric.smart@bolansmart.com'
Subject: FW: Follow-up re Jazz @ Florida Avenue

From: Doggett, Rosalyn
Sent: Wednesday, February 24, 2010 4:47 PM
To: 'Omar A. Karim'
Subject: RE: Follow-up re Jazz @ Florida Avenue

Omar, thanks very much for the response and for the effort that has gone in to improve the offer. I would like to ask you to send as supplemental information a new site plan and elevations showing the configuration and building heights by parcel that you are anticipating. We will need this as soon as possible as we will be reviewing this project with principals of the agency on Monday. Similarly, we will need revised development and operating pro formas as we will most certainly be questioned about whether we have reviewed the numbers and think that they are feasible. Some time has now gone by since receipt of the last set, and the construction method has changed. Both the plans/elevations and pro formas will be needed in order to make the best possible case for the revised offer.

Thanks in advance for your cooperation. Please call me if you need further detail or want to discuss.
Roz

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Tuesday, February 23, 2010 4:54 PM
To: Doggett, Rosalyn
Cc: 'Anthony James Ives'; 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance.Fuller@dc.gov; Bottigheimer, Nat; Goldin, Steven
Subject: Follow-up re Jazz @ Florida Avenue
Importance: High

Roz,

Per our call this morning, Banneker, our develop partner and investors for The Jazz @ Florida Avenue project (collectively, the "Developer") are prepared to increase our offer to WMATA as follows:

1. Make a capitalized lease payment of **\$5.2M** at Closing. This is a 130% increase in value over WMATA's appraised value of \$2.2M, and a 70% increase in value over our previous base offer of \$3.03M, which includes the NPV of the capitalized lease plus the NPV of the EGL payments. This base offer is inclusive of the projected **\$2.8M loss in land value** (as calculated by WMATA's appraiser Richard Harps) due to the 8% IZ requirement and the additional hard and soft costs incurred by the Project as a result of building over the WMATA tunnel.
2. Because of some of the concerns raised by WMATA staff, we would be prepared to move forward with developing the Project solely on the WMATA parcels (28,347 SF). We will forgo our purchase of the adjacent 9th Street parcels, thereby relieving any potential complications that would arise with the necessity of a Co-Tenancy Agreement, also allowing us to free up capital that would have been used toward purchasing those parcels, and instead use these funds to pay WMATA more funds at Closing. We will also not pursue an alley closing.
3. We will build the project at 4.5 FAR (as of right if not for the mandatory IZ rules that went into effect after our selection) plus the 20% bonus (0.9 FAR) that we would get because of the IZ units, bringing the total FAR to 5.4 FAR. The Project will consist of 153,000 GSF, with 137 residential units (with 12 IZ units), 14,000 SF and 41 parking spaces. Developer would pay WMATA an agreed upon rate of \$ per FAR for any SF that it builds above the 153,000 SF.
4. The initial term of the lease will be for 50 years, with a 49 year option and resets to market value every 10 years after the initial 50 year term.
5. All other terms will remain consistent (i.e., participation in Capital Events, etc.).

A \$5.2M upfront, non-contingent payment to WMATA is significantly higher than the recent appraisal completed by WMATA and close to our initial offer to WMATA in 2007, excluding the imposition of the IZ units and market conditions. Based on our analysis of our initial offer, **the NPV of the offer, using reasonable interest rate assumptions, would have been about \$11M**, which is no where close to the \$14M that WMATA staff informed us that this is what they calculated our offer to be. If this is the case, assuming that the market conditions brought the value down by 20% (which is conservative), this would bring the offer from \$11M to \$8.8M. Because we have to build IZ units, which force us to go from a stick build construction type to a light gauge steel product, and at the same time loose money on all of the IZ units as they do not support themselves without a subsidy, which the District does not provide for IZ units, this causes

the value of the offer to go from \$8.8M to the \$5.2M that we are now offering, excluding WMATA's other participation rights in the Project.

As we have discussed previously, to date, the Developer has incurred over \$1M since being selected by WMATA. We continue to remain hopeful that the exhaustive amount of money and time spent by Developer and WMATA in bringing this Project will produce a TOD project that all parties can be proud of. We look forward to seeing you on Friday at 2:30 and finalizing this last term of the deal so that we can get the JDA and Lease complete and presented to the Board at the next possible Board meeting. Should you have any questions prior to Friday, please feel free to contact us.

Warmest regards, I remain

Sincerely,

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, March 16, 2010 5:12 PM
To: 'eric.smart@bolansmart.com'
Subject: RE: Florida Avenue - Term Sheet

Yes, it looks like I sent you a table instead of his actual e-mail which I will send you for record purposes.

From: Doggett, Rosalyn
Sent: Tuesday, March 16, 2010 4:54 PM
To: 'eric.smart@bolansmart.com'
Subject: FW: Florida Avenue - Term Sheet

From: Doggett, Rosalyn
Sent: Tuesday, March 16, 2010 4:33 PM
To: Montague, Joshua W.
Subject: FW: Florida Avenue - Term Sheet

Josh, can you do?

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Sent: Tuesday, March 16, 2010 4:30 PM
To: Doggett, Rosalyn
Cc: Goldin, Steven; Montague, Joshua W.; Bottigheimer, Nat; Tiwana Hicks; Anthony James Ives
Subject: Re: Florida Avenue - Term Sheet

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Thanks for your comments. For the sake of getting this thing done this week, we are acceptable to your comments.

Please send a final clean version to us.

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Subject: RE: Florida Avenue - Term Sheet

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We will accept your comments on items 1, 2 and 4. On item 1, you are correct, in your e-mail about increasing your offer to \$5.2 million indicated that you were including the value of Effective Gross Income (EGI) participation. On item 2, we have no problem with keying the deadline to lease closing. On item 4, which you newly raise, we can agree as we will value the land as if vacant in year 50 (per draft lease language) and have a 3% annual escalation per the term sheet. Just to be clear on item 4, we are talking about a total 75-year lease: a 50 year initial term and 25 year extension.

With respect to item 3, we hold to the language that we sent you and reiterate the reasoning that Josh gave you. The capital event exclusions that you had-- transfers among existing members and to wholly owned entities and transfer of

interests in publicly traded entities-- could all be profitable events in which WMATA should participate. Hence, we cannot agree to excluding them. And, in a refinancing we are talking about getting only 2% of proceeds after original senior project mortgage debt, which debt according to your pro forma represents 70% of project cost. So given that we are getting no EGI, we do not think it reasonable to further water down the 2% refinancing proceeds that we participate in and cannot agree to do so.

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From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Tuesday, March 09, 2010 11:29 PM
To: 'Tiwana Hicks'; Montague, Joshua W.
Cc: Doggett, Rosalyn
Subject: RE: Florida Avenue - Term Sheet

Thanks Josh.

From: Montague, Joshua W. [mailto:jwmontague@wmata.com]
Sent: Tuesday, March 09, 2010 6:55 PM
To: okarim@bannekerventures.com; Tiwana Hicks
Cc: Doggett, Rosalyn
Subject: Florida Avenue - Term Sheet

Omar and Tiwana,

We were hoping to provide the updated draft of the Term Sheet by COB today. Unfortunately, we are still waiting for principals to approve.

I hope to have for you tomorrow morning. Please feel free to call me with any questions.

Sincerely,

Josh Montague

Assistant General Counsel
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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, March 16, 2010 4:33 PM
To: Montague, Joshua W.
Subject: FW: Florida Avenue - Term Sheet

Josh, can you do?

From: Omar Karim [mailto:okarim@bannekerventures.com]
Sent: Tuesday, March 16, 2010 4:30 PM
To: Doggett, Rosalyn
Cc: Goldin, Steven; Montague, Joshua W.; Bottigheimer, Nat; Tiwana Hicks; Anthony James Ives
Subject: Re: Florida Avenue - Term Sheet

Roz,

Thanks for your comments. For the sake of getting this thing done this week, we are acceptable to your comments.

Please send a final clean version to us.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 office
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Doggett, Rosalyn" <RDoggett@wmata.com>
Date: Tue, 16 Mar 2010 16:03:00 -0400
To: Omar A. Karim <okarim@bannekerventures.com>
Cc: Goldin, Steven <sgoldin@wmata.com>; Montague, Joshua W. <jwmontague@wmata.com>; Bottigheimer, Nat <NBottigheimer@wmata.com>
Subject: RE: Florida Avenue - Term Sheet

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We are available to discuss further if need be.

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To: Montague, Joshua W.; 'Tiwana Hicks'
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Cc: Doggett, Rosalyn; Goldin, Steven
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From: Doggett, Rosalyn
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To: 'Omar A. Karim'
Cc: Goldin, Steven; Montague, Joshua W.; Bottigheimer, Nat
Subject: RE: Florida Avenue - Term Sheet

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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, March 16, 2010 3:16 PM
To: Goldin, Steven; Montague, Joshua W.; Bottigheimer, Nat
Subject: RE: Florida Avenue - Term Sheet

Regarding Omar's 4 POINTS below:

1. Omar did say in his e-mail of 2/23 in which he offered \$5.2 million at closing that he was incorporating the npv of Effective Gross Income (Eric calculated its worth \$843,000 npv). WE WILL RELUCTANTLY ACCEPT OMAR'S POINT ON THIS ONE.
2. No problem with this change; it is another way of saying the same thing. WE WILL ACCEPT OMAR'S POINT ON THIS ONE.
3. We should stick to our definitions in the capital events section especially since we no longer have a participation in Effective Gross Income and our 2% interests should not be diluted as Josh wrote when he sent Omar the revised term sheet last week. WE WILL NOT ACCEPT OMAR'S POINT ON THIS ONE.
4. To the best of my knowledge this is an entirely NEW POINT. I do not mind conceding as 1) it is quite possible that as one nears the end of a lease term, the value will not increase and 2) we have a 3%/year escalator on the rent for the following 25 years after a reset in year 50. WE WILL ACCEPT OMAR'S POINT ON THIS ONE.

Per Steve's request, we will clarify with Omar that he is talking about a total lease term of 75 years.

(The blue line that Omar sent back today contains a few changes from what he supposedly "agreed to" in November. In other words, when it comes to Metro wanting changes, there can be none. When it come to Baneker wanting changes, that's ok. Also, let's be very clear that when Omar says "my investors" he has given us no information about "my investors." Therefore, one has to assume that he is referring to his own desires.)

I will shortly e-mail Omar, regarding our conclusions on the 4 points.

From: Goldin, Steven
Sent: Tuesday, March 16, 2010 11:39 AM
To: Montague, Joshua W.; Bottigheimer, Nat
Cc: Doggett, Rosalyn
Subject: RE: Florida Avenue - Term Sheet

We need to bring this to closure. Roz and Josh, what do you recommend as a compromise on all 4 issues?
Steve

From: Montague, Joshua W.
Sent: Tuesday, March 16, 2010 11:37 AM
To: Goldin, Steven; Bottigheimer, Nat
Cc: Doggett, Rosalyn
Subject: RE: Florida Avenue - Term Sheet

I do not believe we have agreed on these terms.

#2 – The point of the time limit to get to grade is to ensure that this project does not linger. By tying it to closing, the developer can let the project linger by just pushing back closing. Additionally, WMATA does not get paid until closing. So, this time limit also ensures that the developer closes in a timely fashion and WMATA gets its money.

#3 – There were Capital Events in the previous version of the Term Sheet that went to the WMATA Board in November. Some of these Capital Event terms could allow the Developer to easily skirt around WMATA's participation (e.g., sales to other members or sales to wholly owned entities or sales to publicly traded companies).

Josh

From: Goldin, Steven
Sent: Tuesday, March 16, 2010 11:30 AM
To: Bottigheimer, Nat
Cc: Doggett, Rosalyn; Montague, Joshua W.
Subject: RE: Florida Avenue - Term Sheet

Josh/Roz

Have we agreed to all of these items?

1 and 4 are pretty major changes at this point. Is there a market reset on the 25 year ground lease extension?

Steve

From: Bottigheimer, Nat
Sent: Tuesday, March 16, 2010 11:25 AM
To: Goldin, Steven
Cc: Doggett, Rosalyn
Subject: Re: Florida Avenue - Term Sheet

Pls update all materials to reflect these changes, including comparison of terms spreadsheet.

From: Goldin, Steven
To: Bottigheimer, Nat
Sent: Tue Mar 16 11:18:52 2010
Subject: FW: Florida Avenue - Term Sheet
fyi

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Tuesday, March 16, 2010 11:17 AM
To: Montague, Joshua W.; 'Tiwana Hicks'
Cc: Doggett, Rosalyn; Goldin, Steven; 'Anthony Ives'; Neil.Albert@dc.gov; Ychance.Fuller@dc.gov
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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, March 16, 2010 1:13 PM
To: Mohsberg, Sid
Subject: FW:
Attachments: New Amended Term Sheet.pdf

At 2:44 on Thurs March 11 the BAIS says July. I just don't think that it EVER said September on March 11 OR March 12.

From: Doggett, Rosalyn
Sent: Thursday, March 11, 2010 2:44 PM
To: 'jmontague@wmata.com'
Subject:

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, March 16, 2010 1:07 PM
To: Mohsberg, Sid
Subject: FW: 100628 - FL Ave.pdf - Adobe Acrobat Professional
Attachments: 100628 - FL Ave.pdf

Note that Leenda sent this to me at 9:37 on Friday March 12 with July date in BAIS

From: Doggett, Rosalyn
Sent: Friday, March 12, 2010 11:01 AM
To: Mohsberg, Sid
Subject: FW: 100628 - FL Ave.pdf - Adobe Acrobat Professional

Fyi, I'll make the edits, may need your help on the spacing problem

From: Chambliss, Leenda M.
Sent: Friday, March 12, 2010 9:37 AM
To: Doggett, Rosalyn
Subject: 100628 - FL Ave.pdf - Adobe Acrobat Professional

Hello –

Attached are Board Communications Unit edits to the MEAD scheduled to go forward in March. Please make the changes and answer any questions within the MEAD, if appropriate. I apologize for the late edits.

Please note, the edits are not intended to change your message, but rather to better convey it. Feel free to contact me to discuss those edits that distort the meaning of your presentation. Thank you.

- Leen'da

*Hope-Leen'da M. Chambliss
Office of the General Manager
Washington Metropolitan Area Transit Authority
phone - 202/962-2595
fax - 202/962-1133
lchambliss@wmata.com*

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, March 16, 2010 12:10 PM
To: 'eric.smart@bolansmart.com'
Subject: FW: Florida Avenue - Term Sheet URGENT
Attachments: WMATA Amended Term Sheet for Lease of Florida Ave Sites (Developer comments as of 3-16-10).doc

Importance: High

Any thoughts on points 1,3,4? Need them in the next few hours. Thanks

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Tuesday, March 16, 2010 11:17 AM
To: Montague, Joshua W.; 'Tiwana Hicks'
Cc: Doggett, Rosalyn; Goldin, Steven; 'Anthony Ives'; Neil.Albert@dc.gov; Yohance.Fuller@dc.gov
Subject: RE: Florida Avenue - Term Sheet
Importance: High

Josh,

Attached please find our comments to the Term Sheet. All comments are consistent with our recent emails and meeting a few weeks ago. Three points of note:

1. Getting our investors to increase the capitalized lease from \$2.8M to \$5.2M required us to remove the EGI participation in order to made the deal work;
2. Getting to grade will be based on a certain number of days from Closing as oppose to execution of the JDA;
3. The terms that we previously negotiated on what triggers Capital Event participation (transfers, etc.) must remain the same; and
4. Since we decreased the lease from 99 years to 75 years, our investors require one option period of 25 years as oppose to several which the term sheet was unclear about.

Can we meet this week to finalize the document? We are available tomorrow after 10, Thursday after 12 and Friday except 1-2:30.

Thanks.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell

From: Montague, Joshua W. [mailto:jwmontague@wmata.com]
Sent: Friday, March 12, 2010 9:08 AM
To: okarim@bannekerventures.com; Tiwana Hicks
Cc: Doggett, Rosalyn; Goldin, Steven
Subject: RE: Florida Avenue - Term Sheet

Attached is a redline version of this document.

Please feel free to contact me with any questions.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

The information contained in this email may be confidential and/or legally privileged. It has been sent for the sole use of the intended recipient(s). If the reader of this message is not an intended recipient, you are hereby notified that any unauthorized review, use, disclosure, dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please contact the sender by reply email and destroy all copies of the original message.

From: Omar Karim [mailto:okarim@bannekerventures.com]
Sent: Thursday, March 11, 2010 5:46 PM
To: Montague, Joshua W.; Tiwana Hicks
Cc: Doggett, Rosalyn; Goldin, Steven
Subject: Re: Florida Avenue - Term Sheet

Josh,

Thanks for the term sheet. Can you forward this as a redline to the last version. Would make it much easier for us to go to the changes made versus having our counsel comb through the entire agreement line by line.

Thanks in advance.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 office
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Montague, Joshua W." <jwmontague@wmata.com>
Date: Wed, 10 Mar 2010 16:44:09 -0500
To: Omar A. Karim<okarim@bannekerventures.com>; "Tiwana Hicks"<thicks@bannekerventures.com>
Cc: Doggett, Rosalyn<RDoggett@wmata.com>; Goldin, Steven<sgoldin@wmata.com>
Subject: RE: Florida Avenue - Term Sheet

Omar and Tiwana,

The updated draft of the Term Sheet is attached hereto.

We have incorporated the lease execution and foundation completion dates in the second schedule that Tiwana sent us (this shows 21, instead of 20 months as in the Nov term sheet, to get to lease closing and 7 months after that to get to foundation completion, the latter not having been addressed in the Nov term sheet).

We have eliminated exclusions from the capital events definition that seem to us to be the equivalent of profit making events in which WMATA should share, namely transfers among existing members and to wholly-owned entities and transfers of interests in publicly traded entities—all of which allow buyouts by partners, which *are* capital events. Given Metro's modest 2% stake in capital events, we cannot see that this is at issue.

We have clarified net capital event proceeds to exclude any payouts below the retirement of original senior mortgage debt. This again is to eliminate carve outs that further reduce Metro's limited 2% participation.

Please do not hesitate to contact me with any questions.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

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From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Tuesday, March 09, 2010 11:29 PM
To: 'Tiwana Hicks'; Montague, Joshua W.
Cc: Doggett, Rosalyn
Subject: RE: Florida Avenue - Term Sheet

Thanks Josh.

From: Montague, Joshua W. [mailto:jwmontague@wmata.com]
Sent: Tuesday, March 09, 2010 6:55 PM
To: okarim@bannekerventures.com; Tiwana Hicks
Cc: Doggett, Rosalyn
Subject: Florida Avenue - Term Sheet

Omar and Tiwana,

We were hoping to provide the updated draft of the Term Sheet by COB today. Unfortunately, we are still waiting for principals to approve.

I hope to have for you tomorrow morning. Please feel free to call me with any questions.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, March 15, 2010 2:33 PM
To: Bushnaq, Tariq
Subject: FW: Updated Project Schedule
Attachments: Jazz @ Florida Avenue - Project Schedule (as of 3-8-2010) (WMATA).pdf

From: Tiwana Hicks [mailto:thicks@bannekerventures.com]
Sent: Monday, March 08, 2010 1:04 PM
To: eric.smart@bolansmart.com; Doggett, Rosalyn; Goldin, Steven
Cc: okarim@bannekerventures.com; Neil.Albert@dc.gov; Yohance.Fuller@dc.gov
Subject: Updated Project Schedule

Ms. Doggett,

Attached please find the updated project schedule reflecting approximately 630 days from JDA Execution to Closing (see line 11). Based on the 2 year delay that the parties have incurred from the initial approval of the Term Sheet by WMATA, we feel this is a very reasonable yet aggressive schedule. Also below please find Clark Builder's Group cost assessment of the Site security scenarios we discussed at our meeting on March 2nd.

"For this exercise I have assumed that all 3 parcels are at the same point in construction, although in actuality there will be a slight stagger in construction sequencing between each building.

Scenario 1 assumes excavation and sheeting & shoring operations are 100% complete. Concrete work has not started. The cost to refill the excavated holes, clean up and regrade the site, and stabilize the site would be approximately \$325,000.

Scenario 2 assumes excavation and sheeting & shoring operations are 100% complete. Concrete slab on grade and foundation walls are complete, but the columns and elevated slab have not started. The cost to clean up and regrade the site, install the elevated slab, stairs, temporary waterproofing over the slab, doors and electric would be approximately \$956,000.

Scenario 3 assumes the garage levels are 100% complete, including being dried in and secured. Concrete work is completed to the slab over the retail level. The cost to clean up the site, install temporary skin at the ground level, temporary waterproofing over the slab, doors and electric would be approximately \$422,000."

Please let us know if you have any further questions. Thanks in advance.

Tiwana

Tiwana Z. Hicks
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, D.C. 20005
T: (202) 393-5460
F: (202) 393-5462
C: (202) 486-1863
thicks@bannekerventures.com

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, March 15, 2010 11:55 AM
To: Bottigheimer, Nat
Subject: RE: Florida Avenue

Please forward me a copy of the reworded memo.

Thanks,
Roz

From: Bottigheimer, Nat
Sent: Monday, March 15, 2010 9:04 AM
To: Doggett, Rosalyn; Pant, Shiva K.; Goldin, Steven; Green, Jennifer A.; O'Keefe, Carol B.
Cc: Wallace, Maria A; Montague, Joshua W.; Bellamy, Michelle A.; Mohsberg, Sid
Subject: RE: Florida Avenue

All—

The file that Roz just sent around is the definitive version of the deal summary table, modified by Roz this morning to be totally current. This can go out as an attachment to the memo along with the powerpoint presentation that was presented to the GM in the prebrief last Friday.

Thanks very much,

Nat

From: Doggett, Rosalyn
Sent: Monday, March 15, 2010 9:02 AM
To: Pant, Shiva K.; Goldin, Steven; Bottigheimer, Nat; Green, Jennifer A.; O'Keefe, Carol B.
Cc: Wallace, Maria A; Montague, Joshua W.
Subject: Florida Avenue

Please see revised table

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, March 15, 2010 10:31 AM
To: Malasky, Gary; Burns, Bob; Wyner, Jonathan S.
Subject: FW: PPT Presentation from Expert Working Group Meeting
Attachments: Affordable Housing List 3-12-10.doc

From: Doggett, Rosalyn
Sent: Monday, March 15, 2010 9:42 AM
To: Goldin, Steven
Subject: RE: PPT Presentation from Expert Working Group Meeting

Pls . see attached

From: Goldin, Steven
Sent: Monday, March 08, 2010 5:40 PM
To: Burns, Bob; Doggett, Rosalyn; Malasky, Gary; Marshall, Malcolm; Wyner, Jonathan S.
Subject: FW: PPT Presentation from Expert Working Group Meeting
Importance: High

From: Bottigheimer, Nat
Sent: Sunday, March 07, 2010 8:50 PM
To: Goldin, Steven
Cc: Mohsberg, Sid
Subject: FW: PPT Presentation from Expert Working Group Meeting
Importance: High

Steve --

Could you have one of your folks prepare a quick summary of WMATA joint development projects that have included an affordable housing component?

For each project, I'm interested in:

- Station
- Developer
- Number of total residential units
- Number of market / affordable units
- "Degree" of affordability (in terms of median income or whatever)
- Impact of affordable housing requirement on WMATA land value
- Agencies providing financing / funding to make the project financially feasible
- How the affordability component factored into the selection process

- Wheaton Housing Opportunities Commission project
- Rhode Island Avenue
- Florida and 9th (Banneker)
- Takoma (X percent of projects required to be affordable)
- Prince George's Plaza ?
- Twinbrook ?
- etc.

Monday the 15th is ok for getting the information back.

Thanks,

Nat

From: Philip Sapone [psapone@newportpartnersllc.com]
Sent: Friday, March 05, 2010 4:23 PM
To: Bottigheimer, Nat
Subject: PPT Presentation from Expert Working Group Meeting

On behalf of the U.S. Department of Housing and Urban Development and Newport Partners, I would like to thank you for your attendance and participation in our first Expert Working Group Meeting on Expanding Affordable Housing Near Transit this past Monday. We were very pleased with the discussion and the resulting feedback.

For your reference purposes, I have attached the PowerPoint presentation from the meeting.

The next Expert Working Group Meeting will be held in late May or early June to focus exclusively on Paper Topic II. We will advise you of the date shortly and will forward specific information closer to the meeting.

Thank you again for your participation.

Philip Sapone
Newport Ventures
22 Jay Street
Schenectady, NY 12305
Office: (518) 377-9410
www.newportventures.net

Check out Newport's blog at www.newportpartnersllc.com

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, March 15, 2010 10:11 AM
To: Green, Jennifer A.
Subject: FW: 100628 - FL Ave.pdf - Adobe Acrobat Professional
Attachments: BAIS 100628 3-12-10 rev.pdf; Florida Ave Amended Term Sheet 3-10- rev 3.pptx

See attached!

From: Doggett, Rosalyn
Sent: Monday, March 15, 2010 9:30 AM
To: Goldin, Steven
Subject: FW: 100628 - FL Ave.pdf - Adobe Acrobat Professional

From: Doggett, Rosalyn
Sent: Friday, March 12, 2010 4:02 PM
To: Chambliss, Leenda M.
Cc: Mohsberg, Sid
Subject: RE: 100628 - FL Ave.pdf - Adobe Acrobat Professional

I think that I have made the changes you requested (except the ones we discussed).
Please let me know if I need to do anything else.
R.

From: Chambliss, Leenda M.
Sent: Friday, March 12, 2010 9:37 AM
To: Doggett, Rosalyn
Subject: 100628 - FL Ave.pdf - Adobe Acrobat Professional

Hello –

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- Leen'da

*Hope-Leen'da M. Chambliss
Office of the General Manager
Washington Metropolitan Area Transit Authority
phone - 202/962-2595
fax - 202/962-1133
lchambliss@wmata.com*

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Pls . see attached

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Rhode Island Avenue
Florida and 9th (Banneker)
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Prince George's Plaza ?
Twinbrook ?
etc.

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Nat

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Office: (518) 377-9410
www.newportventures.net

Check out Newport's blog at www.newportpartnersllc.com

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, March 15, 2010 9:30 AM
To: Goldin, Steven
Subject: FW: 100628 - FL Ave.pdf - Adobe Acrobat Professional
Attachments: BAIS 100628 3-12-10 rev.pdf; Florida Ave Amended Term Sheet 3-10- rev 3.pptx

From: Doggett, Rosalyn
Sent: Friday, March 12, 2010 4:02 PM
To: Chambliss, Leenda M.
Cc: Mohsberg, Sid
Subject: RE: 100628 - FL Ave.pdf - Adobe Acrobat Professional

I think that I have made the changes you requested (except the ones we discussed).
Please let me know if I need to do anything else.
R.

From: Chambliss, Leenda M.
Sent: Friday, March 12, 2010 9:37 AM
To: Doggett, Rosalyn
Subject: 100628 - FL Ave.pcf - Adobe Acrobat Professional

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- Leen'da

*Hope-Leen'da M. Chambliss
Office of the General Manager
Washington Metropolitan Area Transit Authority
phone - 202/962-2595
fax - 202/962-1133
lchambliss@wmata.com*

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, March 15, 2010 9:02 AM
To: 'mbellamy@wmata.com'
Subject: FW: 100628 - FL Ave.pdf - Adobe Acrobat Professional
Attachments: BAIS 100628 3-12-10 rev.pdf

From: Doggett, Rosalyn
Sent: Friday, March 12, 2010 4:02 PM
To: Chambliss, Leenda M.
Cc: Mohsberg, Sid
Subject: RE: 100628 - FL Ave.pdf - Adobe Acrobat Professional

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R.

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Sent: Friday, March 12, 2010 9:37 AM
To: Doggett, Rosalyn
Subject: 100628 - FL Ave.pdf - Adobe Acrobat Professional

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- Leen'da

*Hope-Leen'da M. Chambliss
Office of the General Manager
Washington Metropolitan Area Transit Authority
phone - 202/962-2595
fax - 202/962-1133
lchambliss@wmata.com*

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, March 15, 2010 9:02 AM
To: Pant, Shiva K.; Goldin, Steven; Bottigheimer, Nat; Green, Jennifer A.; O'Keeffe, Carol B.
Cc: Wallace, Maria A; Montague, Joshua W.
Subject: Florida Avenue
Attachments: FLAVETerm Sheets Comparison Table 3-10-2010 rev 4.xlsx

Please see revised table

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, March 15, 2010 8:14 AM
To: Mohsberg, Sid; Pant, Shiva K.; O'Keefe, Carol B.; Bottigheimer, Nat; Goldin, Steven; Green, Jennifer A.
Cc: Wallace, Maria A
Subject: RE: Deal Summary of "Amended Florida Avenue Term Sheet and Time Extension to Negotiate a Joint Development Agreement"

I am making a few edits to make the table more comprehensible and will resend shortly.

From: Mohsberg, Sid
Sent: Friday, March 12, 2010 8:12 PM
To: Pant, Shiva K.; O'Keefe, Carol B.; Bottigheimer, Nat; Goldin, Steven; Doggett, Rosalyn; Green, Jennifer A.
Cc: Wallace, Maria A
Subject: Deal Summary of "Amended Florida Avenue Term Sheet and Time Extension to Negotiate a Joint Development Agreement"

All,

Nat asked me to distribute the attached deal summary that will accompany the memorandum from him to the GMGR earlier circulated.

Sid

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Sunday, March 14, 2010 8:38 PM
To: Bottigheimer, Nat
Cc: Goldin, Steven; Montague, Joshua W.
Subject: FW: Followup on Florida Avenue

See item 5 below which is the source of the statement that BACDC is no longer in the deal.

Steve is correct that we subsequently discussed this with Omar and agreed to put language in the term sheet that a future development partner would be approved by WMATA.

From: Omar Karim [okarim@bannekerventures.com]
Sent: Thursday, February 25, 2010 3:50 PM
To: Anthony James Ives; Tiwana Hicks; Doggett, Rosalyn
Cc: Eric Smart; Neil,Albert@dc.gov; Yohance.Fuller@dc.gov; Montague, Joshua W.; Goldin, Steven; Bushnaq, Tariq
Subject: Re: Followup on Florida Avenue

Roz,

When do you need responses for these items? As you know, bc of the birth of my child, I will be out for a few days and we will need to coordinate with the GC, our legal counsel and investor re 2, 3, 8 and 9. The balance of the responses are below:

1. The location of the spaces haven't been finalized yet as we are considering either having (a) 1 level of parking under each of the larger bldgs which we proposed in our initial submittal, or (b) use a mechanical system at level G1 of one bldg which would accommodate the 41 spaces. Based on the 153,000 sf, zoning would require 55 spaces. However, we met with OP and they expressed their interest in having us build less parking spaces for the project, even less than what zoning requires. This could be accomplished either through the BZA or Zoning Commission through a PUD, which they fully support.
4. 70 yrs is fine.
5. Yes. However, as previously discussed, bc Graham wanted us to do a lease vs a sale, he and I, and then Catoe and the staff, agreed that we would replace BACDC in the future as they were comfortable with a sale but not a lease.
6. Graham agreed to the adjustment and Catoe was fine with it. We will review what we sent you re the adjustment amount.
7. Ok. Our GC will provide a bond from an insurer of at least AA similar to what you've seen on other wmata projects.

Omar
Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 office
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Doggett, Rosalyn" <RDoggett@wmata.com>
Date: Thu, 25 Feb 2010 13:51:49 -0500
To: Omar A. Karim<okarim@bannekerventures.com>;
aives@bannekerventures.com<aives@bannekerventures.com>; 'Tiwana
Hicks' <thicks@bannekerventures.com>
Cc: Goldin, Steven<sgoldin@wmata.com>; eric.smart@bolansmart.com<eric.smart@bolansmart.com>;
Montague, Joshua W.<jmontague@wmata.com>; Bushnaq, Tariq<TBushnaq@wmata.com>
Subject: Followup on Florida Avenue

Good afternoon, Omar. Per our staff review this morning, we have the following comments/requests:

1. Parking feasibility- where will the 41 spaces go, precisely, and how will you be able to justify only 41 spaces for 153,000 gsf of residential and retail vis a vis zoning regulations and market?

2. What type of foundation system are you using to support the light gauge steel construction? The question, of course, relates to how you will span our tunnels.
3. We think that with a 20% IRR to the developer, the return on adjusted gross income from capital event refinancing proceeds should be 10% of adjusted gross proceeds. Also, exclusions from capital events should be limited to estate transfers and to inclusion of equity/debt partners where no profit to participants is involved. They should definitely not include transfers among partners.
4. From discussions with other developers and comments from time to time from our board members, we believe that a 70 year lease would be sufficient and are requesting a reduction from 99 years.
5. Please reaffirm that BACDC is still in the deal as a development/financial partner.
6. On the cost credit for your consideration of a sale vs. lease this past Sept/Oct, please provide certification that Mr. Catoe or Mr. Graham offered that adjustment. Secondly, please be aware that from what you sent us previously, we can validate at best \$30,000 if you still want to include this item in a term sheet.
7. We still need a development guaranty from a third party rated at least AA.
8. Please attach an updated schedule. We will include language in our agreement, per Board request, that if a foundation to street level is not provided by a date x , the project will revert to WMATA.
9. I want to reiterate the need for the pro formas and elevations/plans and, also, itemized sources of funds for development which I did not ask for yesterday.

Items 8 and 9 are important to get ASAP because the project has changed.

On a happy note, congratulations on your new son. Great news!

I look forward to your response.

Roz

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, March 12, 2010 4:21 PM
To: Mohsberg, Sid
Subject: FW:
Attachments: FL AVE Memo 3-12-10.docx

From: Doggett, Rosalyn
Sent: Friday, March 12, 2010 3:19 PM
To: Goldin, Steven
Cc: Bottigheimer, Nat
Subject:

With proofing correction and better worded section on default provision

Rosalyn P. Doggett
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Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

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Sent: Friday, March 12, 2010 4:02 PM
To: Chambliss, Leenda M.
Cc: Mohsberg, Sid
Subject: RE: 100628 - FL Ave.pdf - Adobe Acrobat Professional
Attachments: BAIS 100628 3-12-10 rev.pdf

I think that I have made the changes you requested (except the ones we discussed).
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From: Chambliss, Leenda M.
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Attached are Board Communications Unit edits to the MEAD scheduled to go forward in March.
Please make the changes and answer any questions within the MEAD, if appropriate. I apologize for the late edits.

Please note, the edits are not intended to change your message, but rather to better convey it. Feel free to contact me to discuss those edits that distort the meaning of your presentation. Thank you.

- Leen'da

Hope-Leen'da M. Chambliss
Office of the General Manager
Washington Metropolitan Area Transit Authority
phone - 202/962-2595
fax - 202/962-1133
lchambliss@wmata.com

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, March 12, 2010 3:19 PM
To: Goldin, Steven
Cc: Bottigheimer, Nat
Attachments: FL AVE Memo 3-12-10.docx

With proofing correction and better worded section on default provision

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, March 12, 2010 3:11 PM
To: Goldin, Steven
Cc: Bottigheimer, Nat
Attachments: FL AVE Memo 3-12-10.docx

Please read the attached. I am proofing also but wanted to get it to you timely.

Rosalyn P. Doggett
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Washington Metropolitan Area Transit Authority
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Washington, DC 20001

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202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, March 12, 2010 2:27 PM
To: Mohsberg, Sid
Attachments: FLAVETerm Sheets Comparison Table 3-10.xlsx

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Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, March 12, 2010 11:01 AM
To: Mohsberg, Sid
Subject: FW: 100628 - FL Ave.pdf - Adobe Acrobat Professional
Attachments: 100628 - FL Ave.pdf

Fyi, I'll make the edits, may need your help on the spacing problem

From: Chambliss, Leenda M.
Sent: Friday, March 12, 2010 9:37 AM
To: Doggett, Rosalyn
Subject: 100628 - FL Ave.pdf - Adobe Acrobat Professional

Hello –

Attached are Board Communications Unit edits to the MEAD scheduled to go forward in March. Please make the changes and answer any questions within the MEAD, if appropriate. I apologize for the late edits.

Please note, the edits are not intended to change your message, but rather to better convey it. Feel free to contact me to discuss those edits that distort the meaning of your presentation. Thank you.

- Leen'da

Hope-Leen'da M. Chambliss
Office of the General Manager
Washington Metropolitan Area Transit Authority
phone - 202/962-2595
fax - 202/962-1133
lchambliss@wmata.com

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, March 12, 2010 9:09 AM
To: Goldin, Steven; Montague, Joshua W.
Subject: FW: comparison chart
Attachments: FLAVETerm Sheets Comparison Table 3-10.xlsx

From: Doggett, Rosalyn
Sent: Thursday, March 11, 2010 6:00 PM
To: Bottigheimer, Nat
Subject: comparison chart

Per request

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, March 11, 2010 6:00 PM
To: Bottigheimer, Nat
Subject: comparison chart
Attachments: FLAVETerm Sheets Comparison Table 3-10.xlsx

Per request

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Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, March 11, 2010 5:06 PM
To: Bottigheimer, Nat; Bellamy, Michelle A.
Cc: Mohsberg, Sid; Goldin, Steven; Montague, Joshua W.
Subject: RE: Florida Avenue Power Point
Attachments: FLAVETerm Sheets Comparison Table 3-10.xlsx

DOESN'T THE TERM SHEET REFLECT MORE THAN THE APPRAISED VALUE? (Please see the market valuation item at the bottom of the table) Yes it does exceed our 2007 appraisal, if you include the residual land value and deduct the cost of building over the tunnel from the 2007 appraisal. I am reluctant to get into affordable housing which is a \$400,000-\$500,000 deduction under the new proposal with a higher affordable amount (8,700sf vs @ 6,000 sf) because there is offsetting bonus density which our most recent 2009 appraisal did not take into account because Omar said he couldn't use the bonus density because he was stick-building. Now he says he can take advantage of the bonus density because he is using light gauge steel construction on the two larger parcels.

WE'RE TALKING ABOUT A 5.2 MILLION CAPITALIZED RENT PAYMENT. ARE THERE "KICKERS" THAT ADD VALUE ABOVE THIS? IF SO, PLEASE LET ME KNOW WHAT THEY ARE. The residual land value after 50 years increases the npv land value. We have not yet made a deduction for any Additional Costs which is mentioned in the Base Rent row and represents what Omar said he spent when he worked on a sale instead of a lease (we're at \$30k- he wants to get to \$100k)

AS ABOVE, WHAT ARE THESE? ARE THEY ROLLED INTO THE 5.2 MILLION DOLLAR VALUATION, OR ARE THESE PERIODIC ADJUSTMENTS "GRAVY" ABOVE AND BEYOND THE 5.2 MILLION? They are not rolled into the \$5.2 million. During the initial lease period, we get 2% of effective gross income but since we cannot estimate this we did not include it in the npv calculation, which takes into account only the up front capitalized lease payment and the residual land value after 50 years. At 50 years the land value is reappraised and this occurs at each 10 year interval up to year 75 (i.e. years 60 and 70) so that is a second kind of adjustment.

From: Bottigheimer, Nat
Sent: Thursday, March 11, 2010 4:18 PM
To: Doggett, Rosalyn; Bellamy, Michelle A.
Cc: Mohsberg, Sid; Goldin, Steven; Montague, Joshua W.
Subject: RE: Florida Avenue Power Point
Importance: High

Comments on Slide 4 bullet points IN CAPS:

- Banneker Ventures is developer
- Term sheet reflects appraised value, affordable housing under Inclusionary Zoning and extraordinary costs of constructing facilities over Metro tunnels DOESN'T THE TERM SHEET REFLECT MORE THAN THE APPRAISED VALUE?
- Additional revenues to Metro may be generated through participation in gross revenue and capital events I'M UNDER THE IMPRESSION THAT WE'RE TALKING ABOUT A 5.2 MILLION CAPITALIZED RENT PAYMENT. ARE THERE "KICKERS" THAT ADD VALUE ABOVE THIS? IF SO, PLEASE LET ME KNOW WHAT THEY ARE. I WOULD LIKE TO SEE A TERMS SHEET COMPARISON LIKE THE ONE THAT WAS PREPARED IN JANUARY TO SHOW THE DIFFERENCE BETWEEN THE ORIGINAL PROPOSAL AND THE JANUARY PROPOSAL
- Ground lease has provision for periodic rent adjustments AS ABOVE, WHAT ARE THESE? ARE THEY ROLLED INTO THE 5.2 MILLION DOLLAR VALUATION, OR ARE THESE PERIODIC ADJUSTMENTS "GRAVY" ABOVE AND BEYOND THE 5.2 MILLION?

From: Doggett, Rosalyn
Sent: Thursday, March 11, 2010 3:14 PM
To: Bellamy, Michelle A.
Cc: Mohsberg, Sid; Bottigheimer, Nat; Goldin, Steven; Montague, Joshua W.
Subject: Florida Avenue Power Point

This is the current version of the power point. I updated p. 4, Current Status, to reflect the MEAD as revised last Friday.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority

600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, March 11, 2010 3:51 PM
To: Mohsberg, Sid
Subject: FW: 3/25/10 JDRE Cmte and Board Executive Session Items - GM Final Review

fyi

From: Doggett, Rosalyn
Sent: Thursday, March 11, 2010 2:40 PM
To: 'jmontague@wmata.com'
Subject: FW: 3/25/10 JDRE Cmte and Board Executive Session Items - GM Final Review

Could you see if Carol can approve MEAD 100628? I will send you a pdf right now.

From: Mohsberg, Sid
Sent: Thursday, March 11, 2010 2:38 PM
To: Goldin, Steven
Cc: Meister, Mark K.; Doggett, Rosalyn; Talaia, Anabela; Bellamy, Michelle A.; Wallace, Maria A
Subject: 3/25/10 JDRE Cmte and Board Executive Session Items - GM Final Review

Steve,

Please ensure that by 1500 today Michelle has an electronic copy of the latest PowerPoint presentation for the following items. She has to make copies for the March 2010 GM Final Review on Friday, 3/12/10 at 1000. She can obtain the BAIS's from the MEAD system; so, please ensure they are up-to-date by 1500 today.

To clear the GM Final Review, the MEAD for each item must at least be in and preferably have been approved by COUN:

JDRE Cmte

Approval to negotiate and Execute an Easement Agreement with the District of Columbia for the Metropolitan Branch Trail Bridge at Rhode Island Ave-Brentwood Metro Station

MEAD 100628 is awaiting Board approval at Level 3. Good to go.

Approval to negotiate and execute a memorandum of understanding with the City of Alexandria and The Hoffman Company for Eisenhower Avenue station improvements, bus loop Improvements, and an expanded station square

Board Executive Session

Act on Amended Florida Avenue Term Sheet and Time Extension to Negotiate a Joint Development Agreement
MEAD 100628 has been awaiting COUN approval at Level 4 since 3/10/10 at 0902. OK, but having COUN approval in hand prior to the GM Final Review would be even better.

Thanks.

Sid

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, March 11, 2010 3:31 PM
To: Montague, Joshua W.
Subject: RE: Florida Avenue Power Point

no

From: Montague, Joshua W.
Sent: Thursday, March 11, 2010 3:30 PM
To: Doggett, Rosalyn
Subject: RE: Florida Avenue Power Point

Did you ever hear back from Developer about Term Sheet sent out yesterday?

From: Doggett, Rosalyn
Sent: Thursday, March 11, 2010 3:14 PM
To: Bellamy, Michelle A.
Cc: Mohsberg, Sid; Bottigheimer, Nat; Goldin, Steven; Montague, Joshua W.
Subject: Florida Avenue Power Point

This is the current version of the power point. I updated p. 4, Current Status, to reflect the MEAD as revised last Friday.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, March 11, 2010 3:17 PM
To: Wallace, Maria A
Cc: Meister, Mark K.
Subject: FW: Florida Avenue Power Point
Attachments: Florida Ave Amended Term Sheet 3-10- rev 3.pptx

From: Doggett, Rosalyn
Sent: Thursday, March 11, 2010 3:14 PM
To: Bellamy, Michelle A.
Cc: Mohsberg, Sid; Bottigheimer, Nat; Goldin, Steven; 'jmontague@wmata.com'
Subject: Florida Avenue Power Point

This is the current version of the power point. I updated p. 4, Current Status, to reflect the MEAD as revised last Friday.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, March 11, 2010 3:14 PM
To: Bellamy, Michelle A.
Cc: Mohsberg, Sid; Bottigheimer, Nat; Goldin, Steven; 'jmontague@wmata.com'
Subject: Florida Avenue Power Point
Attachments: Florida Ave Amended Term Sheet 3-10- rev 3.pptx

This is the current version of the power point. I updated p. 4, Current Status, to reflect the MEAD as revised last Friday.

Rosalyn P. Doggett
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Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, March 11, 2010 2:44 PM
To: 'jmontague@wmata.com'
Attachments: New Amended Term Sheet.pdf

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, March 11, 2010 2:40 PM
To: 'jmontague@wmata.com'
Subject: FW: 3/25/10 JDRE Cmte and Board Executive Session Items - GM Final Review

Could you see if Carol can approve MEAD 100628? I will send you a pdf right now.

From: Mohsberg, Sid
Sent: Thursday, March 11, 2010 2:38 PM
To: Goldin, Steven
Cc: Meister, Mark K.; Doggett, Rosalyn; Talaia, Anabela; Bellamy, Michelle A.; Wallace, Maria A
Subject: 3/25/10 JDRE Cmte and Board Executive Session Items - GM Final Review

Steve,

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To clear the GM Final Review, the MEAD for each item must at least be in and preferably have been approved by COUN:

JDRE Cmte

Approval to negotiate and Execute an Easement Agreement with the District of Columbia for the Metropolitan Branch Trail Bridge at Rhode Island Ave-Brentwood Metro Station

MEAD 100614 is awaiting Board approval at Level 4. 060610ge

Approval to negotiate and execute a memorandum of understanding with the City of Alexandria and The Hoffman Company for Eisenhower Avenue station improvements, bus loop Improvements, and an expanded station square

[REDACTED]

Board Executive Session

Act on Amended Florida Avenue Term Sheet and Time Extension to Negotiate a Joint Development Agreement
MEAD 100628 has been awaiting COUN approval at Level 4 since 3/10/10 at 0902. OK, but having COUN approval in hand prior to the GM Final Review would be even better.

Thanks.

Sid

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, March 10, 2010 3:40 PM
To: 'jmontague@wmata.com'; Goldin, Steven
Subject: FLAVE Comparison Chart
Attachments: FLAVETerm Sheets Comparison Table 3-10.xlsx

Please review, comment

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, March 10, 2010 1:48 PM
To: Montague, Joshua W.
Cc: Heppen, Bruce P.; Goldin, Steven
Subject: RE: Florida Avenue - Term Sheet

Josh, as mentioned earlier in the voice mail I left you, I will be out of the office after 4 but reachable at 202 431 4904. Please send the term sheet to Omar after you get your signoff.

With regard to explanation, please say that

We have incorporated the lease execution and foundation completion dates in the second schedule that Tiwana sent us (this shows 21, instead of 20 months in the Nov term sheet, to get to lease closing and 7 months after that to get to foundation completion, the latter not having been addressed in the Nov term sheet)

We have eliminated exclusions from the capital events definition that seem to us to be the equivalent of profit making events in which WMATA should share, namely transfers among existing members and to wholly-owned entities and transfers of interests in publicly traded entities—all of which allow buyouts by partners, which *are* capital events. Given Metro's modest 2% stake in capital events, we cannot see that this is at issue.

We have clarified net capital event proceeds to exclude any payouts below the retirement of original senior mortgage debt. This again is to eliminate carve outs that further reduce Metro's limited 2% participation.

Thanks.

From: Montague, Joshua W.
Sent: Wednesday, March 10, 2010 9:49 AM
To: Doggett, Rosalyn
Cc: Heppen, Bruce P.
Subject: RE: Florida Avenue - Term Sheet

Roz,

We are not able to meet with Carol for the required Term Sheet briefing until 3:30pm today.

I apologize for the delay. Until yesterday, I did not realize that we were promising to provide this to the developer so soon.

Let's meet to discuss our strategy going forward as soon as you are free.

Josh

From: Doggett, Rosalyn
Sent: Wednesday, March 10, 2010 8:52 AM
To: Montague, Joshua W.
Subject: RE: Florida Avenue - Term Sheet

Should I e-mail Bruce or do you want to forward this to him? We would like to have an agreed upon term sheet before the General Manager review this Friday at 10 am, and now we are cutting it very close.

From: Montague, Joshua W.
Sent: Tuesday, March 09, 2010 6:55 PM
To: okarim@bannekerventures.com; Tiwana Hicks
Cc: Doggett, Rosalyn
Subject: Florida Avenue - Term Sheet

Omar and Tiwana,

We were hoping to provide the updated draft of the Term Sheet by COB today. Unfortunately, we are still waiting for principals to approve.

I hope to have for you tomorrow morning. Please feel free to call me with any questions.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

The information contained in this email may be confidential and/or legally privileged. It has been sent for the sole use of the intended recipient(s). If the reader of this message is not an intended recipient, you are hereby notified that any unauthorized review, use, disclosure, dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please contact the sender by reply email and destroy all copies of the original message.

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, March 10, 2010 8:58 AM
To: Montague, Joshua W.
Subject: RE: Florida Avenue - Term Sheet

We should put in a word of explanation on cap events and net proceeds vs. schedule extension

From: Montague, Joshua W.
Sent: Wednesday, March 10, 2010 8:54 AM
To: Doggett, Rosalyn
Subject: RE: Florida Avenue - Term Sheet

I have told him. We are trying to get this off first thing this morning.

From: Doggett, Rosalyn
Sent: Wednesday, March 10, 2010 8:52 AM
To: Montague, Joshua W.
Subject: RE: Florida Avenue - Term Sheet

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Doggett, Rosalyn

From: Doggett, Rosalyn
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To: Montague, Joshua W.
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Sincerely,

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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, March 10, 2010 8:46 AM
To: Montague, Joshua W.
Subject: RE: Florida Avenue - Term Sheet

I have a conference call with Kermit, Steve, Mark P at 9 but am on this project after that. Let me know what we need to do next, in your opinion.

From: Montague, Joshua W.
Sent: Tuesday, March 09, 2010 6:55 PM
To: okarim@bannekerventures.com; Tiwana Hicks
Cc: Doggett, Rosalyn
Subject: Florida Avenue - Term Sheet

Omar and Tiwana,

We were hoping to provide the updated draft of the Term Sheet by COB today. Unfortunately, we are still waiting for principals to approve.

I hope to have for you tomorrow morning. Please feel free to call me with any questions.

Sincerely,

Josh Montague

Assistant General Counsel
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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, March 10, 2010 8:27 AM
To: Malasky, Gary
Cc: Wyner, Jonathan S.; Burns, Bob
Subject: JD Project List
Attachments: JOINT DEVELOPMENT Project List 3-2010.doc

So I updated it but still a work in process is the Miscellaneous category. Can you explain it to me?

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, March 10, 2010 7:59 AM
To: Goldin, Steven; Burns, Bob; Malasky, Gary; Wyner, Jonathan S.
Subject: value of properties
Attachments: Revised Value of Projects Selected 3-10.doc

Here is a revised, revised table. Early this am it came to me that I forgot the rest of Prince George's Plaza. It wasn't on Gary's list, and I neglected to notice.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, March 09, 2010 3:22 PM
To: Montague, Joshua W.; Goldin, Steven
Subject: FW: FW: Jazz Schedule

-----Original Message-----

From: eric.smart@bolansmart.com [<mailto:eric.smart@bolansmart.com>]
Sent: Saturday, March 06, 2010 12:58 PM
To: Doggett, Rosalyn
Subject: Re: FW: Jazz Schedule

Roz

Basic comments on the updated cash flow is that while there are some new allocations of fees on the development side there is only one new assumption that really jumps out as us after an initial review. Assuming 100% of the PILOT and Sales Tax TIF as being eligible for supporting new debt for a full 25 years seems aggressive, and we do not see info on issuances costs and other details for regarding getting the PILOT and TIF. Despite not having residential income and expense inputs stated, and the inability to check the formulas, the income and expense components seem reasonable and consistent with past submissions. In all, unless you want to request a full operating proforma, including percentage payouts to WMATA and equity paydown, and want us to dig into specifics, we would say the presented cash flow appears reasonable.

We have no particular comments on the submitted schedule, other than to note that including PILOT and TIF financing, with attendant required DC Council approval, adds to the complexity and staging of approval steps.

Sorry I missed your call on Friday. Drop me a note if needed per a possible question on square footage.

Eric

On Fri, 05 Mar 2010 12:45:02 -0500 (EST), "Doggett, Rosalyn" <RDoggett@wmata.com> wrote:
> I'd like to talk with you early afternoon to see if you have any
> comments on
> schedule and pro formas. Possible?
>
> From: Omar A. Karim [<mailto:okarim@bannekerventures.com>]
> Sent: Thursday, March 04, 2010 5:13 PM
> To: Doggett, Rosalyn
> Cc: aives@bannekerventures.com; 'Tiwana Hicks';
> eric.smart@bolansmart.com;
> Goldin, Steven
> Subject: Jazz Schedule
>
> Roz,
>
> Attached please find our most updated schedule for the Jazz @ Florida
Avenue
> project. Please note that the date for closing with WMATA is
contingent on
> Board approval of the revised term sheet on 3/25/10, JDA and lease on
7/22/10
> and execution of the JDA by 7/30/10.
>
> Please let us know if you have any questions.
>
> Thanks.
>
> Omar
>
>
> Omar A. Karim

> Banneker Ventures, LLC
> 729 15th Street, NW, Suite 400
> Washington, DC 20005
> (202) 393-5460 phone
> (202) 393-5462 fax
> (301) 523-1810 cell
> okarim@bannekerventures.com

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Eric Smart, Bolan Smart Associates, Inc.
1250 24th Street, NW, Suite 300, Washington, DC 20037 202-776-7740 (direct), 202-841-2227
(cell), 202-371-1333 (BSA general) www.bolansmart.com

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, March 09, 2010 3:13 PM
To: Montague, Joshua W.
Subject: FW: Updated Project Schedule
Attachments: Jazz @ Florida Avenue - Project Schedule (as of 3-8-2010) (WMATA).pdf

From: Tiwana Hicks [mailto:thicks@bannekerventures.com]
Sent: Monday, March 08, 2010 1:04 PM
To: eric.smart@bolansmart.com; Doggett, Rosalyn; Goldin, Steven
Cc: okarim@bannekerventures.com; Neil.Albert@dc.gov; Yohance.Fuller@dc.gov
Subject: Updated Project Schedule

Ms. Doggett,

Attached please find the updated project schedule reflecting approximately 630 days from JDA Execution to Closing (see line 11). Based on the 2 year delay that the parties have incurred from the initial approval of the Term Sheet by WMATA, we feel this is a very reasonable yet aggressive schedule. Also below please find Clark Builder's Group cost assessment of the Site security scenarios we discussed at our meeting on March 2nd.

"For this exercise I have assumed that all 3 parcels are at the same point in construction, although in actuality there will be a slight stagger in construction sequencing between each building.

Scenario 1 assumes excavation and sheeting & shoring operations are 100% complete. Concrete work has not started. The cost to refill the excavated holes, clean up and regrade the site, and stabilize the site would be approximately \$325,000.

Scenario 2 assumes excavation and sheeting & shoring operations are 100% complete. Concrete slab on grade and foundation walls are complete, but the columns and elevated slab have not started. The cost to clean up and regrade the site, install the elevated slab, stairs, temporary waterproofing over the slab, doors and electric would be approximately \$956,000.

Scenario 3 assumes the garage levels are 100% complete, including being dried in and secured. Concrete work is completed to the slab over the retail level. The cost to clean up the site, install temporary skin at the ground level, temporary waterproofing over the slab, doors and electric would be approximately \$422,000."

Please let us know if you have any further questions. Thanks in advance.

Tiwana

Tiwana Z. Hicks
Baneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, D.C. 20005
T: (202) 393-5460
F: (202) 393-5462
C: (202) 486-1863
thicks@bannekerventures.com

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, March 09, 2010 12:18 PM
To: 'okarim@bannekerverventures.com'
Cc: Goldin, Steven; Montague, Joshua W.; eric.smart@bolansmart.com; 'Tiwana Hicks'; aives@bannekerverventures.com
Subject: FW: Jazz @ Florida Avenue - \$100K credit

Omar, please the email below. Josh and I reviewed the invoices. If you can provide more detail, where we have questions, we will gladly review it.

Thanks,
Roz

We intend to respond on other items later this afternoon.

From: Montague, Joshua W.
Sent: Tuesday, March 09, 2010 12:14 PM
To: Doggett, Rosalyn
Subject: FW: Jazz @ Florida Avenue - \$100K credit

These are the same documents that we reviewed in November 2009.

The highest Additional Costs Credit that we could reasonably ascertain was **\$29,622**.

That number is based on the following:

1. **9/18 to 10/21:** The sale was initially offered at a meeting on 9/18. On the morning of 10/22, we received word that this project was back to a lease.
2. **John Hagner's invoices:** All of John's invoices were redacted to protect attorney-client privilege. But, assuming that all work done between 9/18 and 10/21 was solely addressing the lease-sale issue, John Hagner spent 25.0 hours working on this issue. At \$531 per hour plus a \$14 reimbursement for a taxi ride, this amounts to **\$13,289**.
3. **Banneker salaries:** The developer claims that 50% of the salaries for three employees during the relevant time period should be included in the credit. Assuming this claim is true, then over September and October, this amount equals \$29,166. When prorated for the 9/18 to 10/21 period, this amounts to **\$16,333**.
4. **Holland and Knight:** This invoice was not included because there is no indication of relevant time or work. As we understand it, Holland and Knight is the developer's zoning attorney. It is not clear what additional work the zoning attorney would have to do because of the proposed switch to a sale.
5. **Torti Gallas:** This invoice was not included because there is no indication of relevant time or work. Torti Gallas is the providing architectural services. It is not clear what additional work the architects would have to do because of the proposed switch to a sale.

From: Omar A. Karim [okarim@bannekerverventures.com]
Sent: Friday, March 05, 2010 8:54 PM
To: Doggett, Rosalyn
Cc: aives@bannekerverventures.com; 'Tiwana Hicks'; Goldin, Steven
Subject: Jazz @ Florida Avenue - \$100K credit

Roz,

Below please find the email that we sent to Nat and Steve on November 4, 2009 detailing the expenses that we incurred as a result of the change from a lease to a sale and now back to a lease. The total expenses are \$115,308.76. As agreed with Messrs. Graham and Catoe, we will reduce the amount owed to WMATA by the \$100k. For ease of the transaction, we will reduce the security deposit due at execution of the JDA (originally \$250k) by this amount.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: Tiwana Hicks [<mailto:thicks@bannekerventures.com>]
Sent: Friday, March 05, 2010 12:46 PM
To: 'Omar A. Karim'
Subject: Email regarding \$100K credit

From: Tiwana Hicks [<mailto:thicks@bannekerventures.com>]
Sent: Wednesday, November 04, 2009 2:49 PM
To: 'NBottigheimer@wmata.com'; 'sgoldin@wmata.com'
Cc: 'Omar A. Karim Esquire (okarim@bannekerventures.com)'; 'Fuller, Yohance (EOM)'
Subject:

Nat,

Attached please find the following documents as further support of the \$100,000 expense credit in connection with the change of the deal from a sale to a lease:

1. Developer Staff Salaries and Description of Work Performed in connection with change of deal from sale to lease. Total = \$ 29,166.66
2. Womble Carlyle Sandridge & Rice, PLLC Billing Statements for legal services rendered in connection with change of deal from sale to lease. Total = \$ 64,567.60
3. Torti Gallas and Partners Invoice Statement for architectural and engineering services performed in connection with preparation of Term Sheet Exhibits, Preliminary Development Plans, etc. Total = \$ 19,800
4. Holland & Knight LLP Statement of Outstanding Balance for legal services rendered in connection with change of deal from sale to lease. Total = \$ 1,774.50

Total Expenses incurred by Developer = \$ 115,308.76. Please contact us with any questions. Thanks in advance for your consideration.

Tiwana

Tiwana Z. Hicks
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, D.C. 20005
T: (202) 393-5460
F: (202) 393-5462
C: (202) 486-1863
thicks@bannekerventures.com

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, March 09, 2010 11:44 AM
To: Montague, Joshua W.
Subject: FW: March MEAD's not March Madness

As promised

From: Mohsberg, Sid
Sent: Monday, March 08, 2010 2:09 PM
To: Goldin, Steven
Cc: Meister, Mark K.; Talaia, Anabela; Doggett, Rosalyn
Subject: March MEAD's not March Madness

Steve,

The GM Final Review for the March 2010 Board items is this Friday, 3/12/10 at 10:00 AM.

MEAD's need to be have been approved by at least COUN by then.

Current status:

<u>Title</u>	<u>Office</u>	<u>Owner</u>	<u>MEAD</u>	<u>Status</u>
Approval to negotiate and Execute an Easement Agreement with the District of Columbia for the Metropolitan Branch Trail Bridge at Rhode Island Ave-Brentwood Metro Station	SAAM	Mark Meister	100614 Awaiting Board Level 8 3/8/10 1114	Routing complete
Approval to negotiate and execute a memorandum of understanding with the City of Alexandria and The Hoffman Company for Eisenhower Avenue station improvements, bus loop improvements, and an expanded station square	SAAM	Anabela Talaia	100638 Awaiting OMBS Level 2 3/5/10 0909	
Act on Amended Florida Avenue Term Sheet and Time Extension to Negotiate a Joint Development Agreement	SAAM	Roz Doggett	100628 Awaiting OMBS PRM1 Level 2 3/8/10 1351	

Sid

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, March 09, 2010 11:39 AM
To: Montague, Joshua W.
Subject: RE: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-FloridaAvenue Sites

Yes, but which term sheet

From: Montague, Joshua W.
Sent: Tuesday, March 09, 2010 11:36 AM
To: Doggett, Rosalyn
Subject: FW: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-FloridaAvenue Sites

Is this what you meant?

From: Goldin, Steven
Sent: Monday, November 16, 2009 8:59 AM
To: Doggett, Rosalyn; Montague, Joshua W.
Subject: Re: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-FloridaAvenue Sites

Good, thanks. He will call; stand your ground

From: Doggett, Rosalyn
To: Omar A. Karim
Sent: Mon Nov 16 08:54:26 2009
Subject: FW: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-FloridaAvenue Sites
Omar, once again the term sheet was sent out to the Board on Friday for its consideration on Thursday November 16.

Please note the two points below in Josh Montague's e-mail, which we will adhere to. If you want further explanation, which does not appear necessary to us because we have already given you reasons, do feel free to give me a call.

Many thanks,
Roz

From: Goldin, Steven
Sent: Friday, November 13, 2009 6:33 PM
To: Montague, Joshua W.; Doggett, Rosalyn; Bottigheimer, Nat
Subject: Re: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-FloridaAvenue Sites

Agreed. Roz; please advise Omar next Monday.
Steve

From: Montague, Joshua W.
To: Goldin, Steven; Doggett, Rosalyn
Sent: Fri Nov 13 18:29:16 2009
Subject: FW: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-FloridaAvenue Sites
Per our meeting today, this is a reminder that we should inform the developer of the following:

1. There will be no more negotiating of the terms after the board approves the Term Sheet; and
2. The Developer must work off of the Florida Ave Lease draft that was sent to them by WMATA on 7/24/09. We cannot work off of the Rhode Island Ave Lease for reasons previously provided to John Hagner and Omar Karim.

Have a good weekend,

Josh

From: Omar Karim [mailto:okarim@bannekerverventures.com]
Sent: Wednesday, November 04, 2009 10:42 PM
To: Anthony James Ives; Tiwana Hicks; Montague, Joshua W.; John Hagner; O'Keeffe, Carol B.; Bottigheimer, Nat
Cc: Yohance S. Fuller; jkass@dccouncil.us; Marshall, Malcolm; Meister, Mark K.; Doggett, Rosalyn; Goldin, Steven
Subject: Re: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-FloridaAvenue Sites

Nat,

Thanks for your thoughts. We appreciate them. For purposes of tomorrow, we accept the Term Sheet as sent to us this evening.

Following approval of the Term Sheet, we will give more thought to this particular issue to help come up with a way to meet your goals. Should we be able to come up with an agreeable solution prior to finalizing the JDA and Lease, we could include the solution in these docs. Alternatively, there is probably even more time bt approval of these docs and execution of the Lease prior to Closing to come up with solutions. In either case, we promise to provide you and your team with some solutions to address the concerns of all parties.

Thanks for working so hard on this. Finalizing the JDA and Lease should now be a piece of cake.

Omar
Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 office
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Bottigheimer, Nat" <NBottigheimer@wmata.com>
Date: Wed, 4 Nov 2009 21:01:52 -0500
To: O'Keefe, Carol B.<cokeeffe@wmata.com>; Montague, Joshua W.<jwmontague@wmata.com>; aives@bannekerventures.com<aives@bannekerventures.com>; okarim@bannekerventures.com<okarim@bannekerventures.com>; thicks@bannekerventures.com<thicks@bannekerventures.com>; jhagner@wcsr.com<jhagner@wcsr.com>
Cc: Goldin, Steven<sgoldin@wmata.com>; Doggett, Rosalyn<RDoggett@wmata.com>; Meister, Mark K.<MMMeister@wmata.com>; Marshall, Malcolm<MMarshall@wmata.com>; jkass@dccouncil.us<jkass@dccouncil.us>; Yohance S. Fuller<Yohance.Fuller@dc.gov>
Subject: RE: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites

John--

I heard a problem and I didn't hear a solution. Also, for the reasons laid out below, I don't understand at all your concept that we're making an above market imposition on the Developer.

Here are our premises:

It's our land.

Long-term real estate values in the DC region have grown faster than 3%. A location on U Street in between U Street and Shaw/Howard stations has growth potential and value stability unlike the vast majority of property in the region, and its long-term appreciation value is significant.

Agreeing to a lease that is based on an escalation rate less than the the property's probable long-term appreciation rate is selling ourselves short. Marking to market each decade and then holding constant for each 10-year period while property values and lease-rates available to building owners appreciate is leaving significant value on the table each year in a decade.

Without going to a spreadsheet, if we were simply to mark to market each decade, in year one of any given decade we'd get 4% less than the rental income available to a building owner on average. The next year we'd get 8% less than full value, the next year 12% less than full value, each year the same until the last year of the decade, when we'd be getting 42% below full value. That's a lot of value to leave on the table by marking to market each decade and holding constant for 10 years. Having a 3% escalation rate each year through the decade is intended to keep the rent to us, the land-owner, comparable but slightly below the long-term average increase in value until the next reset. The language we've provided is intended to keep us at rent levels close to market value for each year of the remaining 39 years of the lease without giving away the game, as your proposals would appear to have us do.

Other premises:

At Twinbrook, we negotiated a lease with JBG with precisely the terms we proposed.

Long-term leases are finance-able at terms less than 99 years.

If you have a concern about lender certainty and project finance-ability, as you suggest you do, we are open to proposals that do not systematically erode Metro's ability to realize the value of its land over the period 60-99. We're open to a capitalization of future rent at year 60 for the period 60-99, and we're open to rent levels re-set every decade to be constant for the decade, but if rent levels are reset to be constant for a decade for the purpose of certainty, then they should be set above market for the first five years of the decade with the expectation that they'd be below market the second half. Maybe you have other thoughts.

Until we hear a counter that protects our value in a market-rate setting from years 60-99, the proposal we've made is our final proposal.

Respectfully,

Nat

From: John Hagner [mailto:JHagner@wcsr.com]
Sent: Wednesday, November 04, 2009 6:24 PM
To: O'Keefe, Carol B.; Montague, Joshua W.
Cc: Anthony (Tony) James Ives(aives@bannekerventures.com); Omar A. Karim Esquire (okarim@bannekerventures.com); Tiwana Z. HicksEsquire (thicks@bannekerventures.com)
Subject: RE: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites

Carol and Josh: Let me share my response to the final change mandated by WMATA. The effects of this change are as follows:

1. WMATA will charge more than the Fair Rental Value of the Lease Property after the 61st lease year. If the Monthly Lease Payments are based on Fair Rental Value, then the 3% escalation either has to be considered in setting the Monthly Lease Payments or the escalation is an above-market imposition on the DEVELOPER. When the Fair Rental Value is determined by the three appraisers, their determination is for a period of years. WMATA is not recognizing that fact and holding the Monthly Lease Payments to the Fair Rental Value during the time period determined by the three appraisers.

2. Resetting the Monthly Lease Payments to Fair Rental Value every ten years makes the Lease un-financeable after the 60th lease year. No institutional lender will make a loan longer than ten years under these circumstances, which eliminates all the Federal and GSE (Government Sponsored Entities, *i.e.*, Fannie Mae and Freddie Mac) as lenders. To be precise, the lender will only make a loan that self-amortizes in ten years because no institutional lender will take the risk of an unlimited base rent increase while their loan is still unpaid. I'm sharing this from actual experience of litigating an almost identical issue for almost five years in the District of Columbia where the tenant under a long-term ground lease which had periodic repricing to full market rent could not refinance the leasehold estate on a permanent loan basis. This meant the tenant could not refinance the leasehold estate to pay for the needed renovation of the building and the substantial tenant improvements and lease brokerage fees to prepare for a full-building tenant. As you would expect, the tenant sued the landlord to modify the ground lease. I can't share anymore because the litigation settled under a strict confidentiality agreement. However, the "lesson learned" from this experience is that ground leases with short-term periodic repricing of the ground rent can't be refinanced on the long-term basis needed for major renovations and improvements.

I respectfully believe the last change vitiates the benefit of a lease over 60 years.

John

John D. Hagner
Womble Carlyle Sandridge & Rice, PLLC | 1401 Eye St., NW | Suite 700 | Washington, DC 20005-2225
T: 202.857.4404 | F: 202.261.0004 | E: jhagner@wcsr.com | W: www.wcsr.com

From: Montague, Joshua W. [mailto:jwmontague@wmata.com]
Sent: Wednesday, November 04, 2009 5:57 PM
To: Hagner, John
Cc: O'Keefe, Carol B.
Subject: FW: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites

Attached is the updated Term Sheet described below.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority

600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

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From: O'Keeffe, Carol B.
Sent: Wednesday, November 04, 2009 5:43 PM
To: John Hagner
Cc: Montague, Joshua W.
Subject: RE: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites

John, Josh is sending a revision that puts in a different reset that Nat will accept; he had not agreed to 99 years and is only willing to go forward with the reset provisions that Josh will send. We have spoken with Mr. Karim who seems to have accepted it, but this is an impossible way to do a deal. I know that you are not causing it.

From: John Hagner [mailto:JHagner@wcsr.com]
Sent: Wednesday, November 04, 2009 5:38 PM
To: O'Keeffe, Carol B.
Cc: Montague, Joshua W.
Subject: Re: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites

Carol: I'm on a large conference call which I can't get out of. I'll listen to your voicemail and call you as soon as I'm off.
John
John D. Hagner
Womble Carlyle Sandridge & Rice, PLLC
202.857.4404 Direct
Sent from my Blackberry. Please excuse typos.

From: O'Keeffe, Carol B. <cokeeffe@wmata.com>
To: Yohance S. Fuller <Yohance.Fuller@dc.gov>; Omar A. Karim <okarim@bannekerventures.com>; Montague, Joshua W. <jwmontague@wmata.com>
Cc: aives@bannekerventures.com <aives@bannekerventures.com>; mmckinney@bannekerventures.com <mmckinney@bannekerventures.com>; Tiwana Hicks <thicks@bannekerventures.com>; Neil.Albert@dc.gov <Neil.Albert@dc.gov>; Hagner, John; Bottigheimer, Nat <NBottigheimer@wmata.com>; Doggett, Rosalyn <RDoggett@wmata.com>; Goldin, Steven <sgoldin@wmata.com>
Sent: Wed Nov 04 17:25:10 2009
Subject: RE: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites
Not yet; we are working on it and will call John Hagner.

From: Yohance (EOM) Fuller [mailto:yohance.fuller@dc.gov]
Sent: Wednesday, November 04, 2009 5:22 PM
To: Omar A. Karim; Montague, Joshua W.
Cc: aives@bannekerventures.com; mmckinney@bannekerventures.com; Tiwana Hicks; Neil.Albert@dc.gov; O'Keeffe, Carol B.; John Hagner; Bottigheimer, Nat; Doggett, Rosalyn; Goldin, Steven
Subject: RE: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites

Josh/Nat -

I'm writing to confirm whether both parties are in agreement and that WMATA staff is prepared to recommend approval of the term sheet during the committee meeting and special board meeting tomorrow. Please advise.

Thanks,

Yohance

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Wednesday, November 04, 2009 3:45 PM
To: 'Montague, Joshua W.'
Cc: 'Bottigheimer, Nat'; 'O'Keeffe, Carol B.'; 'Goldin, Steven'; 'Doggett, Rosalyn'; Fuller, Yohance (EOM); Albert, Neil (EOM); 'John Hagner'; 'Tiwana Hicks'; mmckinney@bannekerventures.com; aives@bannekerventures.com
Subject: FINAL Term Sheet b/t WMATA and Developer - Shaw/Howard-Florida Avenue Sites
Importance: High

Josh,

In preparation of tomorrow's Board meeting, attached are the following:

1. Amended and Restated Term Sheet revised in accordance with the discussions since Monday, which finalizes our understanding; and
2. "Redline...#157; of the Amended and Restated Term Sheet against the version that we provided to WMATA on November 2, 2009 at 6:20p.

The revised language on Capital Events was taken from the term sheet for Rhode Island Ave., and the concept of adjusting the base rent for additional density stops after the first 60 years because the re-appraisal will be based on the Leased Property as if vacant, thereby assuming the maximum density has been constructed on the land.

Please contact me with any questions or comments.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, March 09, 2010 11:24 AM
To: Montague, Joshua W.
Subject: RE: Followup on Florida Avenue

Back in the rush of events in Nov (when Steve and I were out of town) didn't Omar say that he would accept the term sheet (I am just not sure now which version) subject to further negotiation, and then Steve wrote no further negotiation. Do you recall this sequence?

From: Montague, Joshua W.
Sent: Monday, March 08, 2010 9:05 AM
To: Doggett, Rosalyn
Subject: FW: Followup on Florida Avenue

Were these exclusions ever "negotiated and agreed"?

From: Omar Karim [<mailto:okarim@bannekerventures.com>]
Sent: Sunday, March 07, 2010 8:08 AM
To: Anthony James Ives; Tiwana Hicks; Doggett, Rosalyn
Cc: Eric Smart; Montague, Joshua W.; Goldin, Steven; Bushnaq, Tariq
Subject: Re: Followup on Florida Avenue

Roz,

Also, the exclusions in Capital Participation has to remain the same as we previously negotiated and agreed to.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 office
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Doggett, Rosalyn" <RDoggett@wmata.com>
Date: Thu, 25 Feb 2010 13:51:49 -0500
To: Omar A. Karim <okarim@bannekerventures.com>;
aives@bannekerventures.com <aives@bannekerventures.com>; 'Tiwana
Hicks' <thicks@bannekerventures.com>
Cc: Goldin, Steven <sgoldin@wmata.com>; eric.smart@bolansmart.com <eric.smart@bolansmart.com>;
Montague, Joshua W. <jwmontague@wmata.com>; Bushnaq, Tariq <TBushnaq@wmata.com>
Subject: Followup on Florida Avenue

Good afternoon, Omar. Per our staff review this morning, we have the following comments/requests:

1. Parking feasibility- where will the 41 spaces go, precisely, and how will you be able to justify only 41 spaces for 153,000 gsf of residential and retail vis a vis zoning regulations and market?
2. What type of foundation system are you using to support the light gauge steel construction? The question, of course, relates to how you will span our tunnels.
3. We think that with a 20% IRR to the developer, the return on adjusted gross income from capital event refinancing proceeds should be 10% of adjusted gross proceeds. Also, exclusions from capital events should be limited to estate transfers and to inclusion of equity/debt partners where no profit to participants is involved. They should definitely not include transfers among partners.
4. From discussions with other developers and comments from time to time from our board members, we believe that a 70 year lease would be sufficient and are requesting a reduction from 99 years.
5. Please reaffirm that BACDC is still in the deal as a development/financial partner.
6. On the cost credit for your consideration of a sale vs. lease this past Sept/Oct, please provide certification that Mr. Catoe or Mr. Graham offered that adjustment. Secondly, please be aware that from what you sent us previously, we can validate at best \$30,000 if you still want to include this item in a term sheet.

7. We still need a development guaranty from a third party rated at least AA.
8. Please attach an updated schedule. We will include language in our agreement, per Board request, that if a foundation to street level is not provided by a date x , the project will revert to WMATA.
9. I want to reiterate the need for the pro formas and elevations/plans and, also, itemized sources of funds for development which I did not ask for yesterday.

Items 8 and 9 are important to get ASAP because the project has changed.

On a happy note, congratulations on your new son. Great news!

I look forward to your response.

Roz

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, March 09, 2010 10:51 AM
To: Goldin, Steven; Burns, Bob; Malasky, Gary; Marshall, Malcolm; Wyner, Jonathan S.
Cc: Meister, Mark K.
Subject: RE: Federal Board Member Meeting
Attachments: Revised Value of Projects Selected 3-10.doc

Here is a draft table. Please let me know of corrections or missing projects, if any.
To be conservative, I used \$30,000/replacement parking space for Twinbrook whereas Malcolm used \$20,000 for Greenbelt as given to him by Tariq.

From: Goldin, Steven
Sent: Monday, March 08, 2010 4:12 PM
To: Burns, Bob; Doggett, Rosalyn; Malasky, Gary; Marshall, Malcolm; Wyner, Jonathan S.
Cc: Meister, Mark K.; Goldin, Steven
Subject: Federal Board Member Meeting
Importance: High

As part of my briefing to our new Federal Board members tomorrow, Nat wants me to have this information available:

Completed JD projects.....**Malasky**
#JD sites left....**Burns**
How is our 18 member staff paid for?....**Wyner/Meister**
How many people did we have before the RIFF....**Meister**
troubled projects and potential revenues from those projects....**Doggett**
\$ in to TIF each year....**Wyner**
\$ into TIF since inception....**Wyner**

Steven E. Goldin
Director, Station Area Planning & Asset Management

Washington Metropolitan Area Transit Authority
sgoldin@wmata.com
202-962-2616

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, March 09, 2010 8:49 AM
To: Wyner, Jonathan S.; Malasky, Gary; Goldin, Steven; Burns, Bob; Marshall, Malcolm
Subject: RE: PPT Presentation from Expert Working Group Meeting

Affordable housing under DC Housing Finance Agency 4% tax credit program WAS part of the original proposal. Figured into selection process in that it was assuring funding in a transitional market area.

From: Wyner, Jonathan S.
Sent: Tuesday, March 09, 2010 8:41 AM
To: Malasky, Gary; Goldin, Steven; Burns, Bob; Doggett, Rosalyn; Marshall, Malcolm
Subject: RE: PPT Presentation from Expert Working Group Meeting

Station **Rhode Island Avenue**
Developer **Rhode Island Avenue Metro, LLC (RIAM)**
Number of total residential units **274 residential units**
Number of market / affordable units **80%/20%**
"Degree" of affordability (in terms of median income or whatever)* - **will inquire**
Impact of affordable housing requirement on WMATA land value - **lessening of cash flow resulting in less capitalized NOI...**
Agencies providing financing / funding to make the project financially feasible **HUD FHA 220 program, New Markets Tax Credits, DC Pilot**
How the affordability component factored into the selection process - **Sole bidder (not sure that affordable housing was part of the original proposal)**

Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development
600 Fifth Street, NW, #5B-A
Washington, DC 20001
202/962-1577

From: Malasky, Gary
Sent: Monday, March 08, 2010 5:48 PM
To: Goldin, Steven; Burns, Bob; Doggett, Rosalyn; Marshall, Malcolm; Wyner, Jonathan S.
Subject: Re: PPT Presentation from Expert Working Group Meeting

White Flint and Wheaton do. Can coordinate more tomorrow.

From: Goldin, Steven
To: Burns, Bob; Doggett, Rosalyn; Malasky, Gary; Marshall, Malcolm; Wyner, Jonathan S.
Sent: Mon Mar 08 17:40:10 2010
Subject: FW: PPT Presentation from Expert Working Group Meeting

From: Bottigheimer, Nat
Sent: Sunday, March 07, 2010 8:50 PM
To: Goldin, Steven
Cc: Mohsberg, Sid
Subject: FW: PPT Presentation from Expert Working Group Meeting
Importance: High

Steve --

Could you have one of your folks prepare a quick summary of WMATA joint development projects that have included an affordable housing component?

For each project, I'm interested in:

Station
Developer
Number of total residential units
Number of market / affordable units
"Degree" of affordability (in terms of median income or whatever)
Impact of affordable housing requirement on WMATA land value
Agencies providing financing / funding to make the project financially feasible
How the affordability component factored into the selection process

Wheaton Housing Opportunities Commission project
Rhode Island Avenue
Florida and 9th (Banneker)
Takoma (X percent of projects required to be affordable)
Prince George's Plaza ?
Twinbrook ?
etc.

Monday the 15th is ok for getting the information back.

Thanks,

Nat

From: Philip Sapone [psapone@newportpartnersllc.com]
Sent: Friday, March 05, 2010 4:23 PM
To: Bottigheimer, Nat
Subject: PPT Presentation from Expert Working Group Meeting

On behalf of the U.S. Department of Housing and Urban Development and Newport Partners, I would like to thank you for your attendance and participation in our first Expert Working Group Meeting on Expanding Affordable Housing Near Transit this past Monday. We were very pleased with the discussion and the resulting feedback.

For your reference purposes, I have attached the PowerPoint presentation from the meeting.

The next Expert Working Group Meeting will be held in late May or early June to focus exclusively on Paper Topic II. We will advise you of the date shortly and will forward specific information closer to the meeting.

Thank you again for your participation.

Philip Sapone
Newport Ventures
22 Jay Street
Schenectady, NY 12305
Office: (518) 377-9410
www.newportventures.net

Check out Newport's blog at www.newportpartnersllc.com

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Monday, March 08, 2010 12:30 PM
To: Doggett, Rosalyn; Goldin, Steven
Subject: FW: Jazz @ Florida Avenue - \$100K credit

By the way, the below email was sent to internal WMATA people (Carol, Nat, etc.). I am not aware of this ever being sent to the developer, though I know that we discussed with him.

From: Montague, Joshua W.
Sent: Monday, March 08, 2010 11:06 AM
To: Doggett, Rosalyn; Goldin, Steven
Subject: RE: Jazz @ Florida Avenue - \$100K credit

These are the same documents that we reviewed in November. Below is the email that was sent out after we reviewed:

RE: Additional Costs Credit

The highest Additional Costs Credit that we could reasonably ascertain is **\$29,622**.

That number is based on the following:

1. **9/18 to 10/21:** The sale was initially offered at a meeting on 9/18. On the morning of 10/22, we received word that this project was back to a lease.
2. **John Hagner's invoices:** All of John's invoices were redacted to protect attorney-client privilege. But, assuming that all work done between 9/18 and 10/21 was solely addressing the lease-sale issue, John Hagner spent 25.0 hours working on this issue. At \$531 per hour plus a \$14 reimbursement for a taxi ride, this amounts to **\$13,289**.
3. **Banneker salaries:** The developer claims that 50% of the salaries for three employees during the relevant time period should be included in the credit. Assuming this claim is true, then over September and October, this amount equals \$29,166. When prorated for the 9/18 to 10/21 period, this amounts to **\$16,333**.
4. **Holland and Knight:** This invoice was not included because there is no indication of relevant time or work. As we understand it, Holland and Knight is the developer's zoning attorney. It is not clear what additional work the zoning attorney would have to do because of the proposed switch to a sale.
5. **Torti Gallas:** This invoice was not included because there is no indication of relevant time or work. Torti Gallas is the providing architectural services. It is not clear what additional work the architects would have to do because of the proposed switch to a sale.

From: Doggett, Rosalyn
Sent: Saturday, March 06, 2010 8:44 AM
To: Goldin, Steven; Montague, Joshua W.
Subject: FW: Jazz @ Florida Avenue - \$100K credit

Josh, this may be what we looked over in November and reduced to \$30,000 on the basis that the invoices covered costs not related to the sale or were outside the dates of the period in which we all were considering a sale. Please check. Also I do not think that we should allow him to reduce his performance security. None of our other projects go ahead on such a thin margin, and it is chump change for a decently capitalized developer.

I will be out of email range starting now.

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Friday, March 05, 2010 8:54 PM
To: Doggett, Rosalyn
Cc: aives@bannekerventures.com; 'Tiwana Hicks'; Goldin, Steven
Subject: Jazz @ Florida Avenue - \$100K credit

Roz,

Below please find the email that we sent to Nat and Steve on November 4, 2009 detailing the expenses that we incurred as a result of the change from a lease to a sale and now back to a lease. The total expenses are \$115,308.76. As agreed with Messrs. Graham and Catoe, we will reduce the amount owed to WMATA by the \$100k. For ease of the transaction, we will reduce the security deposit due at execution of the JDA (originally \$250k) by this amount.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: Tiwana Hicks [mailto:thicks@bannekerventures.com]
Sent: Friday, March 05, 2010 12:46 PM
To: 'Omar A. Karim'
Subject: Email regarding \$100K credit

From: Tiwana Hicks [mailto:thicks@bannekerventures.com]
Sent: Wednesday, November 04, 2009 2:49 PM
To: 'NBottigheimer@wmata.com'; 'sgoldin@wmata.com'
Cc: 'Omar A. Karim Esquire (okarim@bannekerventures.com)'; 'Fuller, Yohance (EOM)'
Subject:

Nat,

Attached please find the following documents as further support of the \$100,000 expense credit in connection with the change of the deal from a sale to a lease:

1. Developer Staff Salaries and Description of Work Performed in connection with change of deal from sale to lease. Total = \$ 29,166.66
2. Womble Carlyle Sandridge & Rice, PLLC Billing Statements for legal services rendered in connection with change of deal from sale to lease. Total = \$ 64,567.60
3. Torti Gallas and Partners Invoice Statement for architectural and engineering services performed in connection with preparation of Term Sheet Exhibits, Preliminary Development Plans, etc. Total = \$ 19,800
4. Holland & Knight LLP Statement of Outstanding Balance for legal services rendered in connection with change of deal from sale to lease. Total = \$ 1,774.50

Total Expenses incurred by Developer = \$ 115,308.76. Please contact us with any questions. Thanks in advance for your consideration.

Tiwana

Tiwana Z. Hicks
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, D.C. 20005
T: (202) 393-5460
F: (202) 393-5462
C: (202) 486-1863
thicks@bannekerventures.com

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Saturday, March 06, 2010 8:44 AM
To: Goldin, Steven; Montague, Joshua W.
Subject: FW: Jazz @ Florida Avenue - \$100K credit
Attachments: Jazz Salaries.pdf; Womble Carlyle Sandridge & Rice Expenses (Sept to Oct).pdf; Torti Gallas and Partners Expenses (Sept and Oct 09).pdf; Holland & Knight LLP Expenses (Sept and Oct 09).pdf

Josh, this may be what we looked over in November and reduced to \$30,000 on the basis that the invoices covered costs not related to the sale or were outside the dates of the period in which we all were considering a sale. Please check. Also I do not think that we should allow him to reduce his performance security. None of our other projects go ahead on such a thin margin, and it is chump change for a decently capitalized developer.

I will be out of email range starting now.

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Friday, March 05, 2010 8:54 PM
To: Doggett, Rosalyn
Cc: aives@bannekerventures.com; 'Tiwana Hicks'; Goldin, Steven
Subject: Jazz @ Florida Avenue - \$100K credit

Roz,

Below please find the email that we sent to Nat and Steve on November 4, 2009 detailing the expenses that we incurred as a result of the change from a lease to a sale and now back to a lease. The total expenses are \$115,308.76. As agreed with Messrs. Graham and Catoe, we will reduce the amount owed to WMATA by the \$100k. For ease of the transaction, we will reduce the security deposit due at execution of the JDA (originally \$250k) by this amount.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: Tiwana Hicks [mailto:thicks@bannekerventures.com]
Sent: Friday, March 05, 2010 12:46 PM
To: 'Omar A. Karim'
Subject: Email regarding \$100K credit

From: Tiwana Hicks [mailto:thicks@bannekerventures.com]
Sent: Wednesday, November 04, 2009 2:49 PM
To: 'NBottigheimer@wmata.com'; 'sgoldin@wmata.com'
Cc: 'Omar A. Karim Esquire (okarim@bannekerventures.com)'; 'Fuller, Yohance (EOM)'
Subject:

Nat,

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2. Womble Carlyle Sandridge & Rice, PLLC Billing Statements for legal services rendered in connection with change of deal from sale to lease. Total = \$ 64,567.60
3. Torti Gallas and Partners Invoice Statement for architectural and engineering services performed in connection with preparation of Term Sheet Exhibits, Preliminary Development Plans, etc. Total = \$ 19,800
4. Holland & Knight LLP Statement of Outstanding Balance for legal services rendered in connection with change of deal from sale to lease. Total = \$ 1,774.50

Total Expenses incurred by Developer = \$ 115,308.76. Please contact us with any questions. Thanks in advance for your consideration.

Tiwana

Tiwana Z. Hicks
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, D.C. 20005
T: (202) 393-5430
F: (202) 393-5462
C: (202) 486-1863
thicks@bannekerventures.com

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, March 05, 2010 2:00 PM
To: Goldin, Steven; Bottigheimer, Nat
Cc: Mohsberg, Sid
Subject: FLAVE
Attachments: FLAVE MEAD text 3-5-10.doc

How is the attached for BAIS language?

Language below would go into the Funding Impact box. I am using Eric's current npv calculation (%5.87M) based on the upfront capitalized lease payment and the residual value of the project after 50 years to make the statement about the revenue to WMATA being over ¾ of the 2008 \$7. M appraised value.

Funding Impact

"The revenue to Metro is significantly improved from that presented in January 2010. It is over three-fourths of the appraised value presented to the Board in June 2008 upon selection of the development team. That appraised value did not take into account extra costs of construction over the Metro tunnel or reduced developer revenue resulting from mandatory Inclusionary Zoning regulations which did not then exist. Taking these factors into account, the current financial offer exceeds the appraised value."

Revenue from the project will be deposited into the Transit Infrastructure Investment Fund (TIIF).

All still ends with "no recommendation" which I assuming it should.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, March 05, 2010 1:35 PM
To: 'okarim@bannekerventures.com'
Subject: RE: Jazz Schedule

You do not need to add 90 days as there is a "force majeure" and a separate "WMATA delay" provision in the term sheet. As for the 18 months, you consistently agreed to 600 days (20 months) to closing in the existing term sheets. Your schedule shows building permit receipt for 3/29/12 which is slightly under 20 months from jda execution. There seems little reason to keep pushing the schedule out with a simpler project unless (and I know I'm giving you an opening here), PILOT and TIF cannot be accomplished in the 20 months; I suspect that they can be, however.

From: Omar Karim [<mailto:okarim@bannekerventures.com>]
Sent: Friday, March 05, 2010 12:40 PM
To: Doggett, Rosalyn
Cc: Anthony James Ives; Tiwana Hicks; Eric Smart; Montague, Joshua W.; Goldin, Steven; Bushnaq, Tariq
Subject: Re: Jazz Schedule

The 18 mons is for zoning, wmata reviews and design time. The financing is separate from this and is included in the 6 mons from mos 19-24 where drawings are complete and we go through permitting which takes 4 mos. This is very short. Eric stated that the zoning and drawings takes 18-20 mos and the permitting, completion of the drawings and closing on our loan should take another 6 mos. This is consistent with our schedule as well. The longest times on the schedule is for wmata reviews with Tariq confirmed with us just yesterday was 30 business days for each review. If wmata agrees to shorten its review time, we could save about 2-3 mons in the schedule and close with wmata in 21 mos which would be great.

As for the reverter clause, what have you seen for getting up to ground level? If its for any reversion, we should put some cushion in the schedule. We will add 90 days to it just in case something happens, such as snow, etc. Since we are building over a tunnel, seems prudent. We will send a revised schedule showing the additional 90 days.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 office
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Doggett, Rosalyn" <RDoggett@wmata.com>
Date: Fri, 5 Mar 2010 11:51:48 -0500
To: Omar A. Karim <okarim@bannekerventures.com>
Cc: aives@bannekerventures.com <aives@bannekerventures.com>; 'Tiwana Hicks' <thicks@bannekerventures.com>; eric.smart@bolansmart.com <eric.smart@bolansmart.com>; Goldin, Steven <sgoldin@wmata.com>; Montague, Joshua W. <jwmontague@wmata.com>; Bushnaq, Tariq <TBushnaq@wmata.com>
Subject: RE: Jazz Schedule

Omar, this schedule shows a closing on a ground lease on 8/17/12 some 24.5 months after the execution of the jda on 7/30/10. This is considerably more than the 18 months we talked about on Tuesday and the 600 days in the current term sheet for a less complicated project (we don't have to deal with the adjacent property) and seems too long to me. Can you explain why? It looks like arranging financing is what is extending the date. Can't that be done conterminously with construction reviews/permitting?

In the reverter clause, i.e., the site going back to WMATA if foundations are not finished to street level by a date certain, the date I would use in your schedule, subject to Tariq's concurrence, is item 72, garage construction/grade complete 3/1/13, 6.5 months after lease execution, which seems reasonable to me.

From: Omar A. Karim [<mailto:okarim@bannekerventures.com>]
Sent: Thursday, March 04, 2010 5:13 PM
To: Doggett, Rosalyn

Cc: aives@bannekerventures.com; 'Tiwana Hicks'; eric.smart@bolansmart.com; Goldin, Steven
Subject: Jazz Schedule

Roz,

Attached please find our most updated schedule for the Jazz @ Florida Avenue project. Please note that the date for closing with WMATA is contingent on Board approval of the revised term sheet on 3/25/10, JDA and lease on 7/22/10 and execution of the JDA by 7/30/10.

Please let us know if you have any questions.

Thanks.

Omar

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Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, March 05, 2010 11:52 AM
To: 'Omar A. Karim'
Cc: aives@bannekerventures.com; 'Tiwana Hicks'; eric.smart@bolansmart.com; Goldin, Steven; Montague, Joshua W.; Bushnaq, Tariq
Subject: RE: Jazz Schedule

Omar, this schedule shows a closing on a ground lease on 8/17/12 some 24.5 months after the execution of the jda on 7/30/10. This is considerably more than the 18 months we talked about on Tuesday and the 600 days in the current term sheet for a less complicated project (we don't have to deal with the adjacent property) and seems too long to me. Can you explain why? It looks like arranging financing is what is extending the date. Can't that be done conterminously with construction reviews/permitting?

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From: Omar A. Karim [<mailto:okarim@bannekerventures.com>]
Sent: Thursday, March 04, 2010 5:13 PM
To: Doggett, Rosalyn
Cc: aives@bannekerventures.com; 'Tiwana Hicks'; eric.smart@bolansmart.com; Goldin, Steven
Subject: Jazz Schedule

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Please let us know if you have any questions.

Thanks.

Omar

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Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, March 05, 2010 11:35 AM
To: eric.smart@bolansmart.com
Subject: FW: Jazz Schedule
Attachments: Jazz @ Florida Avenue - Project Schedule (as of 3-4-2010).pdf

I'd like to talk with you early afternoon to see if you have any comments on schedule and pro formas. Possible?

From: Omar A. Karim [<mailto:okarim@bannekerventures.com>]
Sent: Thursday, March 04, 2010 5:13 PM
To: Doggett, Rosalyn
Cc: aives@bannekerventures.com; 'Tiwana Hicks'; eric.smart@bolansmart.com; Goldin, Steven
Subject: Jazz Schedule

Roz,

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Please let us know if you have any questions.

Thanks.

Omar

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(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, March 05, 2010 9:32 AM
To: Bushnaq, Tariq; Montague, Joshua W.
Subject: FW: Jazz @ Florida Avenue Financial Model
Attachments: Jazz Model (WMATA as of 3-4-2010).pdf

Importance: High

fyi

From: Omar A. Karim [<mailto:okarim@bannekerventures.com>]
Sent: Thursday, March 04, 2010 3:48 PM
To: Doggett, Rosalyn
Cc: aives@bannekerventures.com; thicks@bannekerventures.com; eric.smart@bolansmart.com; Goldin, Steven
Subject: Jazz @ Florida Avenue Financial Model
Importance: High

Roz,

As discussed this morning, attached please find the proformas, budget and sources and uses for the Jazz project.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, March 04, 2010 4:03 PM
To: 'Omar A. Karim'
Cc: aives@bannekerventures.com; thicks@bannekerventures.com; eric.smart@bolansmart.com; Goldin, Steven
Subject: RE: Jazz @ Florida Avenue Financial Model

Thanks, Omar. Please send also a schedule with an assumed JDA execution of July 30, 2010

From: Omar A. Karim [<mailto:okarim@bannekerventures.com>]
Sent: Thursday, March 04, 2010 3:48 PM
To: Doggett, Rosalyn
Cc: aives@bannekerventures.com; thicks@bannekerventures.com; eric.smart@bolansmart.com; Goldin, Steven
Subject: Jazz @ Florida Avenue Financial Model
Importance: High

Roz,

As discussed this morning, attached please find the proformas, budget and sources and uses for the Jazz project.

Omar

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Banneker Ventures, LLC
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Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, March 04, 2010 11:37 AM
To: Goldin, Steven; Montague, Joshua W.
Subject: RE: Followup on Florida Avenue

We think that Josh's email in answer to you and my forwarding of Tiwana's email on schedule and budget cover the open items. I have not heard back from Nat yet re the BAIS.

Sent: Thursday, March 04, 2010 7:46 AM
To: Doggett, Rosalyn; Montague, Joshua W.
Subject: Fw: Followup on Florida Avenue

Other than the BACDC issue, what remains open?

From: Yohance (EOM) Fuller
To: Goldin, Steven
Sent: Wed Mar 03 22:22:05 2010
Subject: RE: Followup on Florida Avenue
Steve,

Can we chat tomorrow to discuss status and next steps for this project?

Thanks,

Yohance

From: Goldin, Steven [mailto:sgoldin@wmata.com]
Sent: Thursday, February 25, 2010 6:20 PM
To: okarim@bannekerventures.com; Anthony James Ives; Tiwana Hicks; Doggett, Rosalyn
Cc: Eric Smart; Albert, Neil (EOM); Fuller, Yohance (EOM); Montague, Joshua W.; Bushnaq, Tariq
Subject: RE: Followup on Florida Avenue

Tuesday afternoon is best for me

SG

From: Omar Karim [mailto:okarim@bannekerventures.com]
Sent: Thursday, February 25, 2010 5:58 PM
To: Anthony James Ives; Tiwana Hicks; Doggett, Rosalyn
Cc: Eric Smart; Neil.Albert@dc.gov; Yohance.Fuller@dc.gov; Goldin, Steven; Montague, Joshua W.; Bushnaq, Tariq
Subject: Re: Followup on Florida Avenue

Roz and Steve,

Thanks for the congratulations on the birth of my son earlier today. Means a lot to me. I understand that Steve will be on the Hill tomorrow and therefore won't be able to meet. As such, we were thinking that it might be more productive to reschedule the mtg for a time when he would be present. Would Mon, Tues or Wed work? If so, we will make ourselves available anytime, except 12-1 on Tues. Please let us know if this works. Thanks.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
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(301) 523-1810 cell
okarim@bannekerventures.com

From: "Doggett, Rosalyn" <RDoggett@wmata.com>
Date: Thu, 25 Feb 2010 17:17:23 -0500
To: okarim@bannekerventures.com<okarim@bannekerventures.com>; Anthony James Ives<aives@bannekerventures.com>; Tiwana Hicks<thicks@bannekerventures.com>

Cc: Eric Smart<eric.smart@bolansmart.com>; Neil.Albert@dc.gov<Neil.Albert@dc.gov>; Yohance.Fuller@dc.gov<Yohance.Fuller@dc.gov>; Montague, Joshua W.<jwmontague@wmata.com>; Goldin, Steven<sgoldin@wmata.com>; Bushnaq, Tariq<TBushnaq@wmata.com>
Subject: RE: Followup on Florida Avenue

In response to your first question, by the middle of next week, let's say midday Wednesday. In fact, I have just been informed that the meeting I referred to in yesterday's e-mail was moved forward to the week of March 8. But assuming that there will be some back and forth questions, I think that it would be best to get your material midweek next week. Let me know if that presents any problems.

Regards,
Roz

From: Omar Karim [mailto:okarim@bannekerventures.com]
Sent: Thursday, February 25, 2010 3:50 PM
To: Anthony James Ives; Tiwana Hicks; Doggett, Rosalyn
Cc: Eric Smart; Neil.Albert@dc.gov; Yohance.Fuller@dc.gov; Montague, Joshua W.; Goldin, Steven; Bushnaq, Tariq
Subject: Re: Followup on Florida Avenue

Roz,

When do you need responses for these items? As you know, bc of the birth of my child, I will be out for a few days and we will need to coordinate with the GC, our legal counsel and investor re 2, 3, 8 and 9. The balance of the responses are below:

1. The location of the spaces haven't been finalized yet as we are considering either having (a) 1 level of parking under each of the larger bldgs which we proposed in our initial submittal, or (b) use a mechanical system at level G1 of one bldg which would accommodate the 41 spaces. Based on the 153,000 sf, zoning would require 55 spaces. However, we met with OP and they expressed their interest in having us build less parking spaces for the project, even less than what zoning requires. This could be accomplished either through the BZA or Zoning Commission through a PUD, which they fully support.

4. 70 yrs is fine.

5. Yes. However, as previously discussed, bc Graham wanted us to do a lease vs a sale, he and I, and then Catoe and the staff, agreed that we would replace BACDC in the future as they were comfortable with a sale but not a lease.

6. Graham agreed to the adjustment and Catoe was fine with it. We will review what we sent you re the adjustment amount.

7. Ok. Our GC will provide a bond from an insurer of at least AA similar to what you've seen on other wmata projects.

Omar

Omar A. Karim
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Washington, DC 20005
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(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Doggett, Rosalyn" <RDoggett@wmata.com>
Date: Thu, 25 Feb 2010 13:51:49 -0500
To: Omar A. Karim<okarim@bannekerventures.com>; aives@bannekerventures.com<aives@bannekerventures.com>; 'Tiwana Hicks'<thicks@bannekerventures.com>
Cc: Goldin, Steven<sgoldin@wmata.com>; eric.smart@bolansmart.com<eric.smart@bolansmart.com>; Montague, Joshua W.<jwmontague@wmata.com>; Bushnaq, Tariq<TBushnaq@wmata.com>
Subject: Followup on Florida Avenue

Good afternoon, Omar. Per our staff review this morning, we have the following comments/requests:

1. Parking feasibility- where will the 41 spaces go, precisely, and how will you be able to justify only 41 spaces for 153,000 gsf of residential and retail vis a vis zoning regulations and market?
2. What type of foundation system are you using to support the light gauge steel construction? The question, of course, relates to how you will span our tunnels.
3. We think that with a 20% IRR to the developer, the return on adjusted gross income from capital event refinancing proceeds should be 10% of adjusted gross proceeds. Also, exclusions from capital events should be limited to estate transfers and to inclusion of equity/debt partners where no profit to participants is involved. They should definitely not include transfers among partners.
4. From discussions with other developers and comments from time to time from our board members, we believe that a 70 year lease would be sufficient and are requesting a reduction from 99 years.
5. Please reaffirm that BACDC is still in the deal as a development/financial partner.
6. On the cost credit for your consideration of a sale vs. lease this past Sept/Oct, please provide certification that Mr. Catoe or Mr. Graham offered that adjustment. Secondly, please be aware that from what you sent us previously, we can validate at best \$30,000 if you still want to include this item in a term sheet.
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8. Please attach an updated schedule. We will include language in our agreement, per Board request, that if a foundation to street level is not provided by a date x , the project will revert to WMATA.
9. I want to reiterate the need for the pro formas and elevations/plans and, also, itemized sources of funds for development which I did not ask for yesterday.

Items 8 and 9 are important to get ASAP because the project has changed.

On a happy note, congratulations on your new son. Great news!

I look forward to your response.

Roz

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, March 04, 2010 9:25 AM
To: Montague, Joshua W.
Subject: FW: Followup on Florida Avenue

Let's talk on this when you have a chance this a.m. Term sheet review should be basis.

I have the numbers to look at-- check for insurance and loc coverage?

Guaranty would related to their having a partner

From: Goldin, Steven
Sent: Thursday, March 04, 2010 7:46 AM
To: Doggett, Rosalyn; Montague, Joshua W.
Subject: Fw: Followup on Florida Avenue

Other than the BACDC issue, what remains open?

From: Yohance (EOM) Fuller
To: Goldin, Steven
Sent: Wed Mar 03 22:22:05 2010
Subject: RE: Followup on Florida Avenue
Steve,

Can we chat tomorrow to discuss status and next steps for this project?

Thanks,

Yohance

From: Goldin, Steven [mailto:sgoldin@wmata.com]
Sent: Thursday, February 25, 2010 6:20 PM
To: okarim@bannekerventures.com; Anthony James Ives; Tiwana Hicks; Doggett, Rosalyn
Cc: Eric Smart; Albert, Neil (EOM); Fuller, Yohance (EOM); Montague, Joshua W.; Bushnaq, Tariq
Subject: RE: Followup on Florida Avenue

Tuesday afternoon is best for me

SG

From: Omar Karim [mailto:okarim@bannekerventures.com]
Sent: Thursday, February 25, 2010 5:58 PM
To: Anthony James Ives; Tiwana Hicks; Doggett, Rosalyn
Cc: Eric Smart; Neil,Albert@dc.gov; Yohance.Fuller@dc.gov; Goldin, Steven; Montague, Joshua W.; Bushnaq, Tariq
Subject: Re: Followup on Florida Avenue

Roz and Steve,

Thanks for the congratulations on the birth of my son earlier today. Means a lot to me. I understand that Steve will be on the Hill tomorrow and therefore won't be able to meet. As such, we were thinking that it might be more productive to reschedule the mtg for a time when he would be present. Would Mon, Tues or Wed work? If so, we will make ourselves available anytime, except 12-1 on Tues. Please let us know if this works. Thanks.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 office
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Doggett, Rosalyn" <RDoggett@wmata.com>

Date: Thu, 25 Feb 2010 17:17:23 -0500

To: okarim@bannekerventures.com<okarim@bannekerventures.com>; Anthony James Ives<aives@bannekerventures.com>; Tiwana Hicks<thicks@bannekerventures.com>

Cc: Eric Smart<eric.smart@bolansmart.com>; Neil.Albert@dc.gov<Neil.Albert@dc.gov>; Yohance.Fuller@dc.gov<Yohance.Fuller@dc.gov>; Montague, Joshua W.<jwmontague@wmata.com>; Goldin, Steven<sgoldin@wmata.com>; Bushnaq, Tariq<TBushnaq@wmata.com>

Subject: RE: Followup on Florida Avenue

In response to your first question, by the middle of next week, let's say midday Wednesday. In fact, I have just been informed that the meeting I referred to in yesterday's e-mail was moved forward to the week of March 8. But assuming that there will be some back and forth questions, I think that it would be best to get your material midweek next week. Let me know if that presents any problems.

Regards,
Roz

From: Omar Karim [mailto:okarim@bannekerventures.com]

Sent: Thursday, February 25, 2010 3:50 PM

To: Anthony James Ives; Tiwana Hicks; Doggett, Rosalyn

Cc: Eric Smart; Neil.Albert@dc.gov; Yohance.Fuller@dc.gov; Montague, Joshua W.; Goldin, Steven; Bushnaq, Tariq

Subject: Re: Followup on Florida Avenue

Roz,

When do you need responses for these items? As you know, bc of the birth of my child, I will be out for a few days and we will need to coordinate with the GC, our legal counsel and investor re 2, 3, 8 and 9. The balance of the responses are below:

1. The location of the spaces haven't been finalized yet as we are considering either having (a) 1 level of parking under each of the larger bldgs which we proposed in our initial submittal, or (b) use a mechanical system at level G1 of one bldg which would accommodate the 41 spaces. Based on the 153,000 sf, zoning would require 55 spaces. However, we met with OP and they expressed their interest in having us build less parking spaces for the project, even less than what zoning requires. This could be accomplished either through the BZA or Zoning Commission through a PUD, which they fully support.

4. 70 yrs is fine.

5. Yes. However, as previously discussed, bc Graham wanted us to do a lease vs a sale, he and I, and then Catoe and the staff, agreed that we would replace BACDC in the future as they were comfortable with a sale but not a lease.

6. Graham agreed to the adjustment and Catoe was fine with it. We will review what we sent you re the adjustment amount.

7. Ok. Our GC will provide a bond from an insurer of at least AA similar to what you've seen on other wmata projects.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 office
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Doggett, Rosalyn" <RDoggett@wmata.com>

Date: Thu, 25 Feb 2010 13:51:49 -0500

To: Omar A. Karim<okarim@bannekerventures.com>; aives@bannekerventures.com<aives@bannekerventures.com>; 'Tiwana Hicks'<thicks@bannekerventures.com>

Cc: Goldin, Steven<sgoldin@wmata.com>; eric.smart@bolansmart.com<eric.smart@bolansmart.com>; Montague, Joshua W.<jwmontague@wmata.com>; Bushnaq, Tariq<TBushnaq@wmata.com>

Subject: Followup on Florida Avenue

Good afternoon, Omar. Per our staff review this morning, we have the following comments/requests:

1. Parking feasibility- where will the 41 spaces go, precisely, and how will you be able to justify only 41 spaces for 153,000 gsf of residential and retail vis a vis zoning regulations and market?
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On a happy note, congratulations on your new son. Great news!

I look forward to your response.

Roz

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Washington Metropolitan Area Transit Authority
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Washington, DC 20001

rdoggett@wmata.com
202-952-2208 phone
202-952-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, March 03, 2010 6:00 PM
To: Goldin, Steven; Mohsberg, Sid
Subject: draft FL Av power point presentation
Attachments: Florida Ave Amended Term Sheet 3-10- rev 2.pptx

Rosalyn P. Doggett
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Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, March 02, 2010 2:41 PM
To: Montague, Joshua W.; Eric Smart; Bushnaq, Tariq
Subject: FW: The Jazz Site Plans and Elevations
Attachments: Jazz_WMATA_100226.pdf

From: Tiwana Hicks [mailto:thicks@bannekerventures.com]
Sent: Tuesday, March 02, 2010 2:33 PM
To: Doggett, Rosalyn; Goldin, Steven
Cc: aives@bannekerventures.com; 'Omar A. Karim'
Subject: The Jazz Site Plans and Elevations

Attached please find the updated site plans and elevations for The Jazz.

Tiwana

Tiwana Z. Hicks
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, D.C. 20005
T: (202) 393-5460
F: (202) 393-5462
C: (202) 486-1863
thicks@bannekerventures.com

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, March 02, 2010 11:41 AM
To: 'Omar A. Karim'
Subject: FW: Florida Avenue - Guaranty alternatives

From: Montague, Joshua W.
Sent: Monday, March 01, 2010 5:35 PM
To: Doggett, Rosalyn
Subject: Florida Avenue - Guaranty alternatives

Possible alternatives to get WMATA the security to restore the property or complete construction (which is what we asked for in previous Term Sheet):

1. Guaranty agreements – As we discussed previously, this needs to be from an individual or a company that is not simply a shell (e.g., BACDC). The guarantor should meet certain financial tests to ensure that they can actually deliver. Also, this is a very flexible document that could be applied to other JDA and/or Lease terms.
2. Indemnity agreement – this is like a guaranty agreement except that it has security attached to it. WMATA can recover against the security if the indemnifier does not deliver. E.g., a 2nd mortgage on another property.
3. Letter of credit – a letter of credit which would cover the costs of replacing the site to the condition it was prior to the Developer's acts. We could structure the LOC so that it lasts only until Developer gets "out of the ground" or until construction is completed. Could possibly use a LOC to help with the indemnification limitations that might be part of this transaction.
4. Escrow account –
 - a. Developer – Developer/Contractor/Investors put up money up front that covers the cost of restoration or construction. Money is held by 3rd party. Money cannot be distributed until WMATA authorizes.
 - b. Lender – Construction lender holds money in escrow until Developer reaches construction goals. In the event of default, construction lender must let WMATA access these funds to restore or construct.
5. Completion bonds – This is the best option to WMATA and the worst option to the Developer. Bonding company will complete construction or restoration. Unlike performance bonds, WMATA can enforce these without having to come out of pocket. They are expensive for Developer and so may not be financially possible here.

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, March 02, 2010 11:39 AM
To: 'Omar A. Karim'
Cc: Goldin, Steven; Montague, Joshua W.
Subject: RE: Florida Avenue Proposal

The 9 items that I sent you in my email of 2/25. We would like to come to final agreement. I am also going to forward you a memo on guaranty prepared by Josh Montague. We need to discuss a realistic number for the guaranty, which is more than the \$1 million last suggested by you. Look at the memo as a basis for discussion.

From: Omar A. Karim [<mailto:okarim@bannekerventures.com>]
Sent: Tuesday, March 02, 2010 10:56 AM
To: aives@bannekerventures.com; thicks@bannekerventures.com; Doggett, Rosalyn; Goldin, Steven
Subject: RE: Florida Avenue Proposal

Steve,

Do you all have an agenda for today's meeting? If so, can you send it to us so that we can try to get you all answers to any questions that you have.

Thanks.

Omar

-----Original Appointment-----

From: Goldin, Steven [<mailto:sgoldin@wmata.com>]
Sent: Friday, February 26, 2010 9:44 AM
To: Goldin, Steven; Doggett, Rosalyn; 'okarim@bannekerventures.com'; 'aives@bannekerventures.com'; 'thicks@bannekerventures.com'
Subject: Florida Avenue Proposal
When: Tuesday, March 02, 2010 3:30 PM-4:30 PM (GMT-05:00) Eastern Time (US & Canada).
Where: WMATA Headquarters - 5B LAND Conference Room

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, March 02, 2010 10:25 AM
To: Wyner, Jonathan S.; Malasky, Gary; Burns, Bob
Subject: FW: Florida Avenue - Guaranty alternatives

Fyi

Steve thought a good summary

From: Montague, Joshua W.
Sent: Monday, March 01, 2010 5:35 PM
To: Doggett, Rosalyn
Subject: Florida Avenue - Guaranty alternatives

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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, March 02, 2010 9:40 AM
To: Goldin, Steven
Subject: RE: Florida Avenue - Guaranty alternatives

He will reply directly, in his cubicle for a brief moment

From: Goldin, Steven
Sent: Tuesday, March 02, 2010 9:35 AM
To: Doggett, Rosalyn
Subject: Re: Florida Avenue - Guaranty alternatives

Jonathan in conf room. Pls put a note in front of him asking how things are going. Let me know response ASAP

From: Doggett, Rosalyn
To: Goldin, Steven
Sent: Tue Mar 02 09:33:17 2010
Subject: RE: Florida Avenue - Guaranty alternatives
I just asked Maria who said Shariyka is not coming in today.

From: Goldin, Steven
Sent: Tuesday, March 02, 2010 9:32 AM
To: Doggett, Rosalyn
Subject: Re: Florida Avenue - Guaranty alternatives

Is shariyka in today?

From: Doggett, Rosalyn
To: Goldin, Steven; Montague, Joshua W.
Sent: Tue Mar 02 09:17:59 2010
Subject: FW: Florida Avenue - Guaranty alternatives
This came in after our discussion. We focused on 1 and 3.

From: Montague, Joshua W.
Sent: Monday, March 01, 2010 5:35 PM
To: Doggett, Rosalyn
Subject: Florida Avenue - Guaranty alternatives

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To: Doggett, Rosalyn
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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, March 02, 2010 9:18 AM
To: Goldin, Steven; Montague, Joshua W.
Subject: FW: Florida Avenue - Guaranty alternatives

This came in after our discussion. We focused on 1 and 3.

From: Montague, Joshua W.
Sent: Monday, March 01, 2010 5:35 PM
To: Doggett, Rosalyn
Subject: Florida Avenue - Guaranty alternatives

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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, March 01, 2010 4:33 PM
To: Goldin, Steven
Subject: FW: Historic Preservation
Attachments: multipropertylisting.pdf

You would know more about the District's desires than I. We do not seem to have among us the consultant report that was prepared under my supervision a few years ago.

From: Biondi, Marc E.
Sent: Monday, March 01, 2010 1:53 PM
To: Talala, Anabela; Doggett, Rosalyn
Subject: RE: Historic Preservation

A .pdf of the "Multi-Property Listing" document DC Streetcar Resources 1862-1962 is attached for your reference.

When would be a convenient time to meet with you all and Steve on this issue?

Marc

Marc Biondi
Assistant General Counsel
mebiondi@wmata.com
202-962-1011

From: Talala, Anabela
Sent: Monday, March 01, 2010 1:49 PM
To: Doggett, Rosalyn
Cc: Biondi, Marc E.
Subject: RE: Historic Preservation

Roz: I don't have a copy. If you gave it to me, I have lost it.

From: Biondi, Marc E.
Sent: Monday, March 01, 2010 1:43 PM
To: Doggett, Rosalyn
Cc: Talala, Anabela
Subject: RE: Historic Preservation

Yes, I remember the decision at the time.

I am proposing to ask whether that opinion has been changed.

I have a copy of the report if you need it.

Marc

Marc Biondi
Assistant General Counsel
mebiondi@wmata.com
202-962-1011

From: Doggett, Rosalyn
Sent: Monday, March 01, 2010 1:42 PM
To: Biondi, Marc E.
Cc: Talala, Anabela
Subject: RE: Historic Preservation

Yes, still my issue, at least for the moment. Remember we were going to go forward with designations, and Nat saw little point at the time? I have some materials but I think I gave the main, and only, report to Anabela who may have been/still be working on Northern. Or did I lose it?

From: Biondi, Marc E.
Sent: Monday, March 01, 2010 1:30 PM
To: Doggett, Rosalyn
Cc: Dickerson, Tracie S.; Heppen, Bruce P.
Subject: Historic Preservation

Roz,

Are the historic preservation applications for Western and Northern still your issue or are they with someone else in SAAM?

I ask because I understand from Tracie that DC is pushing us to move forward on solicitation of offers for these properties and I want to ask for a few minutes with Steve (and Nat?) to let them know that this issue remains outstanding and may impact the proposed solicitation. (Uncertainty of listing generally equals lower price from developers).

Thanks,

Marc

Marc Biondi
Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

Direct: 202-962-1011
Fax: 202-962-2550

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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, February 26, 2010 4:24 PM
To: Montague, Joshua W.
Cc: Goldin, Steven
Subject: RE: Followup on Florida Avenue

Thanks for the excerpt.

Banneker doesn't have \$1 million. I would think we want a guarantee that covers the development period including any payments to Metro. After that, we can foreclose and the lender will step in. We would have to rely on a new development partner for Banneker.

From: Montague, Joshua W.
Sent: Friday, February 26, 2010 4:10 PM
To: Doggett, Rosalyn
Subject: RE: Followup on Florida Avenue

Roz –

Below is the redline language from the last term sheet.

The redline language is from the developer.

The comment is from WMATA.

Guaranty: At the Closing, ~~BACDC~~~~Banneker or another guarantor reasonably acceptable to WMATA~~ will execute an unconditional guaranty ("Guaranty") to WMATA with the total liability thereunder limited to One Million Dollars (\$1,000,000) plus the cost of enforcing the Guaranty against the guarantor. The Guaranty will be released by WMATA upon the Completion of the Total Project. The Definitive Agreement will include a minimum financial test to be met by ~~BACDC, the guarantor~~ which will be 100% of the estimated costs of the construction costs of the Total Project \$1,000,000. The adequacy of security and need for this Guaranty to be further discussed in the Definitive Agreement. The Guaranty agreement will guarantee to WMATA, subject to the above, the following:

- a) the completion of construction of the DEVELOPER Improvements;
- b) the completion of infrastructure required by either the District or WMATA that is not included in the Site Work;
- c) the completion of any demolition and removal of DEVELOPER Improvements as and when required under the terms of the Definitive Agreement;
- d) the remediation of all hazardous materials as required by the Definitive Agreement or by applicable laws, courts or governmental authorities;
- e) the required parties maintain the insurance required by WMATA under the Definitive Agreement; and in the event such insurance is not maintained and no insurer pays a claim that would have been paid if such WMATA required insurance had been maintained, the Guarantor shall indemnify WMATA up to the relevant insurance limit amounts;
- f) the restoration of the Lease Property to the condition it was in on the date of Closing should work cease on the excavation portion of the project above the Lease Property longer than 30 days; and
- g) the timely payment all DEVELOPER obligations under the Definitive Agreement, including full payment of any increase in the Capitalized Lease Payment for any Additional Density which increases the Capitalized Lease Payment after the Closing.

From: Doggett, Rosalyn
Sent: Friday, February 26, 2010 2:50 PM
To: Montague, Joshua W.
Subject: RE: Followup on Florida Avenue

Let's review where we are on this. I also think that we should give Omar the day off today.

From: Montague, Joshua W.
Sent: Thursday, February 25, 2010 4:33 PM
To: Doggett, Rosalyn
Subject: FW: Followup on Florida Avenue

#7 – I think that he is confusing guaranty agreement with a performance bond here. I thought this was supposed to be in reference to a Guaranty Agreement from BOACDC or their replacement.

From: Omar Karim [mailto:okarim@bannekerventures.com]
Sent: Thursday, February 25, 2010 3:50 PM
To: Anthony James Ives; Tiwana Hicks; Doggett, Rosalyn
Cc: Eric Smart; Neil.Albert@dc.gov; Yohance.Fuller@dc.gov; Montague, Joshua W.; Goldin, Steven; Bushnaq, Tariq
Subject: Re: Followup on Florida Avenue

Roz,

When do you need responses for these items? As you know, bc of the birth of my child, I will be out for a few days and we will need to coordinate with the GC, our legal counsel and investor re 2, 3, 8 and 9. The balance of the responses are below:

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okarim@bannekerventures.com

From: "Doggett, Rosalyn" <RDoggett@wmata.com>
Date: Thu, 25 Feb 2010 13:51:49 -0500
To: Omar A. Karim<okarim@bannekerventures.com>; aives@bannekerventures.com<aives@bannekerventures.com>; Tiwana Hicks<thicks@bannekerventures.com>
Cc: Goldin, Steven<sgoldin@wmata.com>; eric.smart@bolansmart.com<eric.smart@bolansmart.com>; Montague, Joshua W.<jwmontague@wmata.com>; Bushnaq, Tariq<TBushnaq@wmata.com>
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Date: Thu, 25 Feb 2010 13:51:49 -0500

To: Omar A. Karim<okarim@bannekerventures.com>;
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202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, February 26, 2010 9:47 AM
To: Goldin, Steven
Subject: Accepted: Florida Avenue Proposal

Doggett, Rosalyn

Subject: FW: Florida Avenue Proposal
Location: WMATA Headquarters - 5B LAND Conference Room
Start: Tue 3/2/2010 3:30 PM
End: Tue 3/2/2010 4:30 PM
Show Time As: Tentative
Recurrence: (none)
Meeting Status: Not yet responded
Organizer: Goldin, Steven

-----Original Appointment-----

From: Goldin, Steven
Sent: Thursday, February 18, 2010 9:17 AM
To: Goldin, Steven; Doggett, Rosalyn; okarim@bannekerventures.com; aives@bannekerventures.com; thicks@bannekerventures.com
Subject: Florida Avenue Proposal
When: Tuesday, March 02, 2010 3:30 PM-4:30 PM (GMT-05:00) Eastern Time (US & Canada).
Where: WMATA Headquarters - 5B LAND Conference Room

When: Tuesday, March 02, 2010 3:30 PM-4:30 PM (GMT-05:00) Eastern Time (US & Canada).
Where: WMATA Headquarters - 5B LAND Conference Room

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, February 26, 2010 9:27 AM
To: 'okarim@bannekerventures.com'; Anthony James Ives; Tiwana Hicks; Goldin, Steven
Cc: Eric Smart; Neil.Albert@dc.gov; Yohance.Fuller@dc.gov; Montague, Joshua W.; Bushnaq, Tariq; Wallace, Maria A; Johnson, Shariyka
Subject: RE: Followup on Florida Avenue

Let's make it 3:30 on Tuesday as I am supposed to be at the BZA on another project at 1.

I will ask Maria or Shariyka to send out a notice.

From: Omar Karim [mailto:okarim@bannekerventures.com]
Sent: Thursday, February 25, 2010 6:35 PM
To: Anthony James Ives; Tiwana Hicks; Doggett, Rosalyn; Goldin, Steven
Cc: Eric Smart; Neil.Albert@dc.gov; Yohance.Fuller@dc.gov; Montague, Joshua W.; Bushnaq, Tariq
Subject: Re: Followup on Florida Avenue

Great. Please let us know if Tues at 3pm is okay with you all. If so, see you all then.

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okarim@bannekerventures.com

From: "Goldin, Steven" <sgoldin@wmata.com>
Date: Thu, 25 Feb 2010 18:19:38 -0500
To: okarim@bannekerventures.com<okarim@bannekerventures.com>; Anthony James Ives<aives@bannekerventures.com>; Tiwana Hicks<thicks@bannekerventures.com>; Doggett, Rosalyn<RDoggett@wmata.com>
Cc: Eric Smart<eric.smart@bolansmart.com>; Neil.Albert@dc.gov<Neil.Albert@dc.gov>; Yohance.Fuller@dc.gov<Yohance.Fuller@dc.gov>; Montague, Joshua W.<jwmontague@wmata.com>; Bushnaq, Tariq<TBushnaq@wmata.com>
Subject: RE: Followup on Florida Avenue

Tuesday afternoon is best for me

SG

From: Omar Karim [mailto:okarim@bannekerventures.com]
Sent: Thursday, February 25, 2010 5:58 PM
To: Anthony James Ives; Tiwana Hicks; Doggett, Rosalyn
Cc: Eric Smart; Neil.Albert@dc.gov; Yohance.Fuller@dc.gov; Goldin, Steven; Montague, Joshua W.; Bushnaq, Tariq
Subject: Re: Followup on Florida Avenue

Roz and Steve,

Thanks for the congratulations on the birth of my son earlier today. Means a lot to me. I understand that Steve will be on the Hill tomorrow and therefore won't be able to meet. As such, we were thinking that it might be more productive to reschedule the mtg for a time when he would be present. Would Mon, Tues or Wed work? If so, we will make ourselves available anytime, except 12-1 on Tues. Please let us know if this works. Thanks.

Omar

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From: "Doggett, Rosalyn" <RDoggett@wmata.com>
Date: Thu, 25 Feb 2010 17:17:23 -0500
To: okarim@bannekerventures.com<okarim@bannekerventures.com>; Anthony James Ives<aives@bannekerventures.com>; Tiwana Hicks<thicks@bannekerventures.com>
Cc: Eric Smart<eric.smart@bolansmart.com>; Neil.Albert@dc.gov<Neil.Albert@dc.gov>; Yohance.Fuller@dc.gov<Yohance.Fuller@dc.gov>; Montague, Joshua W.<jwmontague@wmata.com>; Goldin, Steven<sgoldin@wmata.com>; Bushnaq, Tariq<TBushnaq@wmata.com>
Subject: RE: Followup on Florida Avenue

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Regards,
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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, February 25, 2010 5:20 PM
To: Montague, Joshua W.
Cc: Goldin, Steven
Subject: RE: Followup on Florida Avenue

Yes you are correct. Will address tomorrow. I did not cancel tomorrow's meeting and suppose I need to do that as well in the a.m.

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3. We think that with a 20% IRR to the developer, the return on adjusted gross income from capital event refinancing proceeds should be 10% of adjusted gross proceeds. Also, exclusions from capital events should be limited to estate transfers and to inclusion of equity/debt partners where no profit to participants is involved. They should definitely not include transfers among partners.
4. From discussions with other developers and comments from time to time from our board members, we believe that a 70 year lease would be sufficient and are requesting a reduction from 99 years.
5. Please reaffirm that BACDC is still in the deal as a development/financial partner.
6. On the cost credit for your consideration of a sale vs. lease this past Sept/Oct, please provide certification that Mr. Catoe or Mr. Graham offered that adjustment. Secondly, please be aware that from what you sent us previously, we can validate at best \$30,000 if you still want to include this item in a term sheet.
7. We still need a development guaranty from a third party rated at least AA.
8. Please attach an updated schedule. We will include language in our agreement, per Board request, that if a foundation to street level is not provided by a date x , the project will revert to WMATA.
9. I want to reiterate the need for the pro formas and elevations/plans and, also, itemized sources of funds for development which I did not ask for yesterday.

Items 8 and 9 are important to get ASAP because the project has changed.

On a happy note, congratulations on your new son. Great news!

I look forward to your response.

Roz

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, February 25, 2010 1:52 PM
To: 'Omar A. Karim'; aives@bannekerventures.com; 'Tiwana Hicks'
Cc: Goldin, Steven; 'eric.smart@bolansmart.com'; Montague, Joshua W.; Bushnaq, Tariq
Subject: Followup on Florida Avenue

Good afternoon, Omar. Per our staff review this morning, we have the following comments/requests:

1. Parking feasibility- where will the 41 spaces go, precisely, and how will you be able to justify only 41 spaces for 153,000 gsf of residential and retail vis a vis zoning regulations and market?
2. What type of foundation system are you using to support the light gauge steel construction? The question, of course, relates to how you will span our tunnels.
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rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, February 25, 2010 9:41 AM
To: Goldin, Steven; Bushnaq, Tariq
Subject: FW: Follow-up re Jazz @ Florida Avenue

Josh's issues. I'll bring some copies.

From: Montague, Joshua W.
Sent: Wednesday, February 24, 2010 10:26 AM
To: Doggett, Rosalyn
Subject: RE: Follow-up re Jazz @ Florida Avenue

Thanks for forwarding. Are we meeting anytime before Friday to discuss?

The exclusion of the adjacent parcels alleviates a major legal risk from WMATA's perspective.

Here are some outstanding issues that should be discussed before the meeting with the Developer:

1. Cap Event / Participation rent payments – WMATA should review/fix the formulas for these payments as they are described in the last term sheet.
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Additionally, the indemnification provisions offer protections that WMATA does not get from insurance. For example, environmental liability protection, payments due under the lease, payments that Developer fails to make related to the property (ex. mechanic's liens or government violations), or damages/lawsuits that might be outside of the scope of our insurance coverage.

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From: Doggett, Rosalyn
Sent: Wednesday, February 24, 2010 9:04 AM
To: Montague, Joshua W.
Subject: FW: Follow-up re Jazz @ Florida Avenue
Importance: High

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Tuesday, February 23, 2010 4:54 PM
To: Doggett, Rosalyn
Cc: 'Anthony James Ives'; Tiwana Hicks; Neil.Albert@dc.gov; Yohance.Fuller@dc.gov; Bottigheimer, Nat; Goldin, Steven
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3. We will build the project at 4.5 FAR (as of right if not for the mandatory IZ rules that went into effect after our selection) plus the 20% bonus (0.9 FAR) that we would get because of the IZ units, bringing the total FAR to 5.4 FAR. The Project will consist of 153,000 GSF, with 137 residential units (with 12 IZ units), 14,000 SF and 41 parking spaces. Developer would pay WMATA an agreed upon rate of \$ per FAR for any SF that it builds above the 153,000 SF.
4. The initial term of the lease will be for 50 years, with a 49 year option and resets to market value every 10 years after the initial 50 year term.
5. All other terms will remain consistent (i.e., participation in Capital Events, etc.).

A \$5.2M upfront, non-contingent payment to WMATA is significantly higher than the recent appraisal completed by WMATA and close to our initial offer to WMATA in 2007, excluding the imposition of the IZ units and market conditions. Based on our analysis of our initial offer, **the NPV of the offer, using reasonable interest rate assumptions, would have been about \$11M**, which is no where close to the \$14M that WMATA staff informed us that this is what they calculated our offer to be. If this is the case, assuming that the market conditions brought the value down by 20% (which is conservative), this would bring the offer from \$11M to \$8.8M. Because we have to build IZ units, which force us to go from a stick build construction type to a light gauge steel product, and at the same time lose money on all of the IZ units as they do not support themselves without a subsidy, which the District does not provide for IZ units, this causes the value of the offer to go from \$8.8M to the \$5.2M that we are now offering, excluding WMATA's other participation rights in the Project.

As we have discussed previously, to date, the Developer has incurred over \$1M since being selected by WMATA. We continue to remain hopeful that the exhaustive amount of money and time spent by Developer and WMATA in bringing this Project will produce a TOD project that all parties can be proud of. We look forward to seeing you on Friday at 2:30 and finalizing this last term of the deal so that we can get the JDA and Lease complete and presented to the Board at the next possible Board meeting. Should you have any questions prior to Friday, please feel free to contact us.

Warmest regards, I remain

Sincerely,

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, February 24, 2010 4:48 PM
To: Goldin, Steven
Subject: FW: Follow-up re Jazz @ Florida Avenue

This is what I sent

From: Doggett, Rosalyn
Sent: Wednesday, February 24, 2010 4:47 PM
To: 'Omar A. Karim'
Subject: RE: Follow-up re Jazz @ Florida Avenue

Omar, thanks very much for the response and for the effort that has gone in to improve the offer. I would like to ask you to send as supplemental information a new site plan and elevations showing the configuration and building heights by parcel that you are anticipating. We will need this as soon as possible as we will be reviewing this project with principals of the agency on Monday. Similarly, we will need revised development and operating pro formas as we will most certainly be questioned about whether we have reviewed the numbers and think that they are feasible. Some time has now gone by since receipt of the last set, and the construction method has changed. Both the plans/elevations and pro formas will be needed in order to make the best possible case for the revised offer.

Thanks in advance for your cooperation. Please call me if you need further detail or want to discuss.
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From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Tuesday, February 23, 2010 4:54 PM
To: Doggett, Rosalyn
Cc: 'Anthony James Ives'; 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance.Fuller@dc.gov; Bottigheimer, Nat; Goldin, Steven
Subject: Follow-up re Jazz @ Florida Avenue
Importance: High

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Warmest regards, I remain

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Omar

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Washington, DC 20005
(202) 393-5460 phone
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(301) 523-1810 cell

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(301) 523-1810 cell

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, February 24, 2010 4:36 PM
To: 'eric.smart@bolansmart.com'
Attachments: ShawHoward FL AveTerm Sheets Comparison Revised 12-09.xlsx

Is this what you need?

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, February 24, 2010 3:02 PM
To: Bushnaq, Tariq
Subject: FW: Follow-up re Jazz @ Florida Avenue

Importance: High

From: Omar A. Karim [<mailto:okarim@bannekerventures.com>]
Sent: Tuesday, February 23, 2010 4:54 PM
To: Doggett, Rosalyn
Cc: 'Anthony James Ives'; 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance.Fuller@dc.gov; Bottighelmer, Nat; Goldin, Steven
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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, February 24, 2010 10:50 AM
To: Montague, Joshua W.
Subject: RE: Follow-up re Jazz @ Florida Avenue

Yes. When I finish current task I will arrange.

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To: Doggett, Rosalyn
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A \$5.2M upfront, non-contingent payment to WMATA is significantly higher than the recent appraisal completed by WMATA and close to our initial offer to WMATA in 2007, excluding the imposition of the IZ units and market conditions. Based on our analysis of our initial offer, **the NPV of the offer, using reasonable interest rate assumptions, would have been about \$11M**, which is no where close to the \$14M that WMATA staff informed us that this is what they calculated our offer to be. If this is the case, assuming that the market conditions brought the value down by 20% (which is conservative), this would bring the offer from \$11M to \$8.8M. Because we have to build IZ units, which force us to go from a stick build construction type to a light gauge steel product, and at the same time lose money on all of the IZ units as they do not support themselves without a subsidy, which the District does not provide for IZ units, this causes the value of the offer to go from \$8.8M to the \$5.2M that we are now offering, excluding WMATA's other participation rights in the Project.

As we have discussed previously, to date, the Developer has incurred over \$1M since being selected by WMATA. We continue to remain hopeful that the exhaustive amount of money and time spent by Developer and WMATA in bringing this Project will produce a TOD project that all parties can be proud of. We look forward to seeing you on Friday at 2:30 and finalizing this last term of the deal so that we can get the JDA and Lease complete and presented to the Board at the next possible Board meeting. Should you have any questions prior to Friday, please feel free to contact us.

Warmest regards, I remain

Sincerely,

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, February 24, 2010 9:18 AM
To: 'eric.smart@bolansmart.com'; Montague, Joshua W.
Subject: FW: Follow-up re Jazz @ Florida Avenue

Importance: High

After you have reviewed this, let's talk about additional information needed, npv, other

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Tuesday, February 23, 2010 4:54 PM
To: Doggett, Rosalyn
Cc: 'Anthony James Ives'; 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance.Fuller@dc.gov; Bottigheimer, Nat; Goldin, Steven
Subject: Follow-up re Jazz @ Florida Avenue
Importance: High

Roz,

Per our call this morning, Banneker, our develop partner and investors for The Jazz @ Florida Avenue project (collectively, the "Developer") are prepared to increase our offer to WMATA as follows:

1. Make a capitalized lease payment of **\$5.2M** at Closing. This is a 130% increase in value over WMATA's appraised value of \$2.2M, and a 70% increase in value over our previous base offer of \$3.03M, which includes the NPV of the capitalized lease plus the NPV of the EGI payments. This base offer is inclusive of the projected **\$2.8M loss in land value** (as calculated by WMATA's appraiser Richard Harps) due to the 8% IZ requirement and the additional hard and soft costs incurred by the Project as a result of building over the WMATA tunnel.
2. Because of some of the concerns raised by WMATA staff, we would be prepared to move forward with developing the Project solely on the WMATA parcels (28,347 SF). We will forgo our purchase of the adjacent 9th Street parcels, thereby relieving any potential complications that would arise with the necessity of a Co-Tenancy Agreement, also allowing us to free up capital that would have been used toward purchasing those parcels, and instead use these funds to pay WMATA more funds at Closing. We will also not pursue an alley closing.
3. We will build the project at 4.5 FAR (as of right if not for the mandatory IZ rules that went into effect after our selection) plus the 20% bonus (0.9 FAR) that we would get because of the IZ units, bringing the total FAR to 5.4 FAR. The Project will consist of 153,000 GSF, with 137 residential units (with 12 IZ units), 14,000 SF and 41 parking spaces. Developer would pay WMATA an agreed upon rate of \$ per FAR for any SF that it builds above the 153,000 SF.
4. The initial term of the lease will be for 50 years, with a 49 year option and resets to market value every 10 years after the initial 50 year term.
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(202) 393-5462 fax
(301) 523-1810 cell

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, February 24, 2010 9:04 AM
To: Montague, Joshua W.
Subject: FW: Follow-up re Jazz @ Florida Avenue

Importance: High

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Tuesday, February 23, 2010 4:54 PM
To: Doggett, Rosalyn
Cc: 'Anthony James Ives'; 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance.Fuller@dc.gov; Bottigheimer, Nat; Goldin, Steven
Subject: Follow-up re Jazz @ Florida Avenue
Importance: High

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Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, February 19, 2010 1:32 PM
To: Goldin, Steven
Subject: Fl Ave presentation and BAIS
Attachments: Florida Ave Amended Term Sheet 3-10- rev 1.pptx; Shaw Howard New Amended Term Sheet 3-10.pdf

placeholders

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, February 19, 2010 11:43 AM
To: Mohsberg, Sid
Subject: latest florida ave presentation
Attachments: Florida Ave Amended Term Sheet 3-10.pptx

A start

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, February 18, 2010 9:49 AM
To: Goldin, Steven
Subject: FW: Final Hyattsville student housing feasibility study
Attachments: Hyattsville, MD Market Analysis & Project Feasibility Study.pdf

fyi

From: Jennifer Rademacher [<mailto:jentdl@earthlink.net>]
Sent: Thursday, February 18, 2010 9:08 AM
To: eric.smart@bolansmart.com; Doggett, Rosalyn
Subject: Final Hyattsville student housing feasibility study

Rosalyn and Eric:

Please see attached for final student housing feasibility study. We are in the process of working to update numbers and will have a new proforma and timeline over to you once complete.

Sincerely,

Jennifer Rademacher
Chief Operating Officer
Taylor Development and Land Company
4800 Hampden Lane
Suite 200
Bethesda, Maryland 20814
P (240) 482-0605
jentdl@earthlink.net

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, February 18, 2010 9:48 AM
To: Goldin, Steven
Subject: Accepted: Florida Avenue Proposal

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, February 18, 2010 8:34 AM
To: Johnson, Shariyka
Subject: FW: Florida Avenue Proposal

Shariyka, please set this up for our conference room. I can't do it, can I?

From: Goldin, Steven
Sent: Wednesday, February 17, 2010 6:13 PM
To: 'okarim@bannekerventures.com'; Doggett, Rosalyn
Cc: 'aives@bannekerventures.com'; 'thicks@bannekerventures.com'
Subject: Re: Florida Avenue Proposal

2;30-3:30 on 2/26. Please send outlook request

From: Omar Karim
To: Doggett, Rosalyn
Cc: Anthony James Ives ; Tiwana Hicks ; Goldin, Steven
Sent: Wed Feb 17 16:57:47 2010
Subject: Re: Florida Avenue Proposal
Next Friday.

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 office
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Doggett, Rosalyn" <RDoggett@wmata.com>
Date: Wed, 17 Feb 2010 16:39:40 -0500
To: Omar A. Karim <okarim@bannekerventures.com>
Cc: aives@bannekerventures.com <aives@bannekerventures.com>; 'Tiwana Hicks' <thicks@bannekerventures.com>; Goldin, Steven <sgoldin@wmata.com>
Subject: RE: Florida Avenue Proposal

Do you mean the day after tomorrow? I am available but would want to check Steve.

From: Omar A. Karim [<mailto:okarim@bannekerventures.com>]
Sent: Wednesday, February 17, 2010 4:34 PM
To: Doggett, Rosalyn
Cc: aives@bannekerventures.com; 'Tiwana Hicks'; Goldin, Steven
Subject: RE: Florida Avenue Proposal

Roz,

We would like to come in to meet with you all in person to present our revised offer. We believe the Staff and Board would react positively to the revised offer. Are you all available to meet next Friday morning or afternoon (after 2).

Thanks in advance.

Omar

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(202) 393-5460 phone
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okarim@bannekerventures.com

From: Doggett, Rosalyn [<mailto:RDoggett@wmata.com>]
Sent: Wednesday, February 17, 2010 1:17 PM
To: okarim@bannekerventures.com
Subject: RE: Florida Avenue Proposal

Thanks for the prompt reply.

From: Omar Karim [<mailto:okarim@bannekerventures.com>]
Sent: Wednesday, February 17, 2010 1:13 PM
To: Doggett, Rosalyn
Subject: Re: Florida Avenue Proposal

We intend on sending you a response later today.

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okarim@bannekerventures.com

From: "Doggett, Rosalyn" <RDoggett@wmata.com>
Date: Wed, 17 Feb 2010 12:26:27 -0500
To: Omar A. Karim <okarim@bannekerventures.com>
Subject: Florida Avenue Proposal

Good afternoon, Omar

It is time for me to start preparing materials for our upcoming March Board meeting. Can you let me know today whether you will be forwarding revised lease terms per Steve Goldin's e-mail of a few weeks ago—and, if so when—or whether your offer will remain unchanged.

Thanks much,
Rosalyn

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Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, February 17, 2010 4:40 PM
To: 'Omar A. Karim'
Cc: aives@bannekerventures.com; 'Tiwana Hicks'; Goldin, Steven
Subject: RE: Florida Avenue Proposal

Do you mean the day after tomorrow? I am available but would want to check Steve.

From: Omar A. Karim [<mailto:okarim@bannekerventures.com>]
Sent: Wednesday, February 17, 2010 4:34 PM
To: Doggett, Rosalyn
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okarim@bannekerventures.com

From: Doggett, Rosalyn [<mailto:RDoggett@wmata.com>]
Sent: Wednesday, February 17, 2010 1:17 PM
To: okarim@bannekerventures.com
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202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, February 09, 2010 10:51 AM
To: Goldin, Steven; Talaia, Anabela; Meister, Mark K.
Subject: FW: Greater Greater Washington

DC USA garage article

From: noreply+feedproxy@google.com [mailto:noreply+feedproxy@google.com] **On Behalf Of** Greater Greater Washington
Sent: Tuesday, February 09, 2010 5:09 AM
To: Doggett, Rosalyn
Subject: Greater Greater Washington

Greater Greater Washington



- DC making DC USA garage free
- What's That? #12
- Can a private model build the transit we need?
- The evolution of Metrorail, 1976-2010
- Breakfast links: White stuff

DC making DC USA garage free

Posted: 08 Feb 2010 01:38 PM PST



Photo by zontikgames.
by David Alpert

Tipster Thomas forwarded an email the Mayor's office sent around about the snow:

DC USA parking garage will remain free for the next 48 hours: With street parking more scarce during this historic winter weather season, we will continue providing free parking in the over 2,000 space parking complex at the shopping center in Columbia Heights. The DC USA parking center is conveniently located a block from the Columbia Heights metro stop and can provide sheltered parking while ensuring that your vehicle is off of the streets so that we can quickly clear your street and return to normalcy as soon as possible.

The email also reminded residents that you have to clear your sidewalk and asks those who drive to please be careful not to park in ways that block snowplows from accessing streets.

3 comments

Related posts:

[Free parking near the Navy Yard given away to commuters \(Sep 17, 2008\)](#)

[Entire level of DC USA garage has never been used \(May 29, 2008\)](#)

[Is the 1,000 space garage in Columbia Heights a good investment? \(Feb 21, 2008\)](#)

[Cleveland Park\(ing\) puzzles \(Feb 15, 2008\)](#)

["All I want for New Year's is free parking" \(Jan 4, 2008\)](#)

What's That? #12

Posted: 08 Feb 2010 12:12 PM PST

by Michael Rogers

It's week #12 of *What's That?*

Each week I show small close-up photographs of three different well-known places in and around Washington, DC.

The first person to get all three wins recognition of his or her genius when I reveal the answers a few days later.

Post your guesses in the comments. Comments will be hidden until the winner is announced. I'll credit the first person to get each of the three individually as well as the person who first correctly guesses all three.



Update by David: I originally set up the comments incorrectly so they were showing. They're hidden now.

40 comments

Related posts:

[What's That? #11 \(Jan 31, 2010\)](#)

[What's That? #10 \(Jan 24, 2010\)](#)

[What's That? #9 \(Jan 18, 2010\)](#)

[What's That? #8 \(Jan 10, 2010\)](#)

[What's That? #7 \(Jan 3, 2010\)](#)

Can a private model build the transit we need?

Posted: 08 Feb 2010 10:34 AM PST



Photo by Wm Jas.
by Steve Offutt

Many of our transit systems are bursting at the seams, yet only provide about 2% of trips nationwide. It takes decades to build new transit projects. The existing public agency model for providing public transportation services is totally inadequate to rapidly meet the challenges we face, particularly the urgent need to deal with climate change.

We need to break our reliance on individual vehicles and fossil fuels. Public transportation needs to expand rapidly to help us do that, but is not effectively designed to do so. Could the private sector, with its profit motive, provide solutions?

Currently, public transit provides only a tiny fraction of the transportation miles taken by Americans. For 2006, transit carried 52,000,000,000 miles, while passenger cars traveled about 2,650,000,000,000 miles – 50 times greater. And car passenger miles are even higher, since some of these cars had more than one occupant.

In the DC area, MWCOC's *State of the Commute 2007* reported 71% of all commuting trips by SOV, with another 7% by carpool/vanpool. Given that transit trips on average tend to be shorter than car trips, the passenger miles of transit commuters is considerably under 20% of the commuting miles in total.

Commuting, though, only makes up about 25% of all trips, and transit is used for an even smaller percentage of non-commuting trips. So even in the DC area, which has significant transit infrastructure and operations, it accounts for well under 10% of all the travel – probably closer to 5%.

Even so, our Metrorail and Metrobus systems are often running at or above capacity, particularly during rush hours and for certain special events. This displaces less than 20% of commuting miles/10% of VMT. Transportation is a significant contributor to greenhouse gases, and it is growing. Global climate change necessitates drastic and enormous changes in our emissions from all sources, including transportation.

That percentage needs to increase dramatically over at most a couple of decades, from less than 2% nationally to something

like 20%, or 50%, or more. We can't just keep driving cars 2.6 trillion miles per year. Reducing that 2.6 trillion just a little to 2 trillion by shifting to transit would require a 12-fold increase in transit capacity. What does that mean for WMATA? Or BART? Or SEPTA? Or RTD? What would it require to make a 10- or-20-fold increase in capacity?

Transit agencies and governments work too slowly and incrementally for this kind of increase. It will take at least 16 years from the first real plans to build the Silver Line out to Dulles airport and its completion – longer, if you also count the time it was being thought about, proposed and debated. The FTA issued a decision on a short, 5-mile extension of BART in 2006 that will open 8 years later, in 2014. DART's 2030 plan includes a paltry 18 additional miles of light rail (less than 1 mile per year). And let's not even get started on the Purple Line.

How can we possibly increase the capacity of our public transport systems by an order of magnitude or more if it takes decades to complete a single project?

Lincoln said it best:

The dogmas of the quiet past, are inadequate to the stormy present. The occasion is piled high with difficulty, and we must rise – with the occasion. As our case is new, so we must think anew, and act anew."

The occasion is global climate change, and we must think and act anew. Somehow we need to change the model for transportation such that the private sector benefits from providing transportation with close to zero emissions.

Private streetcar companies built thousands and thousands of miles of lines in just a couple of decades around a hundred years ago. Some streetcar barons made millions of dollars in the process, but to great public benefit as well.

I don't know what the right answer is, but I know the wrong answer is just to keep doing what we're doing now, but just a little better or a little faster or a little different. Just another billion dollars here or a dedicated funding source there. How can we best engage the private sector to invest and invent and move forward?

Some ideas, for what it's worth:

- The HOT lanes in Virginia are controversial, but they are getting built quickly. The private consortium is motivated by the profit motive to get this project done as rapidly as possible. No doubt it is not perfect, but it is an example of engaging the private sector's profit motive to expedite progress. Given that the US is a big place, experimenting with different ideas in different places across the country will help us discover the ideas that work and those that don't.
- One could imagine a rail system in which the operators are private entities but the infrastructure is not. This is analogous to our air transportation system: the government runs air traffic control, airports are usually quasi-government entities, and the airlines are private companies. What if the Northeast Corridor, for example, were opened up to private operators. They could buy "slots" like airlines do and provide varying levels of service at varying levels of price. There would likely be Wi-Fi on some trains by now if that were the case; even the Acela trains do not have Wi-Fi today.

The trick is to make the financial incentives align with the societal goals. If the goal is to reduce miles being driven, then private companies could be paid per mile reduced. They would then strive to find solutions. One example of this is the contract Houston has with a company called NuRide (disclosure: I used to work for NuRide). NuRide is paid by VMT reduced. They offer incentives to people to rideshare and take other modes. If they are successful, they get paid; if not, they don't. So it is in their direct financial interest to find the incentives that will get people to change their behavior.

Transit agencies, as they are currently organized, do not have to worry about not getting paid if they don't perform or, conversely, make a gazillion dollars if they over-deliver.

I don't have all the answers, but rather hope to begin a discussion about rethinking the current public agency model of transit that is incapable of delivering the massive market transformation that is required. What do you think?

19 comments

Related posts:

[Metro needs a CEO \(Feb 4, 2010\)](#)

["All you can eat" driving promotes vehicular gluttony \(Feb 27, 2009\)](#)

[Stimulus draft released; \\$30B for highways vs. \\$10B for transit \(Jan 15, 2009\)](#)

COG climate change report briefing tomorrow (Aug 25, 2008)

Quiz answers: commuting is larger share of transit trips in big cities (May 15, 2008)

The evolution of Metrorail, 1976-2010

Posted: 08 Feb 2010 06:29 AM PST

by David Alpert

During December's snowstorm, we wrote that the worst December storm since 1982 would (and did) create a Metro system with about the same number of stations as in 1982, as did this weekend's storm.

This raises the question, what exactly did the rail system look like in 1982? Or other years? To answer that, I created a little slideshow:

[Start] [Stop] [« Previous] [Next »] [V]



Your browser does not have Javascript enabled. You can see the maps after the jump.

The Metrorail system may have been about the same size as in 1982 during the recent storms, but if Metro has to make **drastic cuts to bus and rail service** in July as planned, it'll indefinitely revert to a state far worse than it was in 2005. **Sign CSG's petition** to ask local officials to support Metro and maintain our vital service.



Opening Day for Metrorail.



Gallery Place opens.

Its opening was delayed under court order for missing handicap access.



Red Line extended to Dupont Circle.



Blue Line opens from National Airport to Stadium-Armory.



Red Line opens to Silver Spring, inaugurating the first service to Maryland



Orange Line opens to New Carrollton.

All trains run from National Airport to New Carrollton, signed Orange heading toward New Carrollton and Blue heading towards National Airport.



Orange Line extended to Ballston.

Orange and Blue are now two separate services.



Blue Line extended to Addison Road.

Orange and Blue run a **strange service pattern** (see notes below for more discussion).



Red Line extended to Van Ness.



Yellow Line opens from National Airport to Gallery Place.



Yellow Line extended to Huntington.



Red Line extended to Grosvenor.



Red Line extended to Shady Grove.



Orange Line extended to Vienna.
Gallery Place renamed Gallery Pl-Chinatown.



Red Line extended to Wheaton.
Navy Memorial opens; Archives station renamed Archives-Navy Mem'l.



Segment to U Street-Cardozo opens.
Service runs as Yellow Line temporarily.



Blue Line extended to Van Dorn Street.



Green Line formally opens from U Street to Anacostia.



Northern Green Line segment opens from Fort Totten to Greenbelt.



Blue Line extended to Franconia-Springfield.
Ballston renamed Ballston-MU.



Red Line extended to Glenmont.
Waterfront renamed Waterfront-SEU.



Inner Green Line segment opens from U Street to Fort Totten.
Woodley Park, U Street, West Falls Church, Dunn Loring, and Vienna get their current names.



Green Line extended to Branch Avenue.
The originally-planned system is now complete.
Addison Road renamed to Addison Road-Seat Pleasant.



New York Ave-Florida Ave/Gallaudet U infill station opens on the Red Line.

Mt. Vernon Sq., Rhode Island Ave., and National Airport get their current names.



Blue Line extended to Largo Town Center.



Yellow Line begins running off-peak to Fort Totten.
Music Center at Strathmore opens; Grosvenor station renamed to Grosvenor-Strathmore.



Two huge snowstorms force Metro to stop all above-ground service.



Our current (fair weather) service pattern may be short-lived.



To balance the FY2011 budget, Metro is proposing deep cuts, including fewer trains, shorter trains, reduced hours, and removing the Yellow Line north of Mt. Vernon Square on weekdays.



On weekends and late nights, the cuts will be even worse, with no Yellow Line at all except from King Street to Huntington, closing station entrances, and even closing three (unspecified) stations.



Notes on the maps:

Most of the data comes from the excellent nycsubway.org timeline of the Washington Metro. I tried to identify the dates of station renamings from Wikipedia's pages on individual stations and other online sources. To keep the number of maps manageable, and because many stations' exact renaming dates are not available, I grouped station renamings in with the next major service change.

We know that around 1982, Orange and Blue trains operated a strange service pattern where Orange trains ran to New Carrollton, then turned around as Blue trains to run to National Airport; Orange trains the other way went to Ballston, then turned around as Blue trains to Addison Road.

According to [coneyraven](#), this balanced the capacity as the New Carrollton and National Airport branches had higher ridership than the Ballston and Addison Road branches, while keeping the termini the same as their ultimate configurations (i.e. to get to New Carrollton, get on an Orange train).

I don't have information on whether Metro used this pattern for the entire time between when the line to Addison Road opened on December 1, 1979 until the Yellow Line opened on April 30, 1983; the maps above assume that is the case.

The maps do not show the Green Line Commuter Shortcut, where from January 27, 1997 until the inner Green Line opened in September 17, 1999, rush hour Green Line trains on the Greenbelt segment used the switch at Fort Totten to continue to Farragut North. Metro maps from that era do not appear to show this service except in an info box.

27 comments

Related posts:

[A new late-night map to soften the blow of Metrorail cuts \(Dec 23, 2009\)](#)

[A cheaper route to Metro core capacity, part 3: More complex service patterns \(Jul 1, 2009\)](#)

[A cheaper route to Metro core capacity? \(Jun 29, 2009\)](#)

[What was up with the one-way Orange-Blue? \(Oct 7, 2008\)](#)

Breakfast links: White stuff

Posted: 08 Feb 2010 05:09 AM PST



Photo by M.V. Jantzen.

by David Alpert

It snowed: In case you didn't notice, the region got buried under two feet of snow. The Circulator is running, and all trips are free. Metro is limited to underground rail still, and just a small handful of Metrobus routes are running. There's also limited service on ART, Ride On, Fairfax Connector, and MARC, and no service on DASH or VRE. There's no information on TheBus.

DC schools were originally going to be the only ones open but changed their minds, thanks to the union? (DCist) ... Oh, and it will snow again Tuesday.

Fight for the fountain: Thousands battled it out in a huge snowball fight in Dupont Circle Saturday. M.V. Jantzen was over at the fight in Meridian Hill/Malcolm X Park.

Parking makes even counselors angry: Nobody pulled a gun on the snowball fight, but a Fairfax anger management counselor did last week. He got upset at two men in an SUV who were parking (though it's unclear why from the article), and allegedly pulled a gun on the two, who turned out to be U.S. Marshals. (Post)

Bag fee refined: New regulations clarify details of the bag fee. Businesses that sell a small amount of food will still have to charge 5 cents for all bags, but bags that package most things that need bags, like newspapers or dry cleaning, are exempt. (Post)

Why four stations at Tysons?: A letter writer asks Dr. Gridlock why Tysons needs four Metro stations. The doc cites Zachary Schrag in explaining how clustered transit stops "shape communities." (Post)

Vacant or blighted?: The DC Council is still wrestling with how to adjust its "vacant" and/or "blighted" property tax rates to promote using empty properties and punish those that let properties crumble without unfairly hitting property owners hurt by a bad economy. (The Other 35 Percent)

Privatization makes street fairs costly: As with Virginia's HOT lanes, people keep discovering more hidden gotchas in Chicago's parking meter privatization deal. The latest: the city would have to pay the vendor any time they shut a street down, for construction, a street fair, and more. (CBS2 via Parking Ticket Geek, Michael P)

Tokyo molded itself well: Researchers grew some slime mold around food sources arranged like the map of Tokyo's rail stations, and discovered that eventually the mold coalesced into a network of lines resembling Tokyo's. Many articles said "maybe this means mold is better than planners," but what it really tells us is that Tokyo's designers did a good job laying out their system. (MSNBC, Steven)

Have a tip for the links? Submit it here.

26 comments

Related posts:

[Snowpocalypse open thread](#) (Feb 5, 2010)

[Impending storm could trigger the Metro "snow map"](#) (Dec 18, 2009)

[The new Circulators and the Metro map](#) (Mar 31, 2009)

[Fairfax County proposes bus route cuts](#) (Mar 24, 2009)

[Why was Arlington so ahead of its time?](#) (Jun 23, 2008)

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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, February 04, 2010 10:10 AM
To: Montague, Joshua W.
Subject: FW: Florida Avenue

From: Goldin, Steven
Sent: Thursday, January 14, 2010 2:44 PM
To: Omar A. Karim
Cc: Bottigheimer, Nat; Doggett, Rosalyn; Marshall, Malcolm
Subject: Florida Avenue

Omar

At this morning's meeting of the Metro Board Real Estate Committee, they indicated their dissatisfaction with the proposed purchase price. Please advise if that is your last and final offer or if you are willing to negotiate further. I should add that the Committee also made clear that they were seeking more than incremental movement in the purchase price.

Steven E. Goldin
Director, Station Area Planning & Asset Management
Washington Metropolitan Area Transit Authority
sgoldin@wmata.com
202-962-2616

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, February 03, 2010 11:12 AM
To: 'eric.smart@bolansmart.com'
Subject: contract extension
Attachments: BSA Task Order 2009-2.doc

Please sign and bring with you tomorrow.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, February 02, 2010 1:20 PM
To: Rootes, Cathy; Goldin, Steven; Wyner, Jonathan S.; Burns, Bob; Malasky, Gary
Subject: Task Order for Bolan Smart
Attachments: BSA Task Order 2009-2.doc

Please look at the attached. It is an "up.to....," no expenditure without prior authorization.

Cathy, I am calling it Task Order 2009-2 since the money is FY 2009. Neither Mark Meister nor Debbie Carthorn had any better guidance for me.

Gentlemen: please let me know if any projects should be added to the list or if any wording should be changed.

Thank you all.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, January 29, 2010 5:45 PM
To: Goldin, Steven
Cc: Malasky, Gary; Burns, Bob; Wyner, Jonathan S.
Subject: FW: Problem Properties Grid
Attachments: JD Problem Properties Grid rev 2 1-29-10.doc

If this is NOT what you want, we can fix on Monday!

From: Malasky, Gary
Sent: Friday, January 29, 2010 3:45 PM
To: Doggett, Rosalyn
Subject: FW: Problem Properties Grid

Roz—I only know how to sort in Excel. Can you do this sort in Word? Thanks.

Gary

Gary Malasky
WMATA
600 Fifth Street, NW
Washington, DC 20001
202-962-1504

From: Goldin, Steven
Sent: Friday, January 29, 2010 2:57 PM
To: Doggett, Rosalyn; Wyner, Jonathan S.; Malasky, Gary; Burns, Bob
Subject: RE: Problem Properties Grid

Gary

I think now it's better to sort by problem type. The jurisdiction is less important. So please send me the final list

thanks

Steve

From: Doggett, Rosalyn
Sent: Friday, January 29, 2010 2:49 PM
To: Goldin, Steven; Wyner, Jonathan S.; Malasky, Gary; Burns, Bob
Subject: FW: Problem Properties Grid

I made a change in the table to reflect term sheet dates where there is no JDA, consistent with what Bob did on the prior table.

From: Malasky, Gary
Sent: Friday, January 29, 2010 1:40 PM
To: Goldin, Steven; Doggett, Rosalyn; Wyner, Jonathan S.; Burns, Bob
Subject: Problem Properties Grid

All—

I believe the grid is done. You might want to check your properties just to be sure that nothing was dropped when someone else was adding to the chart. I removed all the "see above" references under JDA date—I thought they might be confusing if Steve removed the Station column.

Gary

Gary Malasky
WMATA
600 Fifth Street, NW
Washington, DC 20001
202-962-1504

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, January 29, 2010 3:26 PM
To: Goldin, Steven; Malasky, Gary; Burns, Bob; Wyner, Jonathan S.
Subject: FW: Distressed Commercial Real Estate Journal - January 2010
Attachments: Distressed Real Estate Jan 2010.pdf

Not very illuminating about DC. I suspect Delta knows a lot more than it can publish.

From: Greg Leisch [<mailto:Greg.Leisch@deltaassociates.com>]
Sent: Friday, January 29, 2010 2:32 PM
To: Doggett, Rosalyn
Subject: Distressed Commercial Real Estate Journal - January 2010

Dear Friend of the Firm:

Attached is the fifth issue of our "Distressed Commercial Real Estate Journal". This one features Washington, DC as our pick city. The January issue, as well as all prior issues, can also be found on our website at www.DeltaAssociates.com.

With declining property performance and tightening capital throughout the nation since August 2007, distressed commercial real estate is on the increase and with it rising mortgage delinquency and bank failures. The attached "Distressed Commercial Real Estate Journal" documents what all this means to our industry – the problems and the opportunities these trends present.

Hopefully you will continue to look to us as your information and service provider of choice during this tumultuous time in our industry. I wish you all the best as you navigate this difficult period.

If you prefer not to receive this Journal in the future, simply reply to this e-mail with the word "unsubscribe" and we will remove your name from the free subscriber list. On the other hand, if we can be helpful with a stressed or distressed situation, please call on me.

Best regards,

Greg

Gregory H. Leisch, CRE
Chief Executive
Delta Associates
500 Montgomery Street, Suite 600
Alexandria, VA 22314
Direct line: 703.299.6362
WWW.DeltaAssociates.com
Commercial Real Estate Research, Advisory, and Valuation Services
Conservation begins with each of us; please consider the environment before printing this email.

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, January 29, 2010 2:49 PM
To: Goldin, Steven; Wyner, Jonathan S.; Malasky, Gary; Burns, Bob
Subject: FW: Problem Properties Grid
Attachments: JD Problem Properties Grid rev 1 1-29-10.doc

I made a change in the table to reflect term sheet dates where there is no JDA, consistent with what Bob did on the prior table.

From: Malasky, Gary
Sent: Friday, January 29, 2010 1:40 PM
To: Goldin, Steven; Doggett, Rosalyn; Wyner, Jonathan S.; Burns, Bob
Subject: Problem Properties Grid

All—

I believe the grid is done. You might want to check your properties just to be sure that nothing was dropped when someone else was adding to the chart. I removed all the "see above" references under JDA date—I thought they might be confusing if Steve removed the Station column.

Gary

Gary Malasky
WMATA
600 Fifth Street, NW
Washington, DC 20001
202-962-1504

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, January 28, 2010 3:22 PM
To: Wyner, Jonathan S.; Malasky, Gary; Burns, Bob
Subject: updated chart attached- use this one
Attachments: JD PROBLEM PROPERTIES GRID 1-29-10.doc

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, January 28, 2010 3:03 PM
To: Burns, Bob; Malasky, Gary; Wyner, Jonathan S.
Attachments: JD PROBLEM PROPERTIES GRID 1-29-10.doc

If you all fill in your data by hand I will type in and complete the chart

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, January 25, 2010 4:50 PM
To: Rooths, Cathy
Cc: Carthorn, Debbie D.
Subject: Real Estate Consultant Contract CQ8132
Attachments: BSA Task Order 2009-1.doc; BSA Task Order 2009-2.doc

Cathy, Bolan Smart has pretty well used up its funds under task order 1 so I have drafted a new task order (to which I may add some projects after I have circulated it to staff).

My question to you is:

Should it be called task order 2009-2 since the available funding is I think still from fy 2009

Or should it be called task order 2010-1 since we are in fy 2010

Thanks for the review

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, January 20, 2010 5:55 PM
To: Mohsberg, Sid
Cc: Bottigheimer, Nat; Goldin, Steven; Meister, Mark K.; Ackerman, Heidi; Burns, Bob; Bellamy, Michelle A.
Subject: RE: BAR Update

Executive Session

Approve Amended Florida Avenue Term Sheet and Time Extension to Negotiate a Joint Development Agreement (These documents support the development of Metro owned land) (N. Bottigheimer)

From: Mohsberg, Sid
Sent: Wednesday, January 20, 2010 5:43 PM
To: Doggett, Rosalyn
Cc: Bottigheimer, Nat; Goldin, Steven; Meister, Mark K.; Ackerman, Heidi; Burns, Bob; Bellamy, Michelle A.
Subject: RE: BAR Update

Roz,

1. We will take it off of March 2010 when you tell us in a few days where to move it.
2. To enable this item to be added to the BAR in March 2010, please provide the exact wording you want to appear on the BAR. The BAR provides model wording: http://p590a3.wmata.com:7778/pls/bar/p_bar_public

Thanks.

Sid

From: Doggett, Rosalyn
Sent: Wednesday, January 20, 2010 5:07 PM
To: Mohsberg, Sid; Bellamy, Michelle A.
Cc: Bottigheimer, Nat; Goldin, Steven; Meister, Mark K.; Ackerman, Heidi; Burns, Bob
Subject: RE: BAR Update

1. We met with the Prince George's Plaza Joint Developer today. He will not be ready to go to the Board in March so please take it off the agenda. We are presently deciding what to bring to the Board later in the spring/summer and will let you know in the next few days.

2. Do we add to the agenda in March Amended Term Sheet for Florida Avenue?

From: Mohsberg, Sid
Sent: Wednesday, January 20, 2010 4:24 PM
To: Bellamy, Michelle A.
Cc: Bottigheimer, Nat; Goldin, Steven; Meister, Mark K.; Ackerman, Heidi; Burns, Bob; Doggett, Rosalyn
Subject: BAR Update

Michelle,

Please adjust the BAR as follows:

MARCH 11

Planning, Development and Real Estate Committee

Public Session

Action Agenda:

- PLJD Relocation of Tie Breaker Station at 100 K Street NE (Sale of existing Metro property at 100 K St NE with relocation of existing tie breaker station into new office building to be constructed on site.) (N. Bottigheimer)

Executive Session

Information Agenda:

- PLJD Approve Amended Joint Development Master Leasing Agreement and Amended Retail Lease for Prince George's Plaza Joint Development Site (These documents support the development of Metro owned land) (N. Bottigheimer)
- ~~PLJD Approve Joint Development Agreement and Lease for Navy Yard Chiller Joint Development Site (These documents~~

support the development of Metro owned land) (N. Bottigheimer)

- PLJD Changes in Terms and Conditions of College Park Joint Development Term Sheet (Approve changes in the terms and conditions of the College Park Joint Development Term Sheet resulting from changes in project design caused by updated Purple Line alignment.) (N. Bottigheimer)
- PLJD Sale of Excess Metro Property to Georgetown University (Sale of excess Metro property acquired from DC Riders' Trust to Georgetown University) (N. Bottigheimer)
- PLJD Sale of Excess Property at West Falls Church Service and Inspection Yard (Sale of excess property at W. Falls Church S&I Yard to Dominion Power for construction of an electrical substation serving the Dulles Ext. Proj.) (N. Bottigheimer)
- PLJD Convey Real Property to District of Columbia for the Metropolitan Branch Trail Bridge at Rhode Island Ave-Brentwood Metro Station (No-cost conveyance of Metro property required for construction and operation of the Metropolitan Branch Trail pedestrian/bicycle bridge at Rhode Island Ave-Brentwood Metro station) (N. Bottigheimer)

APRIL 08

Public Session

Action Agenda:

- TIES Award Bus Garage Rehabilitation (D. Kubicek)
- TIES Approve Award for Design Build Contract for DC Village (J. Thomas)

Executive Session

Information Agenda:

- PLJD Approve Joint Development Agreement and Lease for Navy Yard Chiller Joint Development Site (These documents support the development of Metro owned land) (N. Bottigheimer)

Thanks very much.

Sid

- Bottigheimer)**
- PLJD Changes in Terms and Conditions of College Park Joint Development Term Sheet (Approve changes in the terms and conditions of the College Park Joint Development Term Sheet resulting from changes in project design caused by updated Purple Line alignment.) (N. Bottigheimer)
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Executive Session

Information Agenda:

- PLJD Approve Joint Development Agreement and Lease for Navy Yard Chiller Joint Development Site (These documents support the development of Metro owned land) (N. Bottigheimer)

Thanks very much.

Sid

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, January 20, 2010 5:07 PM
To: Mohsberg, Sid; Bellamy, Michelle A.
Cc: Bottigheimer, Nat; Goldin, Steven; Meister, Mark K.; Ackerman, Heidi; Burns, Bob
Subject: RE: BAR Update

1. We met with the Prince George's Plaza Joint Developer today. He will not be ready to go to the Board in March so please take it off the agenda. We are presently deciding what to bring to the Board later in the spring/summer and will let you know in the next few days.

2. Do we add to the agenda in March Amended Term Sheet for Florida Avenue?

From: Mohsberg, Sid
Sent: Wednesday, January 20, 2010 4:24 PM
To: Bellamy, Michelle A.
Cc: Bottigheimer, Nat; Goldin, Steven; Meister, Mark K.; Ackerman, Heidi; Burns, Bob; Doggett, Rosalyn
Subject: BAR Update

Michelle,

Please adjust the BAR as follows:

MARCH 11

Planning, Development and Real Estate Committee

Public Session

Action Agenda:

PLJD Relocation of Tie Breaker Station at 100 K Street NE (Sale of existing Metro property at 100 K St NE with relocation of existing tie breaker station into new office building to be constructed on site.) (N. Bottigheimer)

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APRIL 08

Planning, Development and Real Estate Committee

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Thanks very much.

Sid

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, January 19, 2010 11:54 AM
To: Meister, Mark K.
Cc: Goldin, Steven
Subject: FW: FTA update
Attachments: FTA Quarterly REV 4 Status of Current Projects 2-3-2010.doc

Mark, the revisions to MN Ave, Greenbelt, Prince George's Plaza, and FL Ave look ok to me. Steve, please confirm they are ok with you.

From: Meister, Mark K.
Sent: Tuesday, January 19, 2010 11:49 AM
To: Doggett, Rosalyn
Subject: RE: FTA update

Roz,

Please review the attached to make sure that I've accurately captured all your revisions. Thanks.

Mark

From: Doggett, Rosalyn
Sent: Tuesday, January 19, 2010 11:24 AM
To: Meister, Mark K.
Subject: FTA update

Revised Greenbelt attached
I'm bringing PGP, FL Ave and MN Ave edits in hard copy

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, January 15, 2010 10:55 AM
To: Goldin, Steven
Subject: FW: Florida Avenue

After speaking with Omar, I am calling Eric and asking him to share his assumptions.

From: Omar Karim [<mailto:okarim@bannekerventures.com>]
Sent: Friday, January 15, 2010 10:20 AM
To: Doggett, Rosalyn
Cc: Tiwana Hicks; Goldin, Steven
Subject: Re: Florida Avenue

Roz,

Thanks for your email. What Steve and I spoke about was how you and Marshall I believe came up with the \$14M figure. Since our team never offered wmata \$14M to lease the sites (we offered an annual lease with some escalations and share in capital events), can you send us your calculations on how you or your team or advisors came up with this. This is critical as we evaluate our response to Steve's request to us following yesterday's Board meeting.

Thank you.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 office
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Doggett, Rosalyn" <RDoggett@wmata.com>
Date: Fri, 15 Jan 2010 09:56:38 -0500
To: Omar A. Karim <okarim@bannekerventures.com>
Cc: Goldin, Steven <sgoldin@wmata.com>
Subject: RE: Florida Avenue

Good morning, Omar. Steve asked me to let you know that when we present projects to our Board, we calculate the present value of a) the stream of fixed dollar payments to WMATA provided in a developer's offer b) plus the residual value of the land to WMATA at the end of the lease term. I hope that this provides you with the information that you need. If I can be of further help, please call me in the next hour after which I will be out of the office.

Rosalyn

From: Omar A. Karim [<mailto:okarim@bannekerventures.com>]
Sent: Thursday, January 14, 2010 4:49 PM
To: Goldin, Steven
Cc: 'Anthony James Ives'; 'Tiwana Hicks'; Doggett, Rosalyn; Marshall, Malcolm; Bottigheimer, Nat
Subject: RE: Florida Avenue

Steve,

This is very unfortunate as we thought both WMATA staff and our team had come to terms both a few months ago and more recently when we increased our price by about 40% at what we thought was the direction of the Board. We will consult our counsel and hopefully get back with you by end of next week.

Omar

Omar A. Karim
Banneker Ventures, LLC

729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: Goldin, Steven [<mailto:sgoldin@wmata.com>]
Sent: Thursday, January 14, 2010 2:44 PM
To: Omar A. Karim
Cc: Bottigheimer, Nat; Doggett, Rosalyn; Marshall, Malcolm
Subject: Florida Avenue

Omar

At this morning's meeting of the Metro Board Real Estate Committee, they indicated their dissatisfaction with the proposed purchase price. Please advise if that is your last and final offer or if you are willing to negotiate further. I should add that the Committee also made clear that they were seeking more than incremental movement in the purchase price.

Steven E. Goldin
Director, Station Area Planning & Asset Management
Washington Metropolitan Area Transit Authority
sgoldin@wmata.com
202-962-2616

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, January 15, 2010 10:30 AM
To: Goldin, Steven
Subject: FW: Florida Avenue

Steve please call me about this. Roz

Eric did the calculations. I have no problems with sharing the spreadsheet. I just do not think that we ought to be giving out internal communications to the Board despite recent precedent. Nor do I think they are germane to his decision.

These are calculations of what was in the original term sheet for a 60-year lease that was presented to the board in June 2008. The only thing Omar would not be cognizant of would be the discount rate used at that time.

From: Omar Karim [<mailto:okarim@bannekerventures.com>]
Sent: Friday, January 15, 2010 10:20 AM
To: Doggett, Rosalyn
Cc: Tiwana Hicks; Goldin, Steven
Subject: Re: Florida Avenue

Roz,

Thanks for your email. What Steve and I spoke about was how you and Marshall I believe came up with the \$14M figure. Since our team never offered wmata \$14M to lease the sites (we offered an annual lease with some escalations and share in capital events), can you send us your calculations on how you or your team or advisors came up with this. This is critical as we evaluate our response to Steve's request to us following yesterday's Board meeting.

Thank you.

Omar

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Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 office
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Doggett, Rosalyn" <RDoggett@wmata.com>
Date: Fri, 15 Jan 2010 09:56:38 -0500
To: Omar A. Karim <okarim@bannekerventures.com>
Cc: Goldin, Steven <sgoldin@wmata.com>
Subject: RE: Florida Avenue

Good morning, Omar. Steve asked me to let you know that when we present projects to our Board, we calculate the present value of a) the stream of fixed dollar payments to WMATA provided in a developer's offer b) plus the residual value of the land to WMATA at the end of the lease term. I hope that this provides you with the information that you need. If I can be of further help, please call me in the next hour after which I will be out of the office.

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To: Goldin, Steven
Cc: 'Anthony James Ives'; 'Tiwana Hicks'; Doggett, Rosalyn; Marshall, Malcolm; Bottigheimer, Nat
Subject: RE: Florida Avenue

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Steven E. Goldin
Director, Station Area Planning & Asset Management
Washington Metropolitan Area Transit Authority
sgoldin@wmata.com
202-962-2616

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, January 15, 2010 9:57 AM
To: 'Omar A. Karim'
Cc: Goldin, Steven
Subject: RE: Florida Avenue

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Steven E. Goldin
Director, Station Area Planning & Asset Management
Washington Metropolitan Area Transit Authority
sgoldin@wmata.com
202-962-2616

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, December 17, 2009 4:29 PM
To: 'okarim@bannekerventures.com'
Cc: Goldin, Steven; Montague, Joshua W.
Subject: RE: Banneker Financial Information
Attachments: Shaw-Howard Fr Bottigheimer.pdf; ShawHoward FL AveTerm Sheets Comparison Revised 12-09.xlsx

Here is the change in terms that was sent forward for transmission to the Board and the comparison table that will be made available to them in January

From: Omar Karim [<mailto:okarim@bannekerventures.com>]
Sent: Thursday, December 17, 2009 12:55 PM
To: Doggett, Rosalyn
Cc: Anthony James Ives; Tiwana Hicks; Neil.Albert@dc.gov; Yohance.Fuller@dc.gov; Goldin, Steven
Subject: Re: Banneker Financial Information

Roz,

Can you send us the updated term sheet with the latest offer, along with the summary of the term sheet you expect to send the Board.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 office
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Doggett, Rosalyn" <RDoggett@wmata.com>
Date: Thu, 17 Dec 2009 11:05:36 -0500
To: Omar A. Karim <okarim@bannekerventures.com>
Cc: 'Anthony James Ives' <aives@bannekerventures.com>; 'Tiwana Hicks' <thicks@bannekerventures.com>; Neil.Albert@dc.gov <Neil.Albert@dc.gov>; Yohance.Fuller@dc.gov <Yohance.Fuller@dc.gov>; Goldin, Steven <sgoldin@wmata.com>
Subject: RE: Banneker Financial Information

The term sheet is on the agenda for the Jan 14, 2010 Planning Development & Real Estate Committee meeting, Executive Session, along with a request to extend time to negotiate an agreement. I will not know the Board's response until then.

Tuesday is fine for providing that information.

Thanks again
R.

From: Omar A. Karim [<mailto:okarim@bannekerventures.com>]
Sent: Thursday, December 17, 2009 10:50 AM
To: Doggett, Rosalyn
Cc: 'Anthony James Ives'; 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance.Fuller@dc.gov; Goldin, Steven
Subject: RE: Banneker Financial Information

Ms. Doggett,

Thank you for your email. Our accountants should be able to provide us with our 3Q08 statements by next week. Would COB next Tuesday be okay to provide you all the statements and sources and uses? Can you provide information as to where we are with the Term Sheet? What was the Board's response to the information that you provided them following our last meeting? As we've discussed, these delays have and continue to cause us significant delays in our schedule.

Thank you in advance.

Omar

From: Doggett, Rosalyn [<mailto:RDoggett@wmata.com>]
Sent: Thursday, December 17, 2009 10:33 AM
To: Omar A. Karim
Cc: Goldin, Steven
Subject: Banneker Financial Information

Good morning, Omar,

Given the amount of time that has elapsed since your initial submission, and anticipating possible Board questions, I have been asked to request from you the most recent balance sheet, income statement and sources and uses of funds statement for Banneker Ventures (the items requested in the original proposal submission requirements). Please let me know when we might receive these.

Thanks very much
Happy Holidays

Rosalyn

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, December 16, 2009 11:26 AM
To: Wyner, Jonathan S.
Subject: FW: Donatelli

fyi

From: Doggett, Rosalyn
Sent: Wednesday, December 16, 2009 9:52 AM
To: Goldin, Steven
Subject: RE: Donatelli

If you did not read this already, here is a link to article on 100% RE tax abatements for "financially strapped" Donatelli at 2 Col. Hts. Condo, now apt., projects
Donatelli is our Navy Yard Chiller site prospective developer

<http://www.washingtonpost.com/wp-dyn/content/article/2009/12/15/AR2009121504838.html?hpid=newswell>

From: Goldin, Steven
Sent: Wednesday, December 16, 2009 9:20 AM
To: Bottigheimer, Nat; O'Keeffe, Carol B.; Pant, Shiva K.
Cc: Doggett, Rosalyn; Montague, Joshua W.; Welch, Kermit A.
Subject: Florida Avenue

<http://www.washingtonpost.com/wp-dyn/content/article/2009/12/15/AR2009121505028.html?hpid=newswell>

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Donatelli is our Navy Yard Chiller site prospective developer

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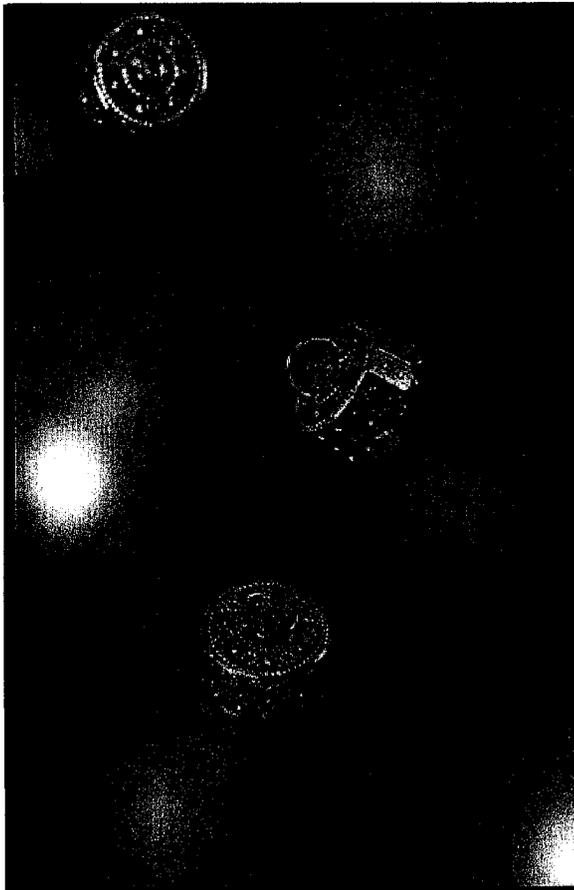
Steven E. Goldin
Director, Station Area Planning & Asset Management
Washington Metropolitan Area Transit Authority
sgoldin@wmata.com
202-962-2616

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, December 15, 2009 1:10 PM
To: 'Allison Ladd'
Subject: RE: REMINDER - DCHFA Holiday Event! - RSVP today!

Thanks
Will try to stop by early on
Rosalyn

From: Allison Ladd [<mailto:aladd@dchfa.org>]
Sent: Tuesday, December 15, 2009 12:54 PM
To: Harry D. Sewell; Doggett, Rosalyn
Subject: REMINDER - DCHFA Holiday Event! - RSVP today!



An Invita

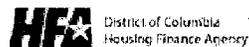
*Please join the Distri
Housing Financ
during this holiday
conclude our 30 Year*

*Friday, December
6:00—9:00*

*Ulah Bistro - 2
1214 U Street NW, W*

*(Next to U Street Metro,)
valet parking is \$10 wi*

R.S.V.P. by December 15th



Allison Ladd | Associate Executive Director |
815 Florida Avenue, NW | Washington, DC 20001 |
Phone: 202-777-1634 | Fax: 202-986-6736 | www.dchfa.org |

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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, December 14, 2009 3:57 PM
To: Wallace, Maria A
Cc: Goldin, Steven; Bottigheimer, Nat
Subject: FW: PARP 09-0526

Maria, we will not be responding on this PARP per COUN. See below. Thx.

From: Thom, Keysia A.
Sent: Monday, December 14, 2009 3:54 PM
To: Doggett, Rosalyn; Montague, Joshua W.
Subject: RE: PARP 09-0526

I will send a response to the requester.

From: Doggett, Rosalyn
Sent: Monday, December 14, 2009 3:24 PM
To: Montague, Joshua W.
Cc: Thom, Keysia A.
Subject: RE: PARP 09-0526

Does Keysia so inform the requestor without any further action required from SAAM?

From: Montague, Joshua W.
Sent: Monday, December 14, 2009 3:18 PM
To: Doggett, Rosalyn
Cc: Thom, Keysia A.
Subject: RE: PARP 09-0526

Roz,

Since negotiations are still ongoing in the Florida Avenue project, no award has been made. Therefore, we should not turn over any records related to this project.

If we were to turn over records prior to an award being made, it could hurt WMATA's future business interests on this project.

Please let me know if you have any questions.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

The information contained in this email may be confidential and/or legally privileged. It has been sent for the sole use of the intended recipient(s). If the reader of this message is not an intended recipient, you are hereby notified that any unauthorized review, use, disclosure, dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please contact the sender by reply email and destroy all copies of the original message.

From: Doggett, Rosalyn
Sent: Friday, December 11, 2009 12:25 PM
To: Montague, Joshua W.
Subject: FW: PARP 09-0526

What is the appropriate protocol here?
I am reading chiller right after lunch

From: Wallace, Maria A
Sent: Friday, December 11, 2009 12:07 PM
To: Goldin, Steven; Doggett, Rosalyn; Meister, Mark K.
Cc: Wallace, Maria A
Subject: FW: PARP 09-0526

Please provide the information as requested by Keysia. As the PARP Coordinator for PLJD, please copy me on your responses. Thank you.

Cordially,

Maria

Maria A. Wallace
Washington Metropolitan Area Transit Authority
Department of Planning & Joint Development
600 Fifth Street, NW
Washington, DC 20009
office - (202) 962-2330
fax - (202) 962-6258
email: mawallace@wmata.com

From: Thom, Keysia A.
Sent: Friday, December 11, 2009 11:49 AM
To: Edwards, Sylvia; Wallace, Maria A
Subject: PARP 09-0526

Maria and Sylvia,

Attached is a Public Access to Records Policy (PARP) request for records relating to records regarding Banneker Ventures, LLC regarding the contract awarded for the parcel of land at 700-800 Florida Avenue, NW. If you are aware of another office that may have records responsive to this request or if your office does not have responsive records, please contact me immediately. Otherwise please follow the directions below:

Please track the time spent searching for and reviewing the records that are responsive to this request. If the effort is minor and does not exceed the \$250 threshold please complete the attached PARP worksheet and provide it with the records by December 18, 2009.

If that effort is more than minor we can charge for staff time (hourly rate plus a 50% markup) plus copying costs (15 cents per page beyond the first 100). If the charge will exceed our \$250 threshold, please complete the attached PARP estimate worksheet and provide it by December 18, 2009.

Be aware that our policy does not require us to create records in response to a request. If a record containing the information requested does not already exist, we can simply tell the requester so. Additionally, some of the requested records may be exempt from disclosure, information that could compromise WMATA's infrastructure or security; contractor proprietary information; internal deliberations on policy matters; attorney-client privileged communications; information that if released would cause a clearly unwarranted invasion of personal privacy; certain information compiled for law enforcement purposes; and SmarTrip and customer financial information. Let me know if you believe any of these exemptions apply or if you have any other concerns regarding disclosure of the records.

Thanks

Keysia A. Thom
PARP/Privacy Policy Administrator
WMATA Office of General Counsel
600 Fifth Street, NW
Washington, DC 20001
(202) 962-2058
(202) 962-2550 fax
kthom@wmata.com

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Maria

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Washington Metropolitan Area Transit Authority
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office - (202) 962-2330
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email: mawallace@wmata.com

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Sent: Friday, December 11, 2009 11:49 AM
To: Edwards, Sylvia; Wallace, Maria A
Subject: PARP 09-0526

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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, December 11, 2009 4:16 PM
To: Goldin, Steven
Subject: FW: PARP 09-0526

From: Montague, Joshua W.
Sent: Friday, December 11, 2009 3:57 PM
To: Doggett, Rosalyn
Subject: RE: PARP 09-0526

I was able to speak to Keysia for a second. The quick answer is do not give them anything right now. Keysia said that transactions that are still being negotiated get excluded under the qualified commercial privilege clause to PARP.

I am going to meet with her sometime Monday morning to discuss in more detail (so this answer may change), but I wanted to give you a heads up now that we may not have to turn over any information.

Josh

From: Doggett, Rosalyn
Sent: Friday, December 11, 2009 1:51 PM
To: Montague, Joshua W.
Subject: RE: PARP 09-0526

thanks

From: Montague, Joshua W.
Sent: Friday, December 11, 2009 1:51 PM
To: Doggett, Rosalyn
Subject: RE: PARP 09-0526

I am trying to meet with Keysia, will let you know as soon as I can track her down.

Josh

From: Doggett, Rosalyn
Sent: Friday, December 11, 2009 12:25 PM
To: Montague, Joshua W.
Subject: FW: PARP 09-0526

What is the appropriate protocol here?
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From: Wallace, Maria A
Sent: Friday, December 11, 2009 12:07 PM
To: Goldin, Steven; Doggett, Rosalyn; Meister, Mark K.
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Subject: FW: PARP 09-0526

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Cordially,

Maria

Maria A. Wallace
Washington Metropolitan Area Transit Authority
Department of Planning & Joint Development
600 Fifth Street, NW

Washington, DC 20009
office - (202) 962-2330
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Keysia A. Thom
PARP/Privacy Policy Administrator
WMATA Office of General Counsel
600 Fifth Street, NW
Washington, DC 20001
(202) 962-2058
(202) 962-2550 fax
kthom@wmata.com

THIS E-MAIL MESSAGE IS PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE RECIPIENT NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE NAMED RECIPIENT, OR THE AGENT RESPONSIBLE TO DELIVER IT TO THE NAMED RECIPIENT, YOU ARE NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, COPYING OR OTHER USE OF THIS INFORMATION/COMMUNICATION IS STRICTLY PROHIBITED AND NO PRIVILEGE IS WAIVED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY THE ABOVE-NAMED INDIVIDUAL IMMEDIATELY.

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, December 11, 2009 1:51 PM
To: Montague, Joshua W.
Subject: RE: PARP 09-0526

thanks

From: Montague, Joshua W.
Sent: Friday, December 11, 2009 1:51 PM
To: Doggett, Rosalyn
Subject: RE: PARP 09-0526

I am trying to meet with Keysia, will let you know as soon as I can track her down.

Josh

From: Doggett, Rosalyn
Sent: Friday, December 11, 2009 12:25 PM
To: Montague, Joshua W.
Subject: FW: PARP 09-0526

What is the appropriate protocol here?
I am reading chiller right after lunch

From: Wallace, Maria A
Sent: Friday, December 11, 2009 12:07 PM
To: Goldin, Steven; Doggett, Rosalyn; Meister, Mark K.
Cc: Wallace, Maria A
Subject: FW: PARP 09-0526

Please provide the information as requested by Keysia. As the PARP Coordinator for PLJD, please copy me on your responses. Thank you.

Cordially,

Maria

Maria A. Wallace
Washington Metropolitan Area Transit Authority
Department of Planning & Joint Development
600 Fifth Street, NW
Washington, DC 20009
office - (202) 962-2330
fax - (202) 962-6258
email: mawallace@wmata.com

From: Thom, Keysia A.
Sent: Friday, December 11, 2009 11:49 AM
To: Edwards, Sylvia; Wallace, Maria A
Subject: PARP 09-0526

Maria and Sylvia,

Attached is a Public Access to Records Policy (PARP) request for records relating to records regarding Banneker Ventures, LLC regarding the contract awarded for the parcel of land at 700-800 Florida Avenue, NW. If you are aware of another office that may have records responsive to this request or if your office does not have responsive records, please contact me immediately. Otherwise please follow the directions below:

Please track the time spent searching for and reviewing the records that are responsive to this request. If the effort is minor and does not exceed the \$250 threshold please complete the attached PARP worksheet and provide it with the records by December 18, 2009.

If that effort is more than minor we can charge for staff time (hourly rate plus a 50% markup) plus copying costs (15 cents per page beyond the first 100), If the charge will exceed our \$250 threshold, please complete the attached PARP estimate worksheet and provide it by December 18, 2009.

Be aware that our policy does not require us to create records in response to a request. If a record containing the information requested does not already exist, we can simply tell the requester so. Additionally, some of the requested records may be exempt from disclosure, information that could compromise WMATA's infrastructure or security; contractor proprietary information; internal deliberations on policy matters; attorney-client privileged communications; information that if released would cause a clearly unwarranted invasion of personal privacy; certain information compiled for law enforcement purposes; and SmarTrip and customer financial information. Let me know if you believe any of these exemptions apply or if you have any other concerns regarding disclosure of the records.

Thanks

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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, December 11, 2009 12:25 PM
To: Montague, Joshua W.
Subject: FW: PARP 09-0526
Attachments: 09-0526 Hunter Gorison.PDF; PARP Estimate Worksheet.doc; PARP worksheet.doc

What is the appropriate protocol here?
I am reading chiller right after lunch

From: Wallace, Maria A
Sent: Friday, December 11, 2009 12:07 PM
To: Goldin, Steven; Doggett, Rosalyn; Meister, Mark K.
Cc: Wallace, Maria A
Subject: FW: PARP 09-0526

Please provide the information as requested by Keysia. As the PARP Coordinator for PLD, please copy me on your responses. Thank you.

Cordially,

Maria

Maria A. Wallace
Washington Metropolitan Area Transit Authority
Department of Planning & Joint Development
600 Fifth Street, NW
Washington, DC 20009
office - (202) 962-2330
fax - (202) 962-6258
email: mawallace@wmata.com

From: Thom, Keysia A.
Sent: Friday, December 11, 2009 11:49 AM
To: Edwards, Sylvia; Wallace, Maria A
Subject: PARP 09-0526

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Please track the time spent searching for and reviewing the records that are responsive to this request. If the effort is minor and does not exceed the \$250 threshold please complete the attached PARP worksheet and provide it with the records by December 18, 2009.

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Thanks

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Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, December 10, 2009 2:14 PM
To: Goldin, Steven; Bottigheimer, Nat; Montague, Joshua W.; Mohsberg, Sid
Cc: Meister, Mark K.
Subject: Revised comparison table for Florida Avenue
Attachments: ShawHoward FL AveTerm Sheets Comparison Revised 12-09.xlsx

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, December 10, 2009 9:53 AM
To: Mohsberg, Sid
Subject: RE: 1/14/10 PDRE Exec Session Item: Time Extension for Negotiation and Amended Term Sheet for Lease of Shaw-Howard U./Florida Avenue Joint Development Site

On the power point, the only suggestion I have—a question really—is on the last page shouldn't the first letter after each bullet be capitalized?

On the BAIS I left out a "that" on the last sentence of the description..... Staff is requesting that the Board consider..... I will correct right now.

I would suggest sending this to Josh/Carol to make sure that they are comfortable with the writeup.

From: Mohsberg, Sid
Sent: Wednesday, December 09, 2009 5:41 PM
To: Bottigheimer, Nat; Goldin, Steven
Cc: Doggett, Rosalyn
Subject: 1/14/10 PDRE Exec Session Item: Time Extension for Negotiation and Amended Term Sheet for Lease of Shaw-Howard U./Florida Avenue Joint Development Site

Nat and Steve,

Please review the attached presentation and MEAD. If you're OK with them, I'll forward them to Michelle Bellamy.

Thanks.

Sid

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, December 10, 2009 9:29 AM
To: Montague, Joshua W.; Malasky, Gary; Goldin, Steven; Burns, Bob; Wyner, Jonathan S.; Marshall, Malcolm
Cc: Welch, Kermit A.
Subject: RE: PGP Rent Reset

I think that we need to emphasize the question of what amount of ground rent can be paid on an "unsubordinated" basis and how it is calculated. In PGP, 2.85% of adjusted gross income can be paid on an "unsubordinated" basis and anything above that must be paid from surplus cash. I believe that this percentage is negotiable, based upon underwriting that HUD does but want to pursue that question.

[In PGP the 2.85%, plus a \$2.7 million capitalized lease payment at closing that represented roughly 2/3 of WMATA's npv proceeds over the period that we were calculating, exceeded appraisal, and so we did not negotiate, and that's why I don't know the answer to the question.]

From: Montague, Joshua W.
Sent: Wednesday, December 09, 2009 2:37 PM
To: Doggett, Rosalyn; Malasky, Gary; Goldin, Steven; Burns, Bob; Wyner, Jonathan S.; Marshall, Malcolm
Cc: Welch, Kermit A.
Subject: RE: PGP Rent Reset

Mabel and I reviewed the PGP changes and then spoke to Ed Maginnis yesterday. Here is a summary of what he said:

1. The PGP ground lease was the first ground lease that HUD had ever done anywhere.
2. The initial rent re-set date of 42 years was selected to accommodate HUD's long mortgage term requirement (Ed believes this was 40 years) plus a grace period (2 years) before re-setting to market. Ed said he did not remember any talk of a 10 year grace period, but that this might be a new requirement. There is talk of a 10-year Base Rent grace period in the HUD Handbooks (<http://www.hud.gov/offices/adm/hudclips/handbooks/hsg/h/> - see Chapter 3 of HB 4465.1), but it is unclear if this applies in our Florida Avenue situation. This will be a question for Russell Conlan.
3. The only changes HUD would allow was the waiver of the fee title purchase option. They would not allow waivers of the indemnity or participation rent restrictions. Of course, PGP may not have had the risks (e.g., building over a tunnel in FL Ave) or financial limitations (e.g., accepting a capitalized lease payment in a depressed market) that we have in FL Ave or RI Ave.
4. HUD is very rigid.

I am going to incorporate Gary's comments into the list. I am hoping to have it done and sent to Russell Conlan tomorrow, so please advise if you have other issues to add.

Thanks,

Josh

From: Doggett, Rosalyn
Sent: Friday, December 04, 2009 3:10 PM
To: Malasky, Gary; Montague, Joshua W.; Goldin, Steven; Burns, Bob; Wyner, Jonathan S.; Marshall, Malcolm
Cc: Welch, Kermit A.
Subject: RE: PGP Rent Reset

There are sections of the PGP residential lease where Ed Maginnis did show changes made to comply with HUD reqts (where we could). Josh, if you do not have access, I will scan and send.

From: Malasky, Gary
Sent: Friday, December 04, 2009 3:01 PM
To: Montague, Joshua W.; Goldin, Steven; Doggett, Rosalyn; Burns, Bob; Wyner, Jonathan S.; Marshall, Malcolm
Cc: Welch, Kermit A.
Subject: RE: PGP Rent Reset

Josh—

I want to respond to Steve's email, but having not been involved with PGP nor seen the HUD documents, I feel somewhat at a disadvantage. I have listed several considerations/questions below. Please excuse me if greater familiarity with the project would make them seem basic.

Our adjacent construction rules: does HUD's being a mortgage insurer give them or the borrower any reason to assert that our requirements are too costly, or that HUD rules preempt our rules? Especially at a site such as Florida Avenue, there will be additional costs for building over our tunnels. Similarly as to our Design Manual, if there is an expensive repair or replacement 20 years down the road, does the HUD insurance shield the building owner from making repairs to our standards? (A possible situation where our chiller plant is inside an apartment building, and presumably the developer would have an obligation to protect our equipment from leaks emanating from the building.)

What ground rent increases are permitted superior to the HUD insured loan debt service and operating expenses? Can other ground rent increases go into a suspense account to be paid if cash flow is available, or from the proceeds of a capital event?

Is there any limitation on shared parking agreements such as we have at Rhode Island Avenue?

If a HUD insured loan is refinanced with another HUD insured loan, are there limitations on our capital event participation?

Indemnity or insurance limitations. RR protective insurance is a cost item that I would assume HUD does not usually see. Is that a problem?

Gary

Gary Malasky
WMATA
600 Fifth Street, NW
Washington, DC 20001
202-952-1504

From: Goldin, Steven
Sent: Friday, December 04, 2009 1:36 PM
To: Doggett, Rosalyn; Malasky, Gary; Burns, Bob; Wyner, Jonathan S.; Marshall, Malcolm
Cc: Welch, Kermit A.; Montague, Joshua W.
Subject: FW: PGP Rent Reset

Please respond to Josh directly but Reply to All

From: Welch, Kermit A.
Sent: Friday, December 04, 2009 8:51 AM
To: Doggett, Rosalyn; Goldin, Steven
Cc: Bottigheimer, Nat; Heppen, Bruce P.; O'Keefe, Carol B.; Montague, Joshua W.; Scales, Phillip
Subject: RE: PGP Rent Reset

Steve,

As we discussed previously, it would be wise for WMATA to meet with Russell Conlan, Esq. of HUD to discuss some of the troublesome issues that keep arising in connection with our JD projects where Developers have elected to pursue HUD financing. In this regard, we spoke to Mr. Conlan on yesterday regarding the possibility of scheduling such a meeting, and he welcomed the idea. He suggested that we meet via a conference call (as that would be easier to schedule within a relatively short time frame). Obviously, this meeting would be more productive if COUN and SAAM were to both participate.

COUN has committed to providing Mr. Conlan with a list of issues/questions in advance of the meeting so that he can adequately prepare himself to address our concerns. Josh has already started to assemble a list of issues/questions. Please provide Josh with the specific issues/concerns that SAAM would like to address during a telephone conference with Mr. Conlan, and Josh will add them to his list. We will circulate the combined list internally for your review and information before we transmit it to Mr. Conlan.

In the mean time, I will get a list of dates and times that Mr. Conlan will be available to meet over the next three weeks. Please let me know who from SAAM you want to have participate and I'll coordinate with each of you schedule a mutually convenient time for the call. I expect the call will last at least two (2) hours.

Thanks,
Kermit

From: Doggett, Rosalyn
Sent: Thursday, December 03, 2009 11:11 AM

To: Montague, Joshua W.; Welch, Kermit A.; Goldin, Steven; Bottigheimer, Nat
Subject: PGP Rent Reset

The relevant page from the Prince George's Plaza residential lease is attached. It has a rent reset after 42 years, not 50 years as expressed by Omar yesterday.

I spoke today with Russ Conlon, HUD field office attorney, who worked with us on the PGP lease. He confirmed that FHA insurance remains in place for 40 years. I asked him if there were some new requirement that there be an additional 10 year level rent period, and he said "no."

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, December 09, 2009 11:36 AM
To: Mohsberg, Sid
Subject: new pp fl ave
Attachments: FLAVTE~1.pptx

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, December 08, 2009 4:24 PM
To: Mohsberg, Sid
Subject: FW: Florida Avenue Project

From: Bottigheimer, Nat
Sent: Tuesday, December 08, 2009 10:27 AM
To: Pant, Shiva K.
Cc: Goldin, Steven; O'Keeffe, Carol B.; Green, Jennifer A.
Subject: Florida Avenue Project

Shiva –

I spoke with Neil Albert yesterday about bringing this project back to the PDRE committee.

I recommended we bring it back for Board in January, specifically, for "consideration of new proposed terms and extension of time to conclude a joint development agreement." Probably 120 day extension.

Neil asked if we could sound out Board members on this, and I'm willing to do that, but maybe John wants to or should do this?

Can you provide your advice on this, please?

Thanks,

Nat

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, December 08, 2009 9:38 AM
To: 'Gena Leonard'
Cc: Goldin, Steven
Subject: RE: Request for Info- Denver

Minnesota Ave is a property we sold to the District of Columbia government which is negotiating with the developer to build affordable housing. Rhode Island Ave. is not yet under construction; final lease negotiations still ongoing between Metro (WMATA) and developer; slated to have affordable housing. Florida Avenue planned for affordable housing but negotiations still underway between Metro and developer. In Wheaton, White Flint and Twinbrook, affordable housing has been built on land sold or leased by Metro under Montgomery County, MD MPDU ordinance. Metro wrote down land costs to some degree to assist in affordability. We have no new housing projects being built given today's financing climate. We do have other projects, Dunn Loring station in Fairfax County VA and Founders Square (former bus garage) in Arlington VA, which are under contract but have not yet closed (executed leases or sales) but in which there is planned affordable housing.

From: Gena Leonard [mailto:gleonard@fresc.org]
Sent: Monday, December 07, 2009 5:13 PM
To: Doggett, Rosalyn
Subject: Request for Info- Denver

Hi Rosalyn,
My name is Gena Leonard and I work with FRESC: Good Jobs, Strong Communities in Denver. We are currently working to update our information on transit and affordable housing nation-wide, for a short publication we are putting out by the New Year. I know you were in correspondence last year with a colleague, so I am hoping that you are still the point person for these questions. There are some gaps in our research that we are hoping to get some clarification on. We are looking for information on projects that WMATA had a direct role in, that include affordable housing. We have listed the following projects:

Minnesota Avenue
White Flint
Florida Avenue
Rhode Island Avenue
Twinbrook Station
Wheaton

I want to be sure that WMATA did indeed play a role in the above list, and that there is affordable housing at each. If this is the case, would it be possible to email you further questions regarding land acquisition, financing, and AMI levels served? Are there any other projects in the works? We are also hoping to get some policy clarification; mainly have there been any policy changes that includes affordability? Thank you very much for your time and help, and please let me know if there is someone better suited to answer these questions.

Best,
Gena Leonard
gleonard@fresc.org
303-477-6111 ext. 23

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Friday, December 04, 2009 3:10 PM
To: Malasky, Gary; Montague, Joshua W.; Goldin, Steven; Burns, Bob; Wyner, Jonathan S.; Marshall, Malcolm
Cc: Welch, Kermit A.
Subject: RE: PGP Rent Reset

There are sections of the PGP residential lease where Ed Maginnis did show changes made to comply with HUD rqtgs (where we could). Josh, if you do not have access, I will scan and send.

From: Malasky, Gary
Sent: Friday, December 04, 2009 3:01 PM
To: Montague, Joshua W.; Goldin, Steven; Doggett, Rosalyn; Burns, Bob; Wyner, Jonathan S.; Marshall, Malcolm
Cc: Welch, Kermit A.
Subject: RE: PGP Rent Reset

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Gary

Gary Malasky
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600 Fifth Street, NW
Washington, DC 20001
202-962-1504

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Sent: Friday, December 04, 2009 1:36 PM
To: Doggett, Rosalyn; Malasky, Gary; Burns, Bob; Wyner, Jonathan S.; Marshall, Malcolm
Cc: Welch, Kermit A.; Montague, Joshua W.
Subject: FW: PGP Rent Reset

Please respond to Josh directly but Reply to All

From: Welch, Kermit A.
Sent: Friday, December 04, 2009 8:51 AM
To: Doggett, Rosalyn; Goldin, Steven
Cc: Bottigheimer, Nat; Heppen, Bruce P.; O'Keeffe, Carol B.; Montague, Joshua W.; Scales, Phillip
Subject: RE: PGP Rent Reset

Steve,

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Thanks,
Kermit

From: Doggett, Rosalyn
Sent: Thursday, December 03, 2009 11:11 AM
To: Montague, Joshua W.; Welch, Kermit A.; Goldin, Steven; Bottigheimer, Nat
Subject: PGP Rent Reset

The relevant page from the Prince George's Plaza residential lease is attached. It has a rent reset after 42 years, not 50 years as expressed by Omar yesterday.

I spoke today with Russ Conlon, HUD field office attorney, who worked with us on the PGP lease. He confirmed that FHA insurance remains in place for 40 years. I asked him if there were some new requirement that there be an additional 10 year level rent period, and he said "no."

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600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, December 03, 2009 9:53 AM
To: Montague, Joshua W.
Subject: FW: METRO - Requested information on Florida Avenue Project
Attachments: Memo on Shaw-Howard from O'Keeffe.pdf; Shaw-Howard Fr Bottigheimer.pdf

Josh, REALLY small point

Carol's memo says the solicitation was issue in Oct 2007. Correct date is Aug 2007

From: Bottigheimer, Nat
Sent: Thursday, December 03, 2009 8:50 AM
To: Goldin, Steven; Doggett, Rosalyn; Montague, Joshua W.; Heppen, Bruce P.
Subject: FW: METRO - Requested information on Florida Avenue Project

Fyi, this information went out last night.

From: Sequeira, Loyda
Sent: Wednesday, December 02, 2009 9:09 PM
To: aciancol@naco.org; catherine.hudgins@fairfaxcounty.gov; cz.arl@verizon.net; czimmerman@arlingtonva.us; ehewlett@shhpa.com; jeff.mckay@fairfaxcounty.gov; jim@grahamwone.com; linton_200@msn.com; mbrown@dccouncil.us; Neil.Albert@dc.gov; nomolos@verizon.net; peter.metro@verizon.net; Sequeira, Loyda; william.euille@alexandriava.gov; wmeuille@wdeuille.com
Cc: Pant, Shiva K.; Bottigheimer, Nat; O'Keeffe, Carol B.; Green, Jennifer A.
Subject: METRO - Requested information on Florida Avenue Project

Dear Chairman Graham and Members of the Board,

As per your request at the last Executive Session of the Board, earlier today the GM asked me to send you the attached information. They are:

1. Memo from Carol O'Keeffe regarding Best and Final offer
2. Memo from Nat Bottigheimer regarding payment reset

Thank you.

Loyda Sequeira-Castillo
Direct: 202-962-1816

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, December 01, 2009 3:41 PM
To: Goldin, Steven
Subject: Accepted: Florida Avenue

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, November 25, 2009 3:32 PM
To: Montague, Joshua W.
Subject: RE: Florida Avenue

Don't dwell on this too much. I think that they are merely saying that if all goes well on the density front, they would be paying 50 to 100% more than base.

Have a good holiday.

From: Montague, Joshua W.
Sent: Wednesday, November 25, 2009 2:49 PM
To: Doggett, Rosalyn
Subject: RE: Florida Avenue

Roz,

Question about the appraisal for you. I thought that the appraisal was based on 100,711 FAR sf. I also thought that the increased capitalized rent due to increased density was done at the appraised rate.

Is this correct? If so, is the developer's contention that they are paying 50% to 100% more than land appraised value in Item 1(c) misleading? Or am I misinterpreting how we appraised the property?

Thanks,

Josh

From: Doggett, Rosalyn
Sent: Wednesday, November 25, 2009 12:13 PM
To: Montague, Joshua W.
Subject: FW: Florida Avenue

From: Goldin, Steven
Sent: Wednesday, November 25, 2009 11:18 AM
To: Bottigheimer, Nat; Doggett, Rosalyn
Subject: Florida Avenue

Roz

Any comments ?

Steven E. Goldin
Director, Station Area Planning & Asset Management
Washington Metropolitan Area Transit Authority
sgoldin@wmata.com
202-962-2616

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, November 25, 2009 1:32 PM
To: Goldin, Steven
Subject: FW: Florida Avenue
Attachments: JDLEASES FY 09.xls

Fyi

The attached table is not up to date

From: Montague, Joshua W.
Sent: Wednesday, November 25, 2009 12:35 PM
To: Doggett, Rosalyn
Subject: RE: Florida Avenue

Roz,

Is the GM/Board aware that we are taking the Capitalized Lease payment so as to avoid the Co-Tenancy arrangement? Should that be part of their consideration? Otherwise we wouldn't want to take a capitalized lease payment based on an appraisal in today's market, right? The Co-Tenancy arrangement certainly wasn't part of the developer's plan since day one.

Also, Joel Washington gave me a document that had a listing of the major terms of each of the Leases in our JD program. That listing said that (i) one of the Bethesda buildings and (ii) the Dupont Circle project would be re-appraised every 10 years to reset the rent within the ongoing lease term. I am not familiar enough with these projects to state whether they are comparable though. You probably already have this, but I am attaching it hereto just in case.

Josh

From: Doggett, Rosalyn
Sent: Wednesday, November 25, 2009 12:13 PM
To: Montague, Joshua W.
Subject: FW: Florida Avenue

From: Goldin, Steven
Sent: Wednesday, November 25, 2009 11:18 AM
To: Bottigheimer, Nat; Doggett, Rosalyn
Subject: Florida Avenue

Roz

Any comments ?

Steven E. Goldin
Director, Station Area Planning & Asset Management
Washington Metropolitan Area Transit Authority
sgoldin@wmata.com
202-962-2616

Doggett, Rosalyn .

From: Doggett, Rosalyn
Sent: Wednesday, November 25, 2009 12:12 PM
To: Montague, Joshua W.
Subject: FW: Florida Avenue

From: Doggett, Rosalyn
Sent: Wednesday, November 25, 2009 11:41 AM
To: Goldin, Steven
Subject: RE: Florida Avenue

I would like to have a clause that says something like "irrespective of the factual accuracy of the developer's statement." I just don't want the statements to be granted authenticity merely because they are sent around.

The factual information about Dunn Loring is erroneous in certain respects, e.g. 60,000 sf of retail, not 30,000 sf.

Banneker did not propose HUD 220 financing "from day one." Such financing is not evident in its 10/5/07 proposal, and when asked to provide affordable housing, they initially said that they would use the low income housing tax credit program which allows developers to use bonds and convert to market rate housing after 15 years, absent Inclusionary Zoning.

And so on.

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To: Bottigheimer, Nat; Doggett, Rosalyn
Subject: Florida Avenue

Roz

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202-962-2616

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, November 25, 2009 12:13 PM
To: Montague, Joshua W.
Subject: FW: Florida Avenue
Attachments: Banneker Final Response 11.24.09.doc

From: Goldin, Steven
Sent: Wednesday, November 25, 2009 11:18 AM
To: Bottigheimer, Nat; Doggett, Rosalyn
Subject: Florida Avenue

Roz

Any comments ?

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To: Bottigheimer, Nat; Doggett, Rosalyn
Subject: Florida Avenue

Roz

Any comments ?

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Director, Station Area Planning & Asset Management
Washington Metropolitan Area Transit Authority
sgoldin@wmata.com
202-962-2616

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, November 24, 2009 3:06 PM
To: Goldin, Steven
Subject: FW: Florida Avenue

From: Omar Karim [<mailto:okarim@bannekerventures.com>]
Sent: Monday, November 23, 2009 9:13 PM
To: Goldin, Steven
Cc: Anthony James Ives; Tiwana Hicks; Yohance S. Fuller; Doggett, Rosalyn; John Hagner; O'Keeffe, Carol B.; Bottigheimer, Nat
Subject: Re: Florida Avenue

Steve,

We will be providing you with our response tomorrow.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 office
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Goldin, Steven" <sgoldin@wmata.com>
Date: Thu, 19 Nov 2009 17:22:00 -0500
To: Omar A. Karim <okarim@bannekerventures.com>
Cc: Bottigheimer, Nat <NBottigheimer@wmata.com>; O'Keeffe, Carol B. <cokeeffe@wmata.com>; Doggett, Rosalyn <RDoggett@wmata.com>
Subject: Florida Avenue

Omar

The Board took no action today after discussing the matter. Following the meeting, staff has been directed to submit a memo to the Board on Wednesday 11/25/09, addressing these issues in order for the Board to reconsider the approval of a term sheet for the lease on 11/30/09:

- 1) The initial capitalized lease payment was deemed insufficient and must be increased.
- 2) The lack of a payment "reset" for the first 60 years was deemed unacceptable. The Board wants to see earlier resets and we propose a reset every ten years as a starting point for discussion.

The Real Estate TOD Team and attorneys in the Counsel's Office will be in a work session all day tomorrow. Understanding the short time frame in which we have to resolve this matter, or not, please get back to me on Monday 11/23/09.

Thank you

Steven E. Goldin
Director, Station Area Planning & Asset Management
Washington Metropolitan Area Transit Authority
sgoldin@wmata.com
202-962-2616

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Tuesday, November 24, 2009 9:32 AM
To: Meister, Mark K.
Subject: FW: Florida Avenue

Fyi
I spoke too soon

From: Omar Karim [<mailto:okarim@bannekerventures.com>]
Sent: Monday, November 23, 2009 9:13 PM
To: Goldin, Steven
Cc: Anthony James Ives; Tiwana Hicks; Yohance S. Fuller; Doggett, Rosalyn; John Hagner; O'Keefe, Carol B.; Bottigheimer, Nat
Subject: Re: Florida Avenue

Steve,

We will be providing you with our response tomorrow.

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(202) 393-5460 office
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Goldin, Steven" <sgoldin@wmata.com>
Date: Thu, 19 Nov 2009 17:22:00 -0500
To: Omar A. Karim <okarim@bannekerventures.com>
Cc: Bottigheimer, Nat <NBottigheimer@wmata.com>; O'Keefe, Carol B. <cokceffe@wmata.com>; Doggett, Rosalyn <RDoggett@wmata.com>
Subject: Florida Avenue

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Thank you

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Washington Metropolitan Area Transit Authority
sgoldin@wmata.com
202-962-2616

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, November 23, 2009 4:34 PM
To: Wyner, Jonathan S.
Subject: RE: Three web page projects

After Thanksgiving
I'm still doing a few factual additions to the newest three

From: Wyner, Jonathan S.
Sent: Monday, November 23, 2009 2:48 PM
To: Doggett, Rosalyn
Subject: RE: Three web page projects

Perhaps a "dummy" page...for Florida Avenue...i.e. at least the physical details as a place holder?

Much thanks..

jonathan

Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development
600 Fifth Street, NW, #5B-A
Washington, DC 20001
202/962-1577

From: Doggett, Rosalyn
Sent: Monday, November 23, 2009 2:44 PM
To: Wyner, Jonathan S.
Subject: Three web page projects

I have placed in my folder write-ups for:
Navy Yard (Station) East (Entrance)
Twinbrook
Prince George's Plaza

They need a little additional editing for consistency and a few missing factoids

Of my truly active projects (some like 1101 CT are latent active) only Florida Avenue—the most active-- does not have a page since its outcome is unclear.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

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To: Wyner, Jonathan S.
Subject: Three web page projects

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202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Monday, November 23, 2009 9:47 AM
To: Bottigheimer, Nat; O'Keeffe, Carol B.; Chu, Mable; Welch, Kermit A.; Dickerson, Tracie S.;
Montague, Joshua W.; Biondi, Marc E.; Heppen, Bruce P.
Subject: ULI Emerging Trends
Attachments: 2010EmergTrends.pdf

Per request.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, November 19, 2009 10:27 PM
To: Montague, Joshua W.
Cc: Montague, Joshua W.
Subject: FW: Florida Avenue

From: Goldin, Steven
Sent: Thursday, November 19, 2009 5:22 PM
To: Omar A. Karim
Cc: Bottigheimer, Nat; O'Keeffe, Carol B.; Doggett, Rosalyn
Subject: Florida Avenue

Omar

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Thank you

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sgoldin@wmata.com
202-962-2616

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, November 19, 2009 5:09 PM
To: Montague, Joshua W.
Subject: FW: Florida Avenue

I'm about to leave so can't send now any further back and forth

From: O'Keeffe, Carol B.
Sent: Thursday, November 19, 2009 5:08 PM
To: Goldin, Steven; Bottigheimer, Nat
Cc: Doggett, Rosalyn
Subject: RE: Florida Avenue

I would be less definite about the reset every 10 years and say that the Board wants earlier resets and we propose every 10 years as a starting point for discussion. The Board may have been that definite, but I would check with Shiva.

From: Goldin, Steven
Sent: Thursday, November 19, 2009 3:49 PM
To: Bottigheimer, Nat; O'Keeffe, Carol B.
Cc: Doggett, Rosalyn
Subject: Florida Avenue

Nat/Carol

I spoke to Omar Karim and advised him of the items below, as well as the Board's discussion of possibly doing a BaFO with the original RFP respondents. I told him that my focus was going to be the two items below and he asked for an e-mail confirming this. He immediately brought up the "impossibility", due to HUD financing, of doing the resets. He cited "five other deals" WMATA has done with HUD financing and that therefore we should know that such a request is infeasible. I reminded him that I was merely conveying what I had been told by the Board. He may be positioning for litigation and I wanted you both to see my proposed response below and suggest any changes.

Steve

Omar

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Thank you

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Washington Metropolitan Area Transit Authority
sgoldin@wmata.com
202-962-2616

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, November 19, 2009 5:05 PM
To: Montague, Joshua W.
Subject: FW: Florida Avenue

Fyi

It looks ok to me, and I was not an addressee anyway.

From: Goldin, Steven
Sent: Thursday, November 19, 2009 3:49 PM
To: Bottigheimer, Nat; O'Keeffe, Carol B.
Cc: Doggett, Rosalyn
Subject: Florida Avenue

Nat/Carol

I spoke to Omar Karim and advised him of the items below, as well as the Board's discussion of possibly doing a BaFO with the original RFP respondents. I told him that my focus was going to be the two items below and he asked for an e-mail confirming this. He immediately brought up the "impossibility", due to HUD financing, of doing the resets. He cited "five other deals" WMATA has done with HUD financing and that therefore we should know that such a request is infeasible. I reminded him that I was merely conveying what I had been told by the Board. He may be positioning for litigation and I wanted you both to see my proposed response below and suggest any changes.

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Thank you

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Washington Metropolitan Area Transit Authority
sgoldin@wmata.com
202-962-2616

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, November 19, 2009 3:38 PM
To: Montague, Joshua W.
Subject: Accepted: Florida Avenue Insurance Language comparison

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, November 19, 2009 11:41 AM
To: Mohsberg, Sid
Cc: Goldin, Steven; Bottigheimer, Nat; Meister, Mark K.; Wallace, Maria A
Subject: RE: FINAL GM Goals October Update

Then it is all right as is since that was the status as of Oct 31.

From: Mohsberg, Sid
Sent: Thursday, November 19, 2009 11:04 AM
To: Doggett, Rosalyn
Cc: Goldin, Steven; Bottigheimer, Nat; Meister, Mark K.; Wallace, Maria A
Subject: RE: FINAL GM Goals October Update

Roz,

In reviewing the correctness of the current wording, please be aware that this monthly report is as of 10/31/09. Changes since then will be reflected in the 11/30/09 or indeed 12/31/09 report.

Objectives: 4.2 Promote the region's economy and livable communities

Measure of Success; 4.2.1 Develop and negotiate three joint development solicitations or development agreement amendments for joint development

Strategy/Success:

- 1) Metro has entered into a Sale and Development Agreement for a phased sale of the Arlington Bus Garage property.
- 2) Metro and the developer have negotiated an amendment to the Term Sheet for the Shaw-Howard University (Florida Ave.) Joint Development Site. The Term Sheet will be presented to the Board in November 2009 to be followed in December 2009 by the Joint Development Agreement and Lease.
- 3) Metro anticipates completion of a Joint Development Agreement for the Navy Yard Chiller Plant property by December 31, 2009.

Lead: Nat Bottigheimer (lead), Carol O'Keeffe (support)

Contact Person: Sid Mohsberg

Thanks.

Sid

From: Meister, Mark K.
Sent: Thursday, November 19, 2009 9:17 AM
To: Doggett, Rosalyn
Cc: Goldin, Steven; Mohsberg, Sid; Bottigheimer, Nat
Subject: RE: FINAL GM Goals October Update

OK, thanks.

From: Doggett, Rosalyn
Sent: Thursday, November 19, 2009 9:07 AM
To: Meister, Mark K.
Cc: Goldin, Steven; Mohsberg, Sid; Bottigheimer, Nat
Subject: RE: FINAL GM Goals October Update

Will do after timing sorts out after board meeting

From: Meister, Mark K.
Sent: Thursday, November 19, 2009 9:03 AM
To: Doggett, Rosalyn
Cc: Goldin, Steven; Mohsberg, Sid; Bottigheimer, Nat
Subject: FW: FINAL GM Goals October Update

Roz,

Please update Objective 4.2.1 for Shaw-Howard/Florida Avenue and Navy Yard Chiller sites.

Mark

From: Mohsberg, Sid

Sent: Wednesday, November 18, 2009 7:18 PM

To: Ackerman, Heidi; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Chapman, Emma; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Goldin, Steven; Haldeman, Kristin M.; Harrington, Thomas; Jachles, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Johnston, Kasandra; Jones, Catherine; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Mohsberg, Sid; Peterson, Scott; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S.

Subject: FW: FINAL GM Goals October Update

All,

Last call. Any changes?

Sid

From: Potts, Gregory W.

Sent: Wednesday, November 18, 2009 6:24 PM

To: Stoffregen, Linda; Agard, Michele; Delinski, Jeffery P.; Sullivan, Judy R.; Thompson, Kim R.; Weiner, Jack; Hershorn, Julie G.; Mohsberg, Sid; Taylor, Lorraine K.; Terry, Billy; Overton, Holly; Bauer, Mary M.; Wynne, James; Rapoza, Samantha; Kelly, Matthew; Quillen, Amy-Celeste

Cc: Alexander, LaRisa A.

Subject: FINAL GM Goals October Update

All-

Attached is the latest GM Goals document that incorporates all of your October updates. Please take a quick review to make sure everything looks good. Let me know by COB tomorrow the 19th if you have any final edits. I'll plan to send to the ELT as an FYI on Friday the 20th.

Thanks to everyone for the updates!

Greg

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, November 19, 2009 9:43 AM
To: Montague, Joshua W.
Subject: RE: Florida Ave Insurance

Right now all I have is a staff mtg 10-12 on Tues

From: Montague, Joshua W.
Sent: Thursday, November 19, 2009 9:42 AM
To: Doggett, Rosalyn
Subject: RE: Florida Ave Insurance

Thank you!

Are there any times next week that you will be available to meet with Jim Hamilton?

From: Doggett, Rosalyn
Sent: Thursday, November 19, 2009 9:40 AM
To: Montague, Joshua W.
Subject: RE: Florida Ave Insurance

@ \$40M

From: Montague, Joshua W.
Sent: Thursday, November 19, 2009 8:38 AM
To: Doggett, Rosalyn
Subject: Florida Ave Insurance

Rosalyn,

Jim Hamilton (WMATA's new insurance manager) asked what the value of the constructed project will be at Florida Avenue.

Do you know this figure?

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, November 19, 2009 9:40 AM
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Subject: RE: Florida Ave Insurance

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Sent: Thursday, November 19, 2009 9:07 AM
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Cc: Goldin, Steven; Mohsberg, Sid; Bottigheimer, Nat
Subject: RE: FINAL GM Goals October Update

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Cc: Goldin, Steven; Mohsberg, Sid; Bottigheimer, Nat
Subject: FW: FINAL GM Goals October Update

Roz,

Please update Objective 4.2.1 for Shaw-Howard/Florida Avenue and Navy Yard Chiller sites.

Mark

From: Mohsberg, Sid
Sent: Wednesday, November 18, 2009 7:18 PM
To: Ackerman, Heidi; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Chapman, Emma; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Goldin, Steven; Haldeman, Kristin M.; Harrington, Thomas; Jachles, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Johnston, Kasondra; Jones, Catherine; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Mohsberg, Sid; Peterson, Scott; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S.
Subject: FW: FINAL GM Goals October Update

All,

Last call. Any changes?

Sid

From: Potts, Gregory W.
Sent: Wednesday, November 18, 2009 6:24 PM
To: Stoffregen, Linda; Agard, Michele; Delinski, Jeffery P.; Sullivan, Judy R.; Thompson, Kim R.; Weiner, Jack; Hershorn, Julie G.; Mohsberg, Sid; Taylor, Lorraine K.; Terry, Billy; Overton, Holly; Bauer, Mary M.; Wynne, James; Rapoza, Samantha; Kelly, Matthew; Quillen, Amy-Celeste
Cc: Alexander, LaRisa A.
Subject: FINAL GM Goals October Update

All-

Attached is the latest GM Goals document that incorporates all of your October updates. Please take a quick review to make sure everything looks good. Let me know by COB tomorrow the 19th if you have any final edits. I'll plan to send to the ELT as an FYI on Friday the 20th.

Thanks to everyone for the updates!

Greg

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, November 18, 2009 5:52 PM
To: Goldin, Steven; Bottigheimer, Nat
Cc: Mohsberg, Sid
Subject: Shaw Howard Term Sheets Comparison Table
Attachments: ShawHoward FL AveTerm Sheets Comparison 11-09.xlsx

I am making 20 copies of this table for the meeting tomorrow.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, November 18, 2009 5:53 PM
To: Meister, Mark K.; Montague, Joshua W.
Subject: FW: Shaw Howard Term Sheets Comparison Table
Attachments: ShawHoward FL AveTerm Sheets Comparison 11-09.xlsx

Forgot you two

From: Doggett, Rosalyn
Sent: Wednesday, November 18, 2009 5:52 PM
To: Goldin, Steven; Bottigheimer, Nat
Cc: Mohsberg, Sid
Subject: Shaw Howard Term Sheets Comparison Table

I am making 20 copies of this table for the meeting tomorrow.

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Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, November 18, 2009 3:51 PM
To: Goldin, Steven
Subject: FW: Shaw Howard
Attachments: ShawHowardComparison.xlsx

I think that we should fill in the npv; I would suggest \$2,050,000 since the original appraiser (Harps) said that the land value should hold for 18 months or more

From: Meister, Mark K.
Sent: Tuesday, November 17, 2009 12:06 PM
To: Doggett, Rosalyn
Subject: FW: Shaw Howard

FYI.

From: Montague, Joshua W.
Sent: Wednesday, November 04, 2009 6:55 PM
To: Marshall, Malcolm; Bottigheimer, Nat; Meister, Mark K.; O'Keeffe, Carol B.
Subject: RE: Shaw Howard

Updated to reflect latest version of the Term Sheet.

Please let me know if you see anything that should be changed.

Josh

From: Marshall, Malcolm
Sent: Wednesday, November 04, 2009 5:54 PM
To: Bottigheimer, Nat; Meister, Mark K.; Montague, Joshua W.; O'Keeffe, Carol B.
Subject: Shaw Howard

See attached comparison

Doggett, Rosalyn.

From: Doggett, Rosalyn
Sent: Monday, November 16, 2009 8:41 PM
To: Brown, Matthew
Subject: RE: BAIS 100538 Approve JDA and Lease for Shaw-Howard Florida Avenue

thanks

From: Brown, Matthew
Sent: Monday, November 16, 2009 6:00 PM
To: Doggett, Rosalyn
Subject: RE: BAIS 100538 Approve JDA and Lease for Shaw-Howard Florida Avenue

I approved it.

From: Doggett, Rosalyn
Sent: Monday, November 16, 2009 5:56 PM
To: Brown, Matthew
Subject: RE: BAIS 100538 Approve JDA and Lease for Shaw-Howard Florida Avenue

The 60-year capitalized lease amt. is \$2,050,000 plus modest cash flow participation and capital event participation. I was not trying to be coy in the last e-mail.

From: Brown, Matthew
Sent: Monday, November 16, 2009 5:44 PM
To: Doggett, Rosalyn
Subject: RE: BAIS 100538 Approve JDA and Lease for Shaw-Howard Florida Avenue

Thanks Rosalyn.

Do you have an estimate of the amount of proceeds that will go to the TIIF? I worry that the Board members may think that they have a lot of funds to play with.

Matt

From: Doggett, Rosalyn
Sent: Monday, November 16, 2009 5:39 PM
To: Brown, Matthew
Subject: FW: BAIS 100538 Approve JDA and Lease for Shaw-Howard Florida Avenue

Here is the story on MEAD 100538—with a dose of humor. Hope you can approve 1st thing a.m. and let me know by return e-mail.
Thanks, Roz

From: Mohsberg, Sid
Sent: Monday, November 16, 2009 5:26 PM
To: Doggett, Rosalyn
Subject: RE: BAIS 100538 Approve JDA and Lease for Shaw-Howard Florida Avenue

Roz,

Abort? You want to use public funds to abort something? Tsk, tsk.

Sid

From: Doggett, Rosalyn
Sent: Monday, November 16, 2009 5:23 PM
To: Sequeira, Loyda; Bottigheimer, Nat
Cc: Pasek, John; Mohsberg, Sid; Goldin, Steven
Subject: RE: BAIS 100538 Approve JDA and Lease for Shaw-Howard Florida Avenue

This is different. This is a follow-on to what was mailed to the Board on Friday. Friday's mailing asked them to consider a term sheet for Florida Ave. MEAD/BAIS 100527.

MEAD/BAIS 100538 assumes the Board will have approved a term sheet this coming Thursday November 16, which it may not. It then asks the Board to approve a joint development agreement and lease, which are based on the term sheet. In order to keep materials flowing for a December Board meeting and meet deadlines, we have initiated routing on 100538. If the term sheet is not approved on Nov 16, we will abort the routing for 100538.

From: Sequeira, Loyda
Sent: Monday, November 16, 2009 4:58 PM
To: Bottigheimer, Nat; Doggett, Rosalyn
Cc: Pasek, John
Subject: FW: BAIS 100538 Approve JDA and Lease for Shaw-Howard Florida Avenue

Hi,

I think I know the answer to this question but I don't want to make assumptions:
Is this different than what was mailed to the Board last Friday?

Thanks,

Loyda Sequeira-Castillo
Direct: 202-962-1816

From: Doggett, Rosalyn
Sent: Monday, November 16, 2009 1:55 PM
To: Sequeira, Loyda; Bellamy, Michelle A.; Hershorn, Julie G.
Cc: Bottigheimer, Nat; Goldin, Steven; Mohsberg, Sid; Montague, Joshua W.
Subject: BAIS 100538 Approve JDA and Lease for Shaw-Howard Florida Avenue

The BAIS is written as if the Board will have approved the term sheet this coming Thursday. I will initiate routing momentarily.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, January 07, 2009 4:21 PM
To: eric.smart@bolansmart.com
Subject: Re: Florida Avenue

I am relooking at his material now. I will need to be substantive.

With regard to your questions on the phone about contract timing, Joel was going to call you with me but then got busy. So, tomorrow morning I hope.

Rosalyn P. Doggett
Washington Metropolitan Area Transit Authority 600 Fifth St, NW Washington, DC 20001
Phone: 202 962 2208
Fax: 202 962 2396
rdoggett@wmata.com

>>> <eric.smart@bolansmart.com> 1/7/2009 3:19 PM >>>
Roz

On another note we have confirmed that at least in principle the DCHFA multifamily bond / tax credit program assumes interchangeability between market and affordable rental units, meaning same average units sizes are also assumed. Since the 20% requirement seems to have come along as an unexpected overlay it obviously begs the question(s) of how the project would have been otherwise approached from the beginning, including consideration of unit sizes, bedroom count and what comprises the affordability thresholds. Nothing new here.

Eric

On Mon, 05 Jan 2009 3:24:11 -0500 (EST), "Rosalyn Doggett"
<rdoggett@wmata.com> wrote:
> question 1- he is just fishing and has not lowered the gap question
> 2- not any longer than subsidies of other kinds (tax
> credits,
> etc.)
>
>
> Rosalyn P. Doggett
> Washington Metropolitan Area Transit Authority 600 Fifth St, NW
> Washington, DC 20001
> Phone: 202 962 2208
> Fax: 202 962 2396
> rdoggett@wmata.com
>
>
> >>> <eric.smart@bolansmart.com> 1/5/2009 1:01 PM >>>
> Roz
>
> Wonder if Omar may now be valuing the gap at \$1.0M, considerably less
> than previously asserted.
>
> Apart from obvious political factors, also wonder that with TIF as a
> form
> of tax related investment or abatement how long it would take the
> District, including City Council, to approve?
>
> Eric
>
> On Mon, 05 Jan 2009 11:01:26 -0500 (EST), "Rosalyn Doggett"
> <rdoggett@wmata.com> wrote:
> > Omar called. He said that the DMPED office wants to arrange a
> > meeting
> > to
> > "close the gap."
> > He will contact me on Wednesday about that and also our thoughts.
> >
> > He would like to get \$1 million of TIF funds as Monty Hoffman did.
> >
> > I asked him if he had discussed any city contribution to help close
> the

Doggett, Rosalyn

From: <eric.smart@bolansmart.com> [eric.smart@bolansmart.com]
Sent: Wednesday, January 07, 2009 3:19 PM
To: Doggett, Rosalyn
Subject: Re: Florida Avenue

Roz

On another note we have confirmed that at least in principle the DCHFA multifamily bond / tax credit program assumes interchangeability between market and affordable rental units, meaning same average units sizes are also assumed. Since the 20% requirement seems to have come along as an unexpected overlay it obviously begs the question(s) of how the project would have been otherwise approached from the beginning, including consideration of unit sizes, bedroom count and what comprises the affordability thresholds. Nothing new here.

Eric

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> 2- not any longer than subsidies of other kinds (tax credits,
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>
> Rosalyn P. Doggett
> Washington Metropolitan Area Transit Authority 600 Fifth St, NW
> Washington, DC 20001
> Phone: 202 962 2208
> Fax: 202 962 2396
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>>> <eric.smart@bolansmart.com> 1/5/2009 1:01 PM >>>
> Roz
>
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> of tax related investment or abatement how long it would take the
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>
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> > Omar called. He said that the DMPED office wants to arrange a
> > meeting
> > to
> > "close the gap."
> > He will contact me on Wednesday about that and also our thoughts.
> >
> > He would like to get \$1 million of TIF funds as Monty Hoffman did.
> >
> > I asked him if he had discussed any city contribution to help close
> > the
> > gap
> > like tax abatement, and the effective answer was "no."
> >
> > I asked him if he had changed any of his assumptions since his
> > assumptions
> > and results, even without affordable housing, were far more negative
> > than
> > what it appeared he had proposed to us before. He claimed that the
> > increased rent negotiated just before the Board presentation made it
> > so. In
> > short he has not changed any of his assumptions either.
> >
> > I said that I would go over his numbers (I need to) and be prepared

> > to discuss more concretely with him on Wednesday.
> >
> > Rosalyn P. Doggett
> > Washington Metropolitan Area Transit Authority 600 Fifth St, NW
> > Washington, DC 20001
> > Phone: 202 962 2208
> > Fax: 202 962 2396
> > rdoggett@wmata.com

> >
> >
> >
> >
> >

> --
> Eric Smart, Bolan Smart Associates, Inc.
> 1250 24th Street, NW, Suite 300, Washington, DC 20037 202-776-7740
> (direct), 202-841-2227 (cell), 202-371-1333 (BSA general)
> www.bolansmart.com

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Eric Smart, Bolan Smart Associates, Inc.
1250 24th Street, NW, Suite 300, Washington, DC 20037 202-776-7740 (direct), 202-841-2227
(cell), 202-371-1333 (BSA general) www.bolansmart.com

Florida Ave

Mailbox
& Sort

to RPD

Doggett, Rosalyn

From: Bottigheimer, Nat
Sent: Monday, March 15, 2010 9:04 AM
To: Doggett, Rosalyn; Pant, Shiva K.; Goldin, Steven; Green, Jennifer A.; O'Keeffe, Carol B.
Cc: Wallace, Maria A; Montague, Joshua W.; Bellamy, Michelle A.; Mohsberg, Sid
Subject: RE: Florida Avenue

no "Jim"

All—

The file that Roz just sent around is the definitive version of the deal summary table, modified by Roz this morning to be totally current. This can go out as an attachment to the memo along with the powerpoint presentation that was presented to the GM in the prebrief last Friday.

Thanks very much,

Nat

From: Doggett, Rosalyn
Sent: Monday, March 15, 2010 9:02 AM
To: Pant, Shiva K.; Goldin, Steven; Bottigheimer, Nat; Green, Jennifer A.; O'Keeffe, Carol B.
Cc: Wallace, Maria A; Montague, Joshua W.
Subject: Florida Avenue

Please see revised table

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Wednesday, November 25, 2009 2:49 PM
To: Doggett, Rosalyn
Subject: RE: Florida Avenue

Roz,

Question about the appraisal for you. I thought that the appraisal was based on 100,711 FAR sf. I also thought that the increased capitalized rent due to increased density was done at the appraised rate.

Is this correct? If so, is the developer's contention that they are paying 50% to 100% more than land appraised value in Item 1(c) misleading? Or am I misinterpreting how we appraised the property?

Thanks,

Josh

From: Doggett, Rosalyn
Sent: Wednesday, November 25, 2009 12:13 PM
To: Montague, Joshua W.
Subject: FW: Florida Avenue

From: Goldin, Steven
Sent: Wednesday, November 25, 2009 11:18 AM
To: Bottigheimer, Nat; Doggett, Rosalyn
Subject: Florida Avenue

Roz

Any comments ?

Steven E. Goldin
Director, Station Area Planning & Asset Management
Washington Metropolitan Area Transit Authority
sgoldin@wmata.com
202-962-2616

Doggett, Rosalyn

From: eric.smart@bolansmart.com
Sent: Wednesday, September 16, 2009 6:30 AM
To: Doggett, Rosalyn
Subject: Re: FW: Shaw-Howard/Florida Avenue Appraisal

Will review per your inquiries by mid morning Thursday. Eric

On Wed, 16 Sep 2009 4:21:58 -0500 (EST), "Doggett, Rosalyn" <RDoggett@wmata.com> wrote:
> I sent this over earlier today, I know. I would appreciate your thoughts on
> this vis a vis your prior understanding of the project costs , funding sources
> and revenues. Our appraisal was based on our footing the cost of affordable
> housing: 20% at 50%. Hence the large write-down to get to a \$1.98 M
> capitalized lease payment. In this latest financial model, we have added a
> PILOT, Sales Tax TIF and a 9% tax credit, yet we still end up in the same place
> with a \$1.98M capitalized lease. Therefore, I have to think that expenses have
> been increased greatly (and they have by my calculation of development cost/gsf)
> and income has been decreased (I have not looked at this yet). I don't know
> if you will have a chance to examine this in the a.m. Let me know if you will
> or won't. Thanks.
>
> From: Omar A. Karim [mailto:okarim@bannekerventures.com]
> Sent: Tuesday, September 15, 2009 9:25 AM
> To: Doggett, Rosalyn; Meister, Mark K.; Bottigheimer, Nat
> Cc: 'Maurice Perry'; aives@bannekerventures.com; 'Tiwana Hicks';
> Neil.Albert@dc.gov; Yohance S. Fuller; sgoldin@intercapholdings.com; Moneme,
> Emeka; Marshall, Malcolm
> Subject: RE: Shaw-Howard/Florida Avenue Appraisal
> Importance: High
>
> Nat, Mark and Rosalyn,
>
> As promised on Friday, attached please find our updated budget and 15 year
> residential and retail pro formas. Also as promised, by COB today, we will send
> you the updated Summary of the Term Sheet with our thoughts on Capital
> Participation, and by COB tomorrow we will send you an outline of the co-tenancy
> agreement.
>
> We look forward to meeting with you all on Friday to work out any remaining
> issues so that the Revised Term Sheet can go to the Planning, Development and
> Real Estate Committee on October 8th.
>
> Please call or email with any questions.
>
> Omar
>
>
> Omar A. Karim
> Banneker Ventures, LLC
> 729 15th Street, NW, Suite 400
> Washington, DC 20005
> (202) 393-5460 phone
> (202) 393-5462 fax
> (301) 523-1810 cell
> okarim@bannekerventures.com

>
>
>
> From: Bottigheimer, Nat [mailto:NBottigheimer@wmata.com]
> Sent: Thursday, September 10, 2009 10:03 PM
> To: Yohance S. Fuller; Omar A. Karim; Meister, Mark K.
> Cc: Maurice Perry; aives@bannekerventures.com; Tiwana Hicks;
Neil.Albert@dc.gov;
> John Hagner; Moneme, Emeka; Marshall, Malcolm; Doggett, Rosalyn;
> sgoldin@intercapholdings.com
> Subject: RE: Shaw-Howard/Florida Avenue Appraisal
>
> Yohance and Omar--
>
> I recognize neither of you may be able to review this material prior
> to
tomorrow
> morning's meeting among ourselves and Banneker, but I wanted to
> provide
our
> responses to Omar's comments below so that all involved in this
negotiation can
> be aware of the positions Metro staff will be taking and the basis for
these
> positions.
>
> Thanks very much.
>
> Nat
>
>
>
> _____
> From: Yohance (EOM) Fuller [yohance.fuller@dc.gov]
> Sent: Wednesday, September 09, 2009 6:28 PM
> To: Omar A. Karim; Meister, Mark K.
> Cc: Maurice Perry; aives@bannekerventures.com; Tiwana Hicks;
Neil.Albert@dc.gov;
> Bottigheimer, Nat; John Hagner; Moneme, Emeka; Marshall, Malcolm;
Doggett,
> Rosalyn
> Subject: RE: Shaw-Howard/Florida Avenue Appraisal Mark et al.,
>
> Per an email exchange with Nat earlier today -- there are only a few
outstanding
> items to resolve to get a term sheet in draft from and more
> importantly
get this
> on October's agenda. I don't see why we can't get all stakeholders at
> a
table
> and get these issues finally put to bed.
>
> Please set up a meeting this Friday, per our conversation last week.
> It
is
> imperative that we get these initial deal terms finalized by COB
Friday. I am
> available 2:30p and anytime thereafter.
>
> Regards,
>
> Yohance
>
>
>
> _____
> From: Omar A. Karim [mailto:okarim@bannekerventures.com]
> Sent: Wed 9/9/2009 5:21 PM
> To: 'Meister, Mark K.'
> Cc: 'Bottigheimer, Nat'; 'Moneme, Emeka'; 'Doggett,
Rosalyn'; 'Marshall,
> Malcolm'; Fuller, Yohance (EOM); Albert, Neil (EOM); 'Perry,
Maurice'; 'Tiwana
> Hicks'; aives@bannekerventures.com; 'Hagner, John'
> Subject: RE: Shaw-Howard/Florida Avenue Appraisal Mark,
>

- > Thank you for the email with your thoughts on the basic WMATA
- > Financial
- Terms.
- > Below are our comments:
- >
- > Capitalized Lease Payments
- > If we agree to all of the other terms, we could agree to pay the value of the
- > capitalized lease payment of \$1.98M that your appraiser put together.
- >
- > Please explain why you indicated that the value of the land was absent any
- > subsidies other than 4% tax credits. Based on our knowledge of projects that
- > include 20% affordable housing, and as discussed with you all on several
- > occasions, the value of the land would be zero if we had to do 20% affordable
- > housing and then we would still need some subsidies to cover the gap. We can't
- > think of one project in the District that includes 20% affordable housing that
- > is paying anywhere close to what we would pay WMATA AND these projects would
- > still need subsidies.
- >
- > We would not be willing to pay WMATA any portion of any subsidies that we obtain
- > for the project, let alone paying 80% of anything that we get. We've mentioned
- > this many times before as we believe that no project could move forward
- > with 20%
- > affordable housing and pay \$1.98M at closing for the land, without some
- > public
- > subsidies to help close the gap because of the inclusion of the affordable
- > housing units.
- >
- > Pre-Closing Payments
- > Okay with amounts but payments would be made quarterly.
- >
- > Additional Density
- > This is confusing. The portion of the alley that will be closed is 1,025 SF.
- > About ¾ will be deeded to WMATA and ¼ will be deeded to us as the purchasers of
- > the adjacent parcels that are next to the alley. Since we are
- > building
- a 5
- > story building, this would mean 512 SF x 5 stories = 2,560 SF would be
- > attributable to WMATA land. Based on your calculations of the value
- > of
- > the
- > land, this would mean that we would pay about \$16 per SF or \$42,000 in
- > additional capitalized rent at Lease execution. We could agree to
- > this
- increase
- > over the \$1.98M.
- >
- > Annual Operating Income Participation
- > We would agree to 1.5% of Effective Gross Income but would not run our Debt
- > Service Coverage at 1.25. We've never run our DSC at 1.25 as our project
- > couldn't be financed at this rate. We are using a 1.11 DSC because
- > HUD
- allows
- > this.
- >
- > Capital Event Participation
- > Any equity or member loans to receive a 20% return prior to WMATA receiving its
- > 10% of net proceeds. Member loans or equity are indistinguishable.

> We
> could
> agree that equity or member loans not to exceed 40% of the development
> costs.
>
> Term
> Initial term is 60 years with an option for the Developer to extend
> for
> another
> 39 years. Any annual escalation after the initial term to be at 1%,
> not 3%.
>
>
> After yesterday's meeting, we thought that we were much closer to
> resolving the
> financial issues with you all. However, based on the terms that you
> sent us
> this afternoon, it appears that you all want to continue to raise new
> issues and
> change old ones. We cannot send over a summary of open issues until
> we
> know
> where we are with the ones above.
>
> We welcome meeting with you again on Friday to try to come to some
> agreement on
> these terms.
>
> Omar
>
>
> Omar A. Karim
> Banneker Ventures, LLC
> 729 15th Street, NW, Suite 400
> Washington, DC 20005
> (202) 393-5460 phone
> (202) 393-5462 fax
> (301) 523-1810 cell
> okarim@bannekerventures.com
>
>
>
> From: Meister, Mark K. [mailto:MMeister@wmata.com]
> Sent: Wednesday, September 09, 2009 2:54 PM
> To: okarim@bannekerventures.com
> Cc: Bottigheimer, Nat; Moneme, Emeka; Doggett, Rosalyn; Marshall,
> Malcolm
> Subject: RE: Shaw-Howard/Florida Avenue Appraisal
>
> Omar,
>
> As discussed, please see attached Basic WMATA Financial Terms.
>
> Mark
>
>
> Mark K. Meister
> Acting Director
> Office of Station Area Planning and Asset Management Washington
> Metropolitan Area Transit Authority 600 Fifth Street, NW Washington,
> DC 20001
> Tel: 202-962-1589
> Fax: 202-962-2396
> Email: mmeister@wmata.com
>
>
>
> From: Omar Karim [mailto:okarim@bannekerventures.com]
> Sent: Wednesday, September 09, 2009 2:38 PM
> To: Meister, Mark K.
> Cc: Tiwana Hicks
> Subject: Re: Shaw-Howard/Florida Avenue Appraisal?
>
> Thanks.
>

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Wednesday, September 09, 2009 5:21 PM
To: Meister, Mark K.
Cc: Maurice' Perry; aives@bannekerventures.com; 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance S. Fuller; Doggett, Rosalyn; John' Hagner; Moneme, Emeka; Marshall, Malcolm; Bottigheimer, Nat
Subject: RE: Shaw-Howard/Florida Avenue Appraisal
Importance: High

Mark,

Thank you for the email with your thoughts on the basic WMATA Financial Terms. Below are our comments:

Capitalized Lease Payments

If we agree to all of the other terms, we could agree to pay the value of the capitalized lease payment of \$1.98M that your appraiser put together.

Please explain why you indicated that the value of the land was absent any subsidies other than 4% tax credits. Based on our knowledge of projects that include 20% affordable housing, and as discussed with you all on several occasions, the value of the land would be zero if we had to do 20% affordable housing and then we would still need some subsidies to cover the gap. We can't think of one project in the District that includes 20% affordable housing that is paying anywhere close to what we would pay WMATA AND these projects would still need subsidies.

We would not be willing to pay WMATA any portion of any subsidies that we obtain for the project, let alone paying 80% of anything that we get. We've mentioned this many times before as we believe that no project could move forward with 20% affordable housing and pay \$1.98M at closing for the land, without some public subsidies to help close the gap because of the inclusion of the affordable housing units.

Pre-Closing Payments

Okay with amounts but payments would be made quarterly.

Additional Density

This is confusing. The portion of the alley that will be closed is 1,025 SF. About ½ will be deeded to WMATA and ½ will be deeded to us as the purchasers of the adjacent parcels that are next to the alley. Since we are building a 5 story building, this would mean 512 SF x 5 stories = 2,560 SF would be attributable to WMATA land. Based on your calculations of the value of the land, this would mean that we would pay about \$16 per SF or \$42,000 in additional capitalized rent at Lease execution. We could agree to this increase over the \$1.98M.

Annual Operating Income Participation

We would agree to 1.5% of Effective Gross Income but would not run our Debt Service Coverage at 1.25. We've never run our DSC at 1.25 as our project couldn't be financed at this rate. We are using a 1.11 DSC because HUD allows this.

Capital Event Participation

Any equity or member loans to receive a 20% return prior to WMATA receiving its 10% of net proceeds. Member loans or equity are indistinguishable. We could agree that equity or member loans not to exceed 40% of the development costs.

Term

Initial term is 60 years with an option for the Developer to extend for another 39 years. Any annual escalation after the initial term to be at 1%, not 3%.

After yesterday's meeting, we thought that we were much closer to resolving the financial issues with you all. However, based on the terms that you sent us this afternoon, it appears that you all want to continue to raise new issues and change old ones. We cannot send over a summary of open issues until we know where we are with the ones above.

We welcome meeting with you again on Friday to try to come to some agreement on these terms.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005

(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: Meister, Mark K. [<mailto:MMeister@wmata.com>]
Sent: Wednesday, September 09, 2009 2:54 PM
To: okarim@bannekerventures.com
Cc: Bottigheimer, Nat; Moneme, Emeka; Doggett, Rosalyn; Marshall, Malcolm
Subject: RE: Shaw-Howard/Florida Avenue Appraisal

Omar,

As discussed, please see attached Basic WMATA Financial Terms.

Mark

Mark K. Meister
Acting Director
Office of Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001
Tel: 202-962-1589
Fax: 202-962-2396
Email: mmeister@wmata.com

From: Omar Karim [<mailto:okarim@bannekerventures.com>]
Sent: Wednesday, September 09, 2009 2:38 PM
To: Meister, Mark K.
Cc: Tiwana Hicks
Subject: Re: Shaw-Howard/Florida Avenue Appraisal?

Thanks.

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 office
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Meister, Mark K."
Date: Wed, 9 Sep 2009 14:22:28 -0400
To: Omar A. Karim <okarim@bannekerventures.com>
Subject: RE: Shaw-Howard/Florida Avenue Appraisal?
Omar,

I will have it to you within the next half hour.

Mark

From: Omar A. Karim [<mailto:okarim@bannekerventures.com>]
Sent: Wednesday, September 09, 2009 1:55 PM
To: Meister, Mark K.
Cc: 'Tiwana Hicks'
Subject: Shaw-Howard/Florida Avenue Appraisal?
Importance: High

Mark,

Any word on the update appraisal results?

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Tuesday, August 18, 2009 5:16 PM
To: 'Tiwana Hicks'; Doggett, Rosalyn
Cc: 'Maurice' 'Perry'; Medina, Ed; Moneme, Emeka; Montague, Joshua W.; Meister, Mark K.; Bushnaq, Tariq
Subject: RE: As-builts for Jazz @ Florida Avenue

Rosalyn,

Thank you.

Omar

From: Doggett, Rosalyn [mailto:RDoggett@wmata.com]
Sent: Tuesday, August 18, 2009 5:07 PM
To: Tiwana Hicks
Cc: Meister, Mark K.; Maurice' 'Perry'; Moneme, Emeka; 'Omar A. Karim'; Montague, Joshua W.; Bushnaq, Tariq; Medina, Ed
Subject: FW: As-builts for Jazz @ Florida Avenue

Attached are mechanical drawings, which show a small portion of a fan room above the tunnel in the northeast corner of the middle parcel. That area would need to be reserved as well. Its exact dimensions can be plotted against the property line when you complete the survey.

From: Ghanta, Venkata
Sent: Tuesday, August 18, 2009 4:39 PM
To: Doggett, Rosalyn
Cc: Bushnaq, Tariq
Subject: As-builts for Jazz @ Florida Avenue

Roz,
Please see the attached mechanical as-built drawings for Jazz@ Florida Avenue JD project.

Thanks..
Venkata

Venkata S. Ghanta
Joint/Adjacent Construction Engineer
WMATA Office of Joint Development and Adjacent Construction (JDAC)
3500 Pennsy Drive, Room C106
Landover, MD 20785

301-618-7737 Line
202-962-1573 Line
301-583-3006 Fax
vghanta@wmata.com
Visit the JDAC web page at
http://www.wmata.com/business/joint_development_opportunities/adjacent_construction_information.cfm

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Thursday, May 28, 2009 8:32 AM
To: Montague, Joshua W.
Subject: RE: Revised Florida Avenue Economic Terms Chart

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Red Category

I also left you a phone message, I think, about getting a read from Carol on procurement matters. Can you let me know how to proceed. I think that Nat would like an answer today.

From: Montague, Joshua W.
Sent: Wednesday, May 27, 2009 6:19 PM
To: Doggett, Rosalyn
Subject: RE: Revised Florida Avenue Economic Terms Chart

I am free.

From: Doggett, Rosalyn
Sent: Wednesday, May 27, 2009 5:18 PM
To: Montague, Joshua W.
Subject: FW: Revised Florida Avenue Economic Terms Chart
Importance: High

Let's try to find a little time tomorrow afternoon around 3 to review and craft revised language.

From: thicks [<mailto:thicks@bannekerventures.com>]
Sent: Wednesday, May 27, 2009 11:14 AM
To: Doggett, Rosalyn; Montague, Joshua W.
Cc: Maurice L. Perry; okarim@bannekerventures.com; eric.smart@bolansmart.com; Moneme, Emeka; Meister, Mark K.; Bottigheimer, Nat
Subject: Revised Florida Avenue Economic Terms Chart
Importance: High

Mrs. Doggett,
As a follow-up to our meeting yesterday, attached please find the revised Florida Avenue Economic Terms Chart. We look forward to receiving a final determination on the 5 remaining open items in the coming days. Please call us if you have any further questions. Thanks.
Tiwana

Tiwana Z. Hicks
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
Office: (202) 667-4110
Fax: (301) 565-4982
Cell: (202) 486-1863
thicks@bannekerventures.com

Doggett, Rosalyn

From: Goldin, Steven
Sent: Wednesday, November 24, 2010 6:24 PM
To: Doggett, Rosalyn; Mohsberg, Sid
Subject: Fw: BAR Update for 1/27/11 JDRE: Sale of Excess Metro Property on Florida Avenue NW

Is dunn loring on the exec?

From: Mohsberg, Sid
To: Bellamy, Michelle A.
Cc: Bottigheimer, Nat; Goldin, Steven; Meister, Mark K.; Burns, Bob
Sent: Tue Nov 23 14:54:23 2010
Subject: BAR Update for 1/27/11 JDRE: Sale of Excess Metro Property on Florida Avenue NW
Michelle,

Please update the BAR as follows:

JANUARY 27
Public Session
Action Agenda:

Joint Development and Real Estate Committee

PLJD	Sale of Excess Property at West Falls Church Service and Inspection Yard (N. Bottigheimer)
PLJD	Disposition of Metro Property on Florida Avenue, NW (N. Bottigheimer)

Thanks.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, October 14, 2009 1:59 PM
To: Bottigheimer, Nat; Goldin, Steven; Doggett, Rosalyn; Montague, Joshua W.
Subject: MEAD 100527 Approve Term Sheet for Sale of Shaw-Howard U./Florida Avenue Joint Development Site
Attachments: Shaw Howard Fl Ave Approve Term Sheet for Sale-m.pptx

All,

To advance the ball towards the goal line, we're proceeding with the MEAD and PowerPoint presentation (copy attached) on the basis of this being a joint development project sale. If during the process of approving MEAD 100527, (which includes CHOS, COUN, GMGR, SECT, etc. as approvers) someone wants to characterize this item in some other way, (e.g., an excess property sale), we will accordingly adjust the supporting documents.

As I understand it, this item will be addressed during a special Executive Session of the PDRE Cmte on 10/22/09.

Thanks.

Sid

-----Original Message-----

From: Bottigheimer, Nat
Sent: Wednesday, October 14, 2009 1:03 PM
To: Doggett, Rosalyn; Goldin, Steven
Cc: Montague, Joshua W.; Mohsberg, Sid
Subject: Re: Florida Ave note

I'm honestly not sure. Josh, can you check with Carol, please?
I asked Carol this same question last week but did not understand the answer.

----- Original Message -----

From: Doggett, Rosalyn
To: Goldin, Steven; Bottigheimer, Nat
Cc: Montague, Joshua W.; Mohsberg, Sid
Sent: Wed Oct 14 11:42:00 2009
Subject: FW: Florida Ave note

Nat, I am presuming this is a joint development sale and will write it up as such. Please let me know immediately if that is not the case.

In the attached pro forma, please note that the npv at time of sale will be less than the appraiser's price. However, the appraiser indicates in his report, pp. 36,37, that "Given the complexities of developing the subject site, the necessity of obtaining approvals and processing reviews and agreements relating to the WMATA easements and tunnels, and the difficulty of obtaining development financing in the current economic climate, the exposure time associated with the values set forth herein is estimated at 12 to 18 months or more."

Either the appraiser's reasoning would obtain or we would need to get from Banneker an additional payment at lease execution to make up the difference between \$2,092,000 and \$2,200,000.

The term sheet we sent out provided that if closing does not occur by 600 days from execution of a sales agreement that the price goes up 5.8% per year.

Doggett, Rosalyn

From: eric.smart@bolansmart.com
Sent: Wednesday, October 14, 2009 11:05 AM
To: Doggett, Rosalyn
Subject: RE: Florida Ave note
Attachments: FL Ave Oct 09-rev.pdf

Roz

Here it is, simplified, and rather sad considering all the background. Maybe you could sneak in a before and after when showing Steve.

Eric

On Wed, 14 Oct 2009 9:49:18 -0500 (EST), "Doggett, Rosalyn"

<RDoggett@wmata.com> wrote:

> Yes, please revise and send back

> I want to show Steve

>

> -----Original Message-----

> From: eric.smart@bolansmart.com [<mailto:eric.smart@bolansmart.com>]

> Sent: Wednesday, October 14, 2009 10:01 AM

> To: Doggett, Rosalyn

> Subject: RE: Florida Ave note

>

> Roz

>

> Probably silly for the just sent spread sheet to retain the 60 year analysis, but have not quite adjusted to the dramatically revised approach. Will modify format if more appropriate.

>

> Eric

>

>

> On Mon, 12 Oct 2009 7:23:01 -0500 (EST), "Doggett, Rosalyn"

> <RDoggett@wmata.com> wrote:

> > I am at a ULI course today but wanted to ask you to do an npv

> > Essentials \$100k down (previously paid)

> > Price paid \$2.2M 20 mo after effective date (Nov 2009?) Appraisal

> > says

> > \$2.2 M price should hold for 18 mo. or more 5.78% discount rate

> >

> > If this is unclear we can chat Wed a.m. or you can try me at my cell

> > 431 4904

> >

> >

> > From: eric.smart@bolansmart.com [eric.smart@bolansmart.com]

> > Sent: Monday, October 05, 2009 3:36 PM

> > To: Doggett, Rosalyn

> > Subject: RE: PGP

> >

> > Yes.

> >

> > On Mon, 05 Oct 2009 2:17:24 -0500 (EST), "Doggett, Rosalyn"

> > <RDoggett@wmata.com> wrote:

> > > Thank you. I will be reading in tandem with my review of their booklet.

> > >

> > > Steven Goldin wonders if you can stay after the PGP meeting for a general

> > > discussion with him. Please let me know.

> > >

> > > -----Original Message-----

> > > From: eric.smart@bolansmart.com [<mailto:eric.smart@bolansmart.com>]

> > > Sent: Monday, October 05, 2009 1:02 PM

> > > To: Doggett, Rosalyn

> > > Subject: PGP

> > >

> > > Roz

> > >

> > > Here is a first cut at modeling Taylor's new proposal. Cannot

Doggett, Rosalyn

From: Goldin, Steven
Sent: Wednesday, October 14, 2009 10:55 AM
To: Montague, Joshua W.; Doggett, Rosalyn
Subject: FW: WMATA Term Sheet for Shaw-Howard Parcels
Attachments: WMATA Term Sheet for Sale of Shaw-Howard-U-Florida Ave Site (Redline Ver).doc; WMATA Term Sheet for Sale of Shaw-Howard-U-Florida Ave Site (Clean Ver).doc

Importance: High

Does JDAC come into play for this project? How do we address their "6 month" review process in the context of this agreement?

From: Tiwana Hicks [<mailto:thicks@bannekerventures.com>]
Sent: Wednesday, October 14, 2009 10:49 AM
To: Montague, Joshua W.
Cc: Maurice' Perry; aives@bannekerventures.com; 'Omar A. Karim'; Neil.Albert@dc.gov; Yohance S. Fuller; Goldin, Steven; John' Hagner; Bottigheimer, Nat; Doggett, Rosalyn
Subject: WMATA Term Sheet for Shaw-Howard Parcels
Importance: High

Josh:

Attached for your review are the clean and redline versions of our comments to the WMATA Term Sheet. The redline shows our comments to the original version received on Friday, October 9th. It remains our goal that this Term Sheet move forward for Committee and Board approval on October 22nd. Let's continue to work diligently towards that objective. Please contact us with any questions you may have. Thanks.

Tiwana

Tiwana Z. Hicks
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, D.C. 20005
T: (202) 393-5460
F: (202) 393-5462
C: (202) 486-1863
thicks@bannekerventures.com

Doggett, Rosalyn

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Sent: Wednesday, October 14, 2009 10:49 AM
To: Montague, Joshua W.
Cc: Maurice' Perry; aives@bannekerventures.com; 'Omar A. Karim'; Neil.Albert@dc.gov; Yohance S. Fuller; Doggett, Rosalyn; John' Hagner; Bottigheimer, Nat; Goldin, Steven
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Attachments: WMATA Term Sheet for Sale of Shaw-Howard-U-Florida Ave Site (Redline Ver).doc; WMATA Term Sheet for Sale of Shaw-Howard-U-Florida Ave Site (Clean Ver).doc

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C: (202) 486-1863
thicks@bannekerventures.com

Doggett, Rosalyn

From: Goldin, Steven
Sent: Wednesday, October 14, 2009 10:09 AM
To: Doggett, Rosalyn; Montague, Joshua W.
Cc: Heppen, Bruce P.
Subject: RE: Florida Avenue - Draft Sale Term Sheet

good

From: Doggett, Rosalyn
Sent: Wednesday, October 14, 2009 9:46 AM
To: Goldin, Steven; Montague, Joshua W.
Cc: Heppen, Bruce P.
Subject: RE: Florida Avenue - Draft Sale Term Sheet

I just spoke to Josh. No, we have not heard from Banneker.

From: Goldin, Steven
Sent: Wednesday, October 14, 2009 9:42 AM
To: Montague, Joshua W.
Cc: Doggett, Rosalyn; Heppen, Bruce P.
Subject: RE: Florida Avenue - Draft Sale Term Sheet

Has anybody heard from Banneker or their attorney on the term sheet?
steve

From: Montague, Joshua W.
Sent: Friday, October 09, 2009 4:21 PM
To: Tiwana Hicks
Cc: Doggett, Rosalyn; Goldin, Steven; Heppen, Bruce P.; jhagner@wcsr.com
Subject: Florida Avenue - Draft Sale Term Sheet

Attached is an electronic version of the Term Sheet that was provided at today's meeting.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

The information contained in this email may be confidential and/or legally privileged. It has been sent for the sole use of the intended recipient(s). If the reader of this message is not an intended recipient, you are hereby notified that any unauthorized review, use, disclosure, dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please contact the sender by reply email and destroy all copies of the original message.

Doggett, Rosalyn

From: eric.smart@bolansmart.com
Sent: Wednesday, October 14, 2009 9:54 AM
To: Doggett, Rosalyn
Subject: RE: Florida Ave
Attachments: FL Ave Oct 09.pdf

Roz

Attached is the cash flow reflecting your indicated assumptions.

Eric

On Mon, 12 Oct 2009 7:23:01 -0500 (EST), "Doggett, Rosalyn"
<RDoggett@wmata.com> wrote:
> I am at a ULI course today but wanted to ask you to do an npv
> Essentials \$100k down (previously paid)
> Price paid \$2.2M 20 mo after effective date (Nov 2009?) Appraisal
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Doggett, Rosalyn

From: Goldin, Steven
Sent: Tuesday, October 13, 2009 1:29 PM
To: Bottigheimer, Nat
Cc: Doggett, Rosalyn; Marshall, Malcolm; Montague, Joshua W.; Wallace, Maria A
Subject: Banneker. Catoe Memo 10.13.09
Attachments: Banneker.Catoe Summary 10.13.09.doc

fyi

Steven E. Goldin
Director, Station Area Planning & Asset Management
Washington Metropolitan Area Transit Authority
sgoldin@wmata.com
202-962-2616

Doggett, Rosalyn

From: Wyner, Jonathan S.
Sent: Tuesday, October 13, 2009 9:21 AM
To: Doggett, Rosalyn
Subject: RE: Greenbelt web page

Much thanks!!

Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development
600 Fifth Street, NW
Washington, DC 20001
202/962-1577

From: Doggett, Rosalyn
Sent: Friday, October 09, 2009 1:52 PM
To: Wyner, Jonathan S.
Subject: Greenbelt web page

This is a project on what seems to be long term hold, with many issues
So this text can be considered a down payment since I have now to switch again to Florida Avenue

There are many images in t/Doggett/greenbelt that can be used
Note that there was in 2008 a new development program but that could not be approved before an assignment, which the Board was reluctant to do, so any images that show a different development program must be avoided

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Friday, October 09, 2009 4:21 PM
To: Tiwana Hicks
Cc: Doggett, Rosalyn; Goldin, Steven; Heppen, Bruce P.; jhagner@wcsr.com
Subject: Florida Avenue - Draft Sale Term Sheet
Attachments: Draft FL AVE Sale Term Sheet 100809.doc

Attached is an electronic version of the Term Sheet that was provided at today's meeting.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
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Washington, DC 20001
phone: (202) 962-1275

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Doggett, Rosalyn

From: Meister, Mark K.
Sent: Friday, October 09, 2009 1:52 PM
To: Montague, Joshua W.; Goldin, Steven; Heppen, Bruce P.; O'Keeffe, Carol B.
Cc: Doggett, Rosalyn
Subject: RE: Florida Avenue Draft Sale Term Sheet - UPDATED

Josh,

Looks good, however, there still is no timeframe in Section 2.1 for execution of the Definitive Agreement once the Board has approved.

Mark

From: Montague, Joshua W.
Sent: Friday, October 09, 2009 1:36 PM
To: Goldin, Steven; Heppen, Bruce P.; Meister, Mark K.; O'Keeffe, Carol B.
Cc: Doggett, Rosalyn
Subject: RE: Florida Avenue Draft Sale Term Sheet - UPDATED

Attached is an updated version of the Term Sheet.

Please note the following changes/issues:

1. Since this is apparently going to go before the Board on 10/22, the parties now have two months to take a Sale Agreement to the Board (in December).
2. The reversion language was changed so that the Developer has to commence excavation of building foundations within twelve (12) months of Closing, as opposed to just "commence construction."
3. The Term Sheet no longer refers to "Joint Development." Should it?

Please let me know if you have any comments or questions.

Thanks,

Josh

From: Goldin, Steven
Sent: Thursday, October 08, 2009 2:26 PM
To: Heppen, Bruce P.; Meister, Mark K.; Montague, Joshua W.; O'Keeffe, Carol B.
Cc: Doggett, Rosalyn
Subject: RE: Florida Avenue Draft Sale Term Sheet - UPDATED

Josh

Please incorporate all of the comments you have received and circulate a cleaned -up copy we can give to the developer tomorrow

Steve

From: Heppen, Bruce P.
Sent: Thursday, October 08, 2009 12:58 PM
To: Meister, Mark K.; Montague, Joshua W.; Goldin, Steven; O'Keeffe, Carol B.
Cc: Doggett, Rosalyn
Subject: RE: Florida Avenue Draft Sale Term Sheet - UPDATED

2. The Definitive Agreement, to be prepared initially by WMATA and presented by WMATA to the WMATA Board for approval within one month of Board Term Sheet approval, will be a Purchase and Sale Agreement ("Definitive Agreement"), together with all related documentation upon which WMATA and DEVELOPER mutually agree. The sale ("Closing") will take place at the earlier of twenty (20) months after the WMATA Board approves the Definitive Agreement or the start of construction of the Project. (Should a timeframe be identified for execution of the Definitive Agreement after Board approval?)

I agree with Mark's comment that there should be a timeframe (really a maximum number of months or perhaps a calendar year) for execution of the Definitive Agreement - since they have put this on a fast track for Board approval (as

I understand this, this calls for Board approval of the Definitive Agreement before Thanksgiving), we should require execution of the agreement on a similar fast track i.e. within 2 weeks of Board approval.

I think the second sentence of this provision should be rephrased to provide that the sale (closing) will take place no later than 20 months after Board approval of the project. Section 7.4 of the agreement contemplates that the 20 months is an absolute deadline. Our problem is generally with holding the developers to the deadlines rather than allowing them to start earlier. Section 7.9 contemplates that closing can occur as long as 12 months prior to the beginning of construction. I think the "either/or" language of the current 2nd sentence is confusing

From: Meister, Mark K.
Sent: Thursday, October 08, 2009 11:41 AM
To: Montague, Joshua W.; Goldin, Steven; Heppen, Bruce P.; O'Keeffe, Carol B.
Cc: Doggett, Rosalyn
Subject: RE: Florida Avenue Draft Sale Term Sheet - UPDATED

Josh,

Please see my comment at the end of Section 2 and proposed revision to Section 7.8.

Mark

From: Montague, Joshua W.
Sent: Thursday, October 08, 2009 10:56 AM
To: Goldin, Steven; Heppen, Bruce P.; O'Keeffe, Carol B.
Cc: Meister, Mark K.; Doggett, Rosalyn
Subject: Florida Avenue Draft Sale Term Sheet - UPDATED

A new draft of the term sheet is attached, updated with comments from Mark Meister.

Please work off of this version going forward.

Thanks,

Josh

From: Montague, Joshua W.
Sent: Wednesday, October 07, 2009 5:47 PM
To: Doggett, Rosalyn; Goldin, Steven
Cc: Meister, Mark K.; O'Keeffe, Carol B.; Heppen, Bruce P.
Subject: Florida Avenue Draft Sale Term Sheet

Attached is the updated draft of the term sheet. Please take a look and let me know what you think.

Please note while reviewing that Section 7.9 is a concept that has not totally been fleshed out and so your feedback here will be very helpful.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, DC 20001
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Attachments: Draft FL AVE Sale Term Sheet 100809.doc

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Steve

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From: Montague, Joshua W.
Sent: Thursday, October 08, 2009 5:31 PM
To: Goldin, Steven; Heppen, Bruce P.; Meister, Mark K.; O'Keeffe, Carol B.
Cc: Doggett, Rosalyn
Subject: RE: Florida Avenue Draft Sale Term Sheet - UPDATED
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Washington, DC 20001
phone: (202) 962-1275

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Doggett, Rosalyn

From: Goldin, Steven
Sent: Thursday, October 08, 2009 2:26 PM
To: Heppen, Bruce P.; Meister, Mark K.; Montague, Joshua W.; O'Keeffe, Carol B.
Cc: Doggett, Rosalyn
Subject: RE: Florida Avenue Draft Sale Term Sheet - UPDATED

Josh

Please incorporate all of the comments you have received and circulate a cleaned –up copy we can give to the developer tomorrow

Steve

From: Heppen, Bruce P.
Sent: Thursday, October 08, 2009 12:58 PM
To: Meister, Mark K.; Montague, Joshua W.; Goldin, Steven; O'Keeffe, Carol B.
Cc: Doggett, Rosalyn
Subject: RE: Florida Avenue Draft Sale Term Sheet - UPDATED

2. The Definitive Agreement, to be prepared initially by WMATA and presented by WMATA to the WMATA Board for approval within one month of Board Term Sheet approval, will be a Purchase and Sale Agreement ("Definitive Agreement"), together with all related documentation upon which WMATA and DEVELOPER mutually agree. The sale ("Closing") will take place at the earlier of twenty (20) months after the WMATA Board approves the Definitive Agreement or the start of construction of the Project. (Should a timeframe be identified for execution of the Definitive Agreement after Board approval?)

I agree with Mark's comment that there should be a timeframe (really a maximum number of months or perhaps a calendar year) for execution of the Definitive Agreement – since they have put this on a fast track for Board approval (as I understand this, this calls for Board approval of the Definitive Agreement before Thanksgiving), we should require execution of the agreement on a similar fast track i.e. within 2 weeks of Board approval.

I think the second sentence of this provision should be rephrased to provide that the sale (closing) will take place no later than 20 months after Board approval of the project. Section 7.4 of the agreement contemplates that the 20 months is an absolute deadline. Our problem is generally with holding the developers to the deadlines rather than allowing them to start earlier. Section 7.9 contemplates that closing can occur as long as 12 months prior to the beginning of construction. I think the "either/or" language of the current 2nd sentence is confusing

From: Meister, Mark K.
Sent: Thursday, October 08, 2009 11:41 AM
To: Montague, Joshua W.; Goldin, Steven; Heppen, Bruce P.; O'Keeffe, Carol B.
Cc: Doggett, Rosalyn
Subject: RE: Florida Avenue Draft Sale Term Sheet - UPDATED

Josh,

Please see my comment at the end of Section 2 and proposed revision to Section 7.8.

Mark

From: Montague, Joshua W.
Sent: Thursday, October 08, 2009 10:56 AM
To: Goldin, Steven; Heppen, Bruce P.; O'Keeffe, Carol B.
Cc: Meister, Mark K.; Doggett, Rosalyn
Subject: Florida Avenue Draft Sale Term Sheet - UPDATED

A new draft of the term sheet is attached, updated with comments from Mark Meister.

Please work off of this version going forward.

Thanks,

Josh

From: Montague, Joshua W.
Sent: Wednesday, October 07, 2009 5:47 PM

To: Doggett, Rosalyn; Goldin, Steven
Cc: Meister, Mark K.; O'Keeffe, Carol B.; Heppen, Bruce P.
Subject: Florida Avenue Draft Sale Term Sheet

Attached is the updated draft of the term sheet. Please take a look and let me know what you think.

Please note while reviewing that Section 7.9 is a concept that has not totally been fleshed out and so your feedback here will be very helpful.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
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Doggett, Rosalyn

From: Goldin, Steven
Sent: Thursday, October 08, 2009 12:27 PM
To: Meister, Mark K.; Montague, Joshua W.; Heppen, Bruce P.; O'Keeffe, Carol B.
Cc: Doggett, Rosalyn
Subject: RE: Florida Avenue Draft Sale Term Sheet - UPDATED

Sec. 7.6 the criteria for measurement is the sq footage approved by the District Planning Board and/or Building Dept., whichever is greater. And, if he should revise plans during const and end up with even more sf, then that is the controlling number

Sec 7.8 reversion...I assume that under 6.3 we keep the \$250,000?

Steve

From: Meister, Mark K.
Sent: Thursday, October 08, 2009 11:41 AM
To: Montague, Joshua W.; Goldin, Steven; Heppen, Bruce P.; O'Keeffe, Carol B.
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Sent: Thursday, October 08, 2009 11:41 AM
To: Montague, Joshua W.; Goldin, Steven; Heppen, Bruce P.; O'Keeffe, Carol B.
Cc: Doggett, Rosalyn
Subject: RE: Florida Avenue Draft Sale Term Sheet - UPDATED
Attachments: Draft FL AVE Sale Term Sheet 100809.doc

Josh,

Please see my comment at the end of Section 2 and proposed revision to Section 7.8.

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From: Montague, Joshua W.
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Sent: Wednesday, October 07, 2009 5:47 PM
To: Doggett, Rosalyn; Goldin, Steven
Cc: Meister, Mark K.; O'Keeffe, Carol B.; Heppen, Bruce P.
Subject: Florida Avenue Draft Sale Term Sheet
Attachments: Draft FL AVE Sale Term Sheet 100709.doc

Attached is the updated draft of the term sheet. Please take a look and let me know what you think.

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Sincerely,

Josh Montague

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Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Wednesday, October 07, 2009 3:13 PM
To: Doggett, Rosalyn
Subject: RE: draft FL Ave sale term sheet
Attachments: Draft FL AVE Sale Term Sheet 10-7-09 - JWM Redline.doc

See redline with comments attached.

Please let me know when you are free to discuss.

Josh

From: Doggett, Rosalyn
Sent: Wednesday, October 07, 2009 12:21 PM
To: Montague, Joshua W.
Subject: draft FL Ave sale term sheet

Josh please review as soon as possible. Steve wants a draft by COB. I have meetings all afternoon but could leave my 1 o'clock early. 2-3:30 is Emeka and 4 is about Dunn Loring, which I think I would have to stay for. But we can squeeze in something.

Thanks,
Roz

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Wednesday, October 07, 2009 10:42 AM
To: Doggett, Rosalyn
Subject: RE:
Attachments: Final FL AVE Term Sheet COUN 031808.doc

From: Doggett, Rosalyn
Sent: Wednesday, October 07, 2009 10:27 AM
To: Montague, Joshua W.
Subject: RE:

Just starting. Thanks. I'll be in touch with you.

From: Montague, Joshua W.
Sent: Wednesday, October 07, 2009 10:10 AM
To: Doggett, Rosalyn
Subject: RE:

Hi Roz,

Are you drafting? If so, let me know how I can help.

Josh

From: Doggett, Rosalyn
Sent: Tuesday, October 06, 2009 5:50 PM
To: Montague, Joshua W.
Subject: FW:

Please note item 2 below

From: Goldin, Steven
Sent: Tuesday, October 06, 2009 5:18 PM
To: Doggett, Rosalyn
Subject:

Also pls remind harps we need app by 1:00 on Friday

Term sheet draft tomorrow for internal review

Steven E. Goldin
Director, Station Area Planning & Asset Management
Washington Metropolitan Area Transit Authority
sgoldin@wmata.com
202-962-2616

Doggett, Rosalyn

From: Tiwana Hicks [thicks@bannekerventures.com]
Sent: Tuesday, October 06, 2009 11:02 AM
To: Doggett, Rosalyn
Cc: Montague, Joshua W.
Subject: RE: Florida Ave Properties/WMATA reserved areas

Thanks Rosalyn!

From: Doggett, Rosalyn [mailto:RDoggett@wmata.com]
Sent: Tuesday, October 06, 2009 10:21 AM
To: Tiwana Hicks
Cc: Montague, Joshua W.
Subject: FW: Florida Ave Properties/WMATA reserved areas

Tiwana,

This completes the review of our reserved areas by the engineering staff. The Siamese connection for fire hose is in a vent shaft in the public Right of Way on 8th St (west side) and south of parcel 2 so would not be a reservation affecting you all, as far as I can see:

From: Ghanta, Venkata
Sent: Tuesday, October 06, 2009 9:20 AM
To: Doggett, Rosalyn
Cc: Bushnaq, Tariq; Medina, Ed
Subject: RE: Florida Ave Properties/WMATA reserved areas

Sorry, I miss the attachment in the earlier e-mail.

Thank you,
Venkata

Roz,
WMATA reserved areas for the Florida Avenue properties will be Tunnels, Fan shafts and Siamese connection.
For your information, attached copy of as-built drawings which shows the location of Siamese connection.

Thank you,
Venkata

From: Bushnaq, Tariq
Sent: Friday, October 02, 2009 4:52 PM
To: Ghanta, Venkata
Cc: Doggett, Rosalyn
Subject: RE: Florida Ave Properties/WMATA reserved areas

Venakta,

Can you check with Ed Medina on Monday whether the tunnels and fan shafts are the only required WMATA reserved areas?

Thanks..Tariq

From: Bushnaq, Tariq
Sent: Friday, October 02, 2009 4:50 PM
To: Doggett, Rosalyn
Cc: Montague, Joshua W.; Robinson, Thomas; Ghanta, Venkata
Subject: Florida Ave Properties/WMATA reserved areas

Roz,

I will double check and get back to you.

Tariq

From: Doggett, Rosalyn
Sent: Friday, October 02, 2009 3:12 PM
To: Bushnaq, Tariq; Robinson, Thomas
Cc: Montague, Joshua W.
Subject: FW: Memo

Please confirm re WMATA facilities

From: Tiwana Hicks [<mailto:thicks@bannekerventures.com>]
Sent: Friday, October 02, 2009 10:26 AM
To: Doggett, Rosalyn
Cc: okarim@bannekerventures.com
Subject: Memo

Good Morning Mrs. Doggett,

When you get a chance, can you forward us the memo outlining how WMATA arrived at the sale/offer price agreed to yesterday. Additionally, our architects and engineers are ready to begin working on the Development Plans. As such, can you confirm that we have received all relevant information with respect to WMATA's Reserved Areas and Interests on the Site per the attached email. If not, can you provide us with any additional information we do not have. Thanks.

Tiwana

Tiwana Z. Hicks
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, D.C. 20005
T: (202) 393-5460
F: (202) 393-5462
C: (202) 486-1863
thicks@bannekerventures.com

Doggett, Rosalyn

From: Ghanta, Venkata
Sent: Tuesday, October 06, 2009 9:20 AM
To: Doggett, Rosalyn
Cc: Bushnaq, Tariq; Medina, Ed
Subject: RE: Florida Ave Properties/WMATA reserved areas
Attachments: WMATA reserved areas.PDF

Sorry, I miss the attachment in the earlier e-mail.

Thank you,
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Roz,
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thicks@bannekeventures.com

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Tuesday, October 06, 2009 9:05 AM
To: SAAM; Wyner, Jonathan S.
Subject: FW: Metro News Clips - Tuesday, October 6, 2009
Attachments: WPOST1.pdf; wjla2.pdf; myfoxdc3.pdf; wusa9.com4.pdf; wtopnews5.pdf; nytimes1.pdf; nydailynews2.pdf; nypost3.pdf

From: Taubenkibel, Steven
Sent: Tuesday, October 06, 2009 8:36 AM
To: Taubenkibel, Steven
Subject: Metro News Clips - Tuesday, October 6, 2009

To all:

Metro News

- 1) Woman Struck By Metrobus in District, http://www.washingtonpost.com/wp-dyn/content/article/2009/10/05/AR2009100503430_pf.html Washington Post, October 6, 2009
- 2) Woman Critically Injured By Metrobus In Northeast, <http://www.wjla.com/news/stories/1009/665804.html> WJLA TV 7 October 5
- 3) Pedestrian Hit By Metrobus In NE DC, http://www.myfoxdc.com/dpp/news/local/100509_pedestrian_hit_by_metro_bus_ne_dc WTTG TV 5 October 5
- 4) Pedestrian Struck By Metrobus, <http://www.wusa9.com/news/local/story.aspx?storyid=91947&catid=187> WUSA TV 9 October 5
- 5) Woman Struck By Bus Is Critically Injured, <http://www.wtopnews.com/?nid=25&sid=1779161> WTOP News, October 6

US Transit News

- 1) On First Day, New Chief Of MTA Greets Riders, http://www.nytimes.com/2009/10/06/nyregion/06mta.html?_r=1&pagewanted=print New York Times, October 6, 2009
- 2) On First Day, MTA Chairman Jay Walder Vows Concrete Plan of Action Within First 100 Days, http://www.nydailynews.com/ny_local/2009/10/05/2009-10-05_mta_chairman_jay_walder_rides_rails_on_first_day_in_office_says_bus.html New York Daily News, October 6, 2009
- 3) Loser Lawyers Cost MTA \$1 Million, http://www.nypost.com/f/print/news/local/loser_lawyers_cost_mta_aoiOrFwSe6MEZ3662wa46l New York Post, October 6, 2009

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Friday, October 02, 2009 5:39 PM
To: Ackerman, Heidi; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Goldin, Steven; Haldeman, Kristin M.; Harrington, Thomas; Hendren, Patricia; Jachies, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Johnston, Kasondra; Jones, Catherine; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Mohsberg, Sid; Peterson, Scott; Talala, Anabela; Wallace, Maria A; Wyner, Jonathan S.
Attachments: Board Items Preparation Milestones - 2009.xls

All:

Latest Board agenda/schedule is attached.

BAR: http://p590a3.wmata.com:7778/pls/bar/p_bar_public

Sid

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Sent: Friday, October 02, 2009 10:26 AM
To: Doggett, Rosalyn
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Attachments: FW: As-builts for Jazz @ Florida Avenue

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Doggett, Rosalyn

From: Malasky, Gary
Sent: Friday, October 02, 2009 9:47 AM
To: Doggett, Rosalyn
Subject: FW: DCRealEstate.com Newsletter - October 1st

Ashton Park Assoc article

Gary Malasky
WMATA
600 Fifth Street, NW
Washington, DC 20001
202-962-1504

From: DCRealEstate.com [mailto:ken@dcrealestate.ccsend.com] **On Behalf Of** DCRealEstate.com
Sent: Thursday, October 01, 2009 3:41 PM
To: Malasky, Gary
Subject: DCRealEstate.com Newsletter - October 1st

[Link to Web Version](#)

SPONSORS

Harvard Note
Plano New
Cosa in Metro
\$216,000 to \$275,000

Marriott and Donohoe Team Again to Open Courthouse Hotel

Marriott has added yet another link in its impressive chain of DC area hotels, a Residence Inn Hotel at the Courthouse Metro in Arlington. Located at 1425 North Adams Street, the **Residence Inn Arlington Courthouse** hotel's 176 suites replace what had been a vacant lot for almost 20 years. Marriott won the RFP in 2009, began construction in September of 2007 and opened its first rooms for business last month. [Read Full Story](#)

Velocity Condos Opens in Southwest DC

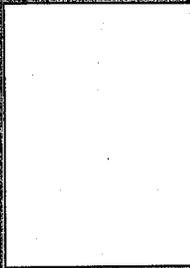
The **Cohen Companies** Velocity Condos, near the SE Navy Yard Metro and Nationals Stadium, hopes to entice buyers with their October 3rd and 4th "Grand Opening" event to celebrate completion of construction. Developers worked with **ADC** builders to create a condominium complex that promises to give on-the-go DC types a taste of downtown Manhattan in the middle of DC. Boasting standard "luxury" features like stainless steel and granite, Velocity hopes to entice very patient buyers to invest in the **Capitol Riverfront's** only new condo for sale. [Read Full Story](#)

Capitol Riverfront

Fully Renovated
with rental unit
\$1,499,000



Seawall Court
Southeast DC
New Condos
Units: 180,000
Open Sunday 1-4



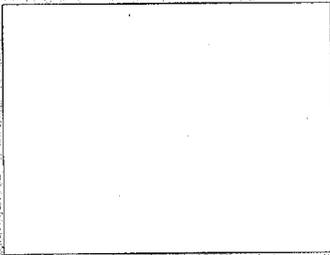
2718 St. NW
Fremont
\$1,830,000

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FOR NEWSLETTER

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ON TWITTER

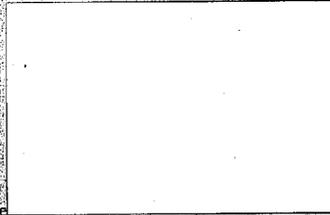
Developer Seeks Another Extension on SW Church

Today the **Zoning Commission** will consider magnanimously granting a second three-year extension to developer **Steve Tanner and his Square 643 Associates** for the **Old Friendship Baptist Church** in southwest Washington DC. The Commission's decision will determine whether the developer, who bought the property for \$550,000 in 2003, can continue waiting with fingers crossed for dramatic change in the SW neighborhood, or whether a denied extension and defunct PUD will mean a renewed effort or the end of the line. Turner has a bit more at stake than just the PUD; the property, advertised as 800 Delaware Avenue, has been on the market for over a year with an asking price of \$3.5 million. Certainly denying the PUD would put a damper on the price for a property that has not changed in an area that, according to the developer, has not seen much change either... [Read Full Story](#)



Ballston Bus Garage Gets Final OK for Founders Square

The **Arlington County Board** and **WMATA** agreed last week on final terms of sale for the former WMATA bus garage site for the final piece of the **Founders Square** puzzle. In Ballston, the site, at 675 North Randolph Street in Arlington, will be sold to **Ashton Park Associates, LLC (APA)**. Though APA was chosen as the developer and executed a sale agreement in June 2007 for the entire property, the developer had since requested a phased purchase due to financing issues. Under the amended sale agreement, APA, along with its managing affiliate, **The Shooshan Company**, can purchase the property in two or three phases as long as the sale is complete as of December 23, 2011 for the agreed upon \$25 million. The parties will close on the first phase in mid-November with **Clark Construction** set to dig in before the new year. [Read Full Story](#)

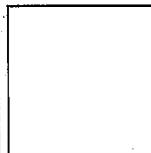


Florida Avenue Grill Celebrates 65th Anniversary this Saturday

The owner of DC's famed **Florida Avenue Grill** will host a 65th Anniversary celebration this Saturday, October 3rd, from 10am to 4pm. The event, honoring one of the city's oldest African-American establishments, will serve up southern food and music to the public to show its appreciation. The Grill, a must-visit site for DC's politicians and celebrities, is located just off U Street at Florida and 11th St., NW. The event is open to the public.



TO ADVERTISE ON THE DCREALESTATECOM NEWSLETTER, PHONE 202-588-1405, or email Jessica@dcrealestate.com

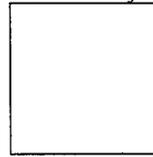


DCMud's weekly report on construction, development and real estate in the DC area. Have a suggestion for a story? Let us know.

[Forward email](#)



Email Marketing by



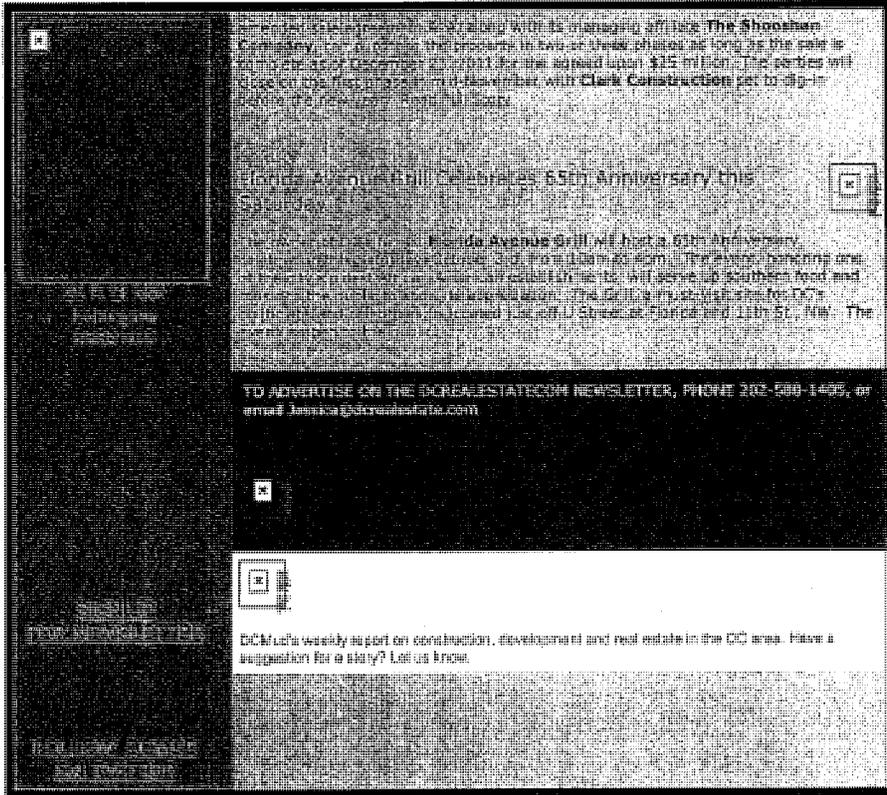
This email was sent to gmalasky@wmata.com by newsletter@dcrealestate.com.
[Update Profile/Email Address](#) | Instant removal with [SafeUnsubscribe™](#) | [Privacy Policy](#).
DCRealEstate.com | 1405 Rhode Island Avenue, NW | Washington | DC | 20005

Doggett, Rosalyn

From: DCRealEstate.com [ken@dcrealestate.ccsend.com] on behalf of DCRealEstate.com [newsletter@dcrealestate.com]
Sent: Thursday, October 01, 2009 3:42 PM
To: Doggett, Rosalyn
Subject: DCRealEstate.com Newsletter - October 1st

Link to [Web Version](#)

The screenshot shows a newsletter layout. On the left is a dark sidebar with the word "SPONSORS" at the top and several small, illegible logos. The main content area has a light background and contains three articles, each with a title, a small image icon, and a text block. The first article is titled "Marriott and Home/AC Teams Up to Open Courthouse" and includes a small image of a building. The second article is titled "Velocity Condos Opens In Southwest DC" and includes a small image of a building. The third article is titled "Developer Seeks Another Extension on SW Church" and includes a small image of a building. The text in the articles is partially obscured by a heavy grid pattern, likely a scanning artifact.



Forward email



This email was sent to rdoggett@wmata.com by newsletter@dcrealstate.com,
[Update Profile/Email Address](#) | [Instant removal with SafeUnsubscribe™](#) | [Privacy Policy](#).
DCRealEstate.com | 1405 Rhode Island Avenue, NW | Washington | DC | 20005

Email Marketing by



Doggett, Rosalyn

From: richard harps [rharps@earthlink.net]
Sent: Thursday, October 01, 2009 1:57 PM
To: Doggett, Rosalyn; Marshall, Malcolm
Subject: Fla 9th
Attachments: MM Memo 100109.pdf

attached

Harps & Harps Inc
1111 14th Street, NW Suite 600
Washington, DC 20005
202-682-2194
202-682-1579 (fax)
rharps@earthlink.net

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Thursday, October 01, 2009 11:59 AM
To: Doggett, Rosalyn
Subject: Florida Avenue

Did any developers discuss purchasing this property during the solicitation process?

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Thursday, October 01, 2009 10:32 AM
To: Goldin, Steven
Cc: Doggett, Rosalyn
Subject: RE: Approve Term Sheet for Sale of Shaw-Howard U./Florida Avenue Joint Development Site

Steve and Roz,

OPSV had added it, and this morning they removed it.

Sid

From: Goldin, Steven
Sent: Wednesday, September 30, 2009 3:27 PM
To: Mohsberg, Sid
Subject: Re: Approve Term Sheet for Sale of Shaw-Howard U./Florida Avenue Joint Development Site

Needs to be removed

From: Mohsberg, Sid
To: Goldin, Steven
Cc: Doggett, Rosalyn; Bottigheimer, Nat; Wallace, Maria A
Sent: Wed Sep 30 14:55:53 2009
Subject: Approve Term Sheet for Sale of Shaw-Howard U./Florida Avenue Joint Development Site
Steve,

The subject item has been added to the Executive Session agenda of the 10/8/09 PDRE Cmte as "Shaw-Howard University Station Agreement".
See: http://p590a3.wmata.com:7778/pls/bar/p_bar_public

Currently, the title of the PowerPoint presentation (copy attached) is "Approve Term Sheet for Sale of Shaw-Howard U./Florida Avenue Joint Development Site". The two titles need to match. Please decide what you want the title to be and let me know.

Per Nat, no materials for this item will be included in this Friday's mailout to the Board.

This morning, Roz raised a question about whether this is a joint development project or simply the sale of excess land. Nat said he would like to hear her thoughts about this before he shares his.

Important: Between now and the day the Board meets, 10/8/09, SAAM has to create a MEAD and get it approved by various parts of the staff. A week is not much time to get a MEAD approved.

Thanks.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Thursday, October 01, 2009 10:28 AM
To: Goldin, Steven; Doggett, Rosalyn
Cc: Bottigheimer, Nat
Subject: FW: Jazz @ Florida Avenue Project -- Updated Appraisal

Steve and Roz,

Please don't forward this message string to anyone, but I want you to know the current status -- at least as it was at 8:29 AM this morning.

Thanks.

Sid

From: Bottigheimer, Nat
Sent: Thursday, October 01, 2009 8:29 AM
To: Mohsberg, Sid
Subject: Fw: Jazz @ Florida Avenue Project -- Updated Appraisal

As the world turns...

From: Requa, Jack
To: Bottigheimer, Nat
Sent: Thu Oct 01 08:25:02 2009
Subject: Re: Jazz @ Florida Avenue Project -- Updated Appraisal

Thanks. Michelle has pulled it off for next week

From: Bottigheimer, Nat
To: Requa, Jack
Cc: Sequeira, Loyda
Sent: Thu Oct 01 08:24:02 2009
Subject: Fw: Jazz @ Florida Avenue Project -- Updated Appraisal

Fyi, Jack - I spoke with John yesterday, and he was going to speak with Graham and Albert.

Still don't know outcome.

From: Bottigheimer, Nat
To: Catoe, John B.; Pant, Shiva K.
Cc: Moneme, Emeka
Sent: Thu Oct 01 07:14:40 2009
Subject: Fw: Jazz @ Florida Avenue Project -- Updated Appraisal

John and Shiva-

This is a reminder, and a new update that Neil now seems to want this on next Thursday's PDRE agenda.

From: Yohance (EOM) Fuller
To: Bottigheimer, Nat; Goldin, Steven
Cc: Neil.Albert@dc.gov
Sent: Wed Sep 30 22:00:27 2009
Subject: Jazz @ Florida Avenue Project -- Updated Appraisal

Gents --

So I just learned that both parties are in agreement about the updated appraisal, as well as the price point, and recapture provisions for the Florida Avenue project.

Since both parties are indeed in agreement, Neil and I think it makes sense to include this project on the P,D & RE committee agenda for next Thursday's meeting. Since the edits to the appraisal were minor, I'm confident that we can get a final updated version by COB Thursday (10/1) and included in the packet to be sent out to Committee members on Friday (10/2).

I appreciate your diligence on this matter.

Regards,

Yohance

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, September 30, 2009 2:56 PM
To: Goldin, Steven
Cc: Doggett, Rosalyn; Bottigheimer, Nat; Wallace, Maria A
Subject: Approve Term Sheet for Sale of Shaw-Howard U./Florida Avenue Joint Development Site
Attachments: Shaw Howard Fl Ave Approve Term Sheet for Sale.pptx

Steve,

The subject item has been added to the Executive Session agenda of the 10/8/09 PDRE Cmte as "Shaw-Howard University Station Agreement".

See: http://p590a3.wmata.com:7778/pls/bar/p_bar_public

Currently, the title of the PowerPoint presentation (copy attached) is "Approve Term Sheet for Sale of Shaw-Howard U./Florida Avenue Joint Development Site". The two titles need to match. Please decide what you want the title to be and let me know.

Per Nat, no materials for this item will be included in this Friday's mailout to the Board.

This morning, Roz raised a question about whether this is a joint development project or simply the sale of excess land. Nat said he would like to hear her thoughts about this before he shares his.

Important: Between now and the day the Board meets, 10/8/09, SAAM has to create a MEAD and get it approved by various parts of the staff. A week is not much time to get a MEAD approved.

Thanks.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, September 30, 2009 1:13 PM
To: Wallace, Maria A
Cc: Doggett, Rosalyn; Bottigheimer, Nat; Goldin, Steven
Subject: Shaw Howard Presentation - with new slide
Attachments: Shaw Howard Fl Ave Approve Term Sheet for Sale.pptx

Maria,

This version has an additional slide (#4) compared to the version used for the GMGR's pre-brief this morning.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Tuesday, September 29, 2009 6:15 PM
To: Goldin, Steven; Doggett, Rosalyn; Bottigheimer, Nat
Cc: Wallace, Maria A
Subject: 9th & FL Ave Board Item: Metro PowerPoint Models
Attachments: Shaw Howard Fl Ave FURTHER extend negotiation period rev 4-m.ppt; BAIS 100376 Shaw Howard Lease.pdf; BCP Presentation 5-27-09m (2).ppt

Steve and Roz,

Here are the models we discussed.

The Shaw Howard presentation is in the new format. The BCP presentation is in the old format, but the story line and pictures are typical.

The Shaw Howard Board Action Information Summary (BAIS) is a typical example of a BAIS.

Nat needs a presentation to show Neal Albert tomorrow.

1:00 PM: SAAM delivers draft presentation to Nat for his review.
1:00 PM to 1:15 PM: Nat reviews presentation and delivers comments to SAAM.
1:15 PM to 2:00 PM: SAAM finalizes and prints presentation
2:00 PM to 2:30 PM: Nat travels to Wilson Building with presentation
2:30 PM to 3:30 PM: Nat meets with Neil Albert at Wilson Building on 9t & FL Ave item
3:30 PM to 4:00 PM: Personal Time
4:00 PM to 5:00 PM: Nat meets with Jim Graham at Wilson Building on 9t & FL Ave item

Roz: Please draft the 9th & FL Ave presentation early tomorrow morning using the new format reflected in the Shaw Howard FL Ave presentation.

I will then work with you to smooth it up.

Nat: Please confirm that tomorrow afternoon the 9th & FL Ave item will be discussed first with Neil Albert and then separately with Jim Graham.

See: <http://poetry.eserver.org/light-brigade.html>

Thanks.

Sid

Doggett, Rosalyn

From: Bottigheimer, Nat
Sent: Tuesday, September 29, 2009 8:38 AM
To: Smith, Candace E.
Cc: Goldin, Steven; Meister, Mark K.; Doggett, Rosalyn; O'Keeffe, Carol B.; Requa, Jack; Bottigheimer, Nat
Subject: RE: Graham meeting

We're meeting with Banneker this afternoon to try to finalize price.

We are scheduled to meet with Mr. Graham in his office tomorrow to discuss details of the project with him. We can elaborate on all of the information below in greater depth tomorrow if needed.

After trying for months to arrange a long-term lease, we shifted to a sale approach because the project design requires a building to cross property lines, and Counsel told us we could not lease property where we could not get our land back in the event of our partner's default.

A sale is much quicker than a lease from an agreement point of view – the parties just have to agree on price. That's what we're meeting about this afternoon.

Mr. Albert is adamant that this item be included on the October agenda. We're ok with that as long as our appraiser can comfortably sign off on the value. The Banneker team is contesting aspects of our appraiser's work, and we are meeting this afternoon to hear their concerns. If we and our appraiser agree with their points, the final price will reflect that. If we and the appraiser do not agree with their points, we will not agree to a sale below our appraiser's estimated value.

We gave the Banneker team two choices as to how to approach the sale value – one approach was to do a straight appraisal of the value of the land reflecting 8% mandatory inclusion affordable housing guidelines for the property. We told Banneker that we thought a sale value at that amount would not encounter delays from Maryland and Virginia Board members because it would be a straight sale based on appraised value -- a normal transaction. The other approach was to deduct from the value of the land the cost of providing affordable housing on the property at the levels called for in the Duke Plan. We told Banneker that this was a much less certain approach, because it would reduce the value of the land by 50% or more, and Maryland and Virginia Board members could easily balk at that. Banneker chose straight sale based on appraised value – the normal approach. We're now negotiating price.

Mr. Graham and Mr. Catoe should be aware of a few things:

- 1) The value we're looking at now is much less than was proposed initially by the Banneker team – the original present value offered was about \$14 million. It is about one quarter of that now. We can explain why – part is that the \$14 million number did not include deductions in value resulting from building over our tunnel, which would be a deduction deducted from ANY proposer's value; part is that the \$14 million number did not include deductions for including affordable housing (the reason being we wanted to compare offers on the basis of 0% affordable housing so there was a level playing field between proposals); and partly there's been a drastic reduction in development values due to the recession.
- 2) If the Board for any reason does not approve the sale to Banneker, or if staff are unable to reach agreement on price, the property would be available to be sold as excess property. This is a much simpler disposition process than joint development, and could be concluded by a sale to the highest bidder whose bid met or exceeded appraised value.
- 3) If we were to move in the direction of an excess property sale, we'd want to consider timing – this is not an optimal market to sell in. We might want to delay. However, if there are other considerations, the property could be disposed of immediately.
- 4) Sale of excess property would generate funds to WMATA's capital budget as opposed to the jurisdictions' TIF fund.

There may be some other points, but these are the key ones.

Thanks,

Nat

From: Smith, Candace E.
Sent: Monday, September 28, 2009 6:48 PM
To: Bottigheimer, Nat
Subject: FW: Graham meeting

Can you send me the latest and greatest about where we are on Florida Ave and what John should bring up?

Let's chat before 10 a.m. if needed.
Candace

Candace Smith
Office of the General Manager
Washington Metropolitan Area Transit Authority (Metro)
202-962-2583 (direct)
202-281-9064 (cell)

From: Lawson, Arthuro V.
Sent: Monday, September 28, 2009 11:51 AM
To: Smith, Candace E.
Cc: Sequeira, Loyda; Bottigheimer, Nat; Kline, Sarah A.; Wilson, Sara; Chisholm, Ann
Subject: RE: Graham meeting

Candace, in terms of the budget meeting location I forwarded a suggested list to others this morning I will send it to you if they intend to talk about this. We need to have a fairly large and fairly central location in the District since there will be just one meeting. I would recommend that he get the latest update from Nat on the Florida Avenue and 8th Street, NW joint development project in case Mr. Graham brings that up?

His staff had asked for WMATA FY 10 budget books. I intend to mail those today.

From: Smith, Candace E.
Sent: Monday, September 28, 2009 11:25 AM
To: Lawson, Arthuro V.
Subject: Graham meeting

Hi Art:

John will be meeting with Jim Graham tomorrow. Any issues he should bring up and be aware of so I can add them to his talking points?

Thanks

Candace Smith
Office of the General Manager
Washington Metropolitan Area Transit Authority (Metro)
202-962-2583 (direct)
202-281-9064 (cell)

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Monday, September 28, 2009 4:21 PM
To: Ackerman, Heidi; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Goldin, Steven; Haldeman, Kristin M.; Harrington, Thomas; Hendren, Patricia; Jachles, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Johnston, Kasondra; Jones, Catherine; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Mohsberg, Sid; Peterson, Scott; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S.
Subject: Board Items Preparation Milestones
Attachments: Board Items Preparation Milestones -2010.xls; Board Items Preparation Milestones - 2009.xls

The latest status.

Sid

Doggett, Rosalyn

From: richard harps [rharps@earthlink.net]
Sent: Friday, September 25, 2009 4:28 PM
To: Doggett, Rosalyn
Subject: Re: Shaw Howard Florida Avenue Properties Appraisal

Roz - Call me please

-----Original Message-----

From: "Doggett, Rosalyn"
Sent: Sep 25, 2009 3:50 PM
To: "okarim@bannekerventures.com", "Moneme, Emeka", "Bottigheimer, Nat", "Goldin, Steven", "Meister, Mark K.", "Marshall, Malcolm", "rharps@earthlink.net", "Yohance S. Fuller"
Subject: Shaw Howard Florida Avenue Properties Appraisal

When: Tuesday, September 29, 2009 3:00 PM-4:00 PM (GMT-05:00) Eastern Time (US & Canada).
Where: Room JGB 5B Land Conference

~~*~*~*~*~*~*~*~*

Harps & Harps Inc
1111 14th Street, NW Suite 600
Washington, DC 20005
202-682-2194
202-682-1579 (fax)
rharps@earthlink.net

Doggett, Rosalyn

From: Omar Karim [okarim@bannekervertures.com]
Sent: Friday, September 25, 2009 3:55 PM
To: Doggett, Rosalyn
Subject: Accepted: Shaw Howard Florida Avenue Properties Appraisal
Attachments: not supported calendar message.ics

Doggett, Rosalyn

From: Yohance (EOM) Fuller [yohance.fuller@dc.gov]
Sent: Friday, September 25, 2009 11:17 AM
To: Doggett, Rosalyn; Meister, Mark K.; Bottigheimer, Nat
Subject: RE: Comments to Appraisal of 700 and 800 blocks of Florida Avenue NW

Roz,

I just left you a message. Can you please give me a call, preferably before noon today. I can be reached at 202.538.1278.

Yohance

From: Doggett, Rosalyn [mailto:RDoggett@wmata.com]
Sent: Friday, September 25, 2009 9:40 AM
To: okarim@bannekerventures.com; Fuller, Yohance (EOM); Marshall, Malcolm; Meister, Mark K.; Bottigheimer, Nat
Cc: Maurice Perry; Anthony James Ives; Tiwana Hicks; Albert, Neil (EOM)
Subject: RE: Comments to Appraisal of 700 and 800 blocks of Florida Avenue NW

Omar, this will confirm the message that I left with your office. Since alternative arrangements were made for appraisal review by an MAI appraiser selected by you, there does not appear to be a need for a meeting today in our opinion. I called to see if you agree that there is no need for a meeting and to follow up on the alternative arrangement. I look forward to hearing from you.

Rosalyn

From: Omar Karim [mailto:okarim@bannekerventures.com]
Sent: Thursday, September 24, 2009 10:54 PM
To: Yohance S. Fuller; Doggett, Rosalyn; Marshall, Malcolm; Meister, Mark K.; Bottigheimer, Nat
Cc: Maurice Perry; Anthony James Ives; Tiwana Hicks; Neil.Albert@dc.gov
Subject: Re: Comments to Appraisal of 700 and 800 blocks of Florida Avenue NW
Importance: High

Nat and Roz,

Based on Mark's email below, please confirm that we are meeting tomorrow. Since we did not confirm a time, I assume the due to the lateness, the morning would be out and therefore, the afternoon would have to do. Can we meet @ 2:30 tomorrow?

Thanks.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 office
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Omar Karim"
Date: Thu, 24 Sep 2009 15:57:56 +0000
To: Mark K. Meister<MMeister@wmata.com>; Yohance Fuller<yohance.fuller@dc.gov>; Marshall, Malcolm<MMarshall@wmata.com>; Bottigheimer, Nat<NBottigheimer@wmata.com>; Rosslyn Doggett<rdoggett@wmata.com>
Subject: Re: Comments to Appraisal of 700 and 800 blocks of Florida Avenue NW
Mark,

If we meet tomorrow, since you will not be at the meeting, would Nat be present? We can meet first thing (9-11) or 2:30-5. If your appraiser provides you with additional info today, can you forward this to us prior to tomorrow's meeting so that we can review.

Thank you in advance.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 office
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Meister, Mark K."
Date: Thu, 24 Sep 2009 10:56:41 -0400
To: okarim@bannekerventures.com<okarim@bannekerventures.com>; Yohance S. Fuller<Yohance.Fuller@dc.gov>; Marshall, Malcolm<MMarshall@wmata.com>; Bottigheimer, Nat<NBottigheimer@wmata.com>; Doggett, Rosalyn<RDoggett@wmata.com>
Subject: RE: Comments to Appraisal of 700 and 800 blocks of Florida Avenue NW
Omar,

We are working with our appraiser to formulate a counteroffer to your offer of 9/22/09. As we are awaiting additional data from the appraiser, we are not in a position to meet today but anticipate being able to meet tomorrow. As I will be out of the office, I have asked Roz Doggett to contact you tomorrow, or later today if possible, to schedule a meeting.

Mark

Mark K. Meister
Program Manager, Real Estate
Office of Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001
Tel: 202-962-1589
Fax: 202-962-2396
Email: mmeister@wmata.com

From: Omar Karim [mailto:okarim@bannekerventures.com]
Sent: Thursday, September 24, 2009 10:26 AM
To: Yohance S. Fuller; Meister, Mark K.; Marshall, Malcolm; Bottigheimer, Nat; Doggett, Rosalyn
Cc: Maurice Perry; Anthony James Ives; Tiwana Hicks; Neil.Albert@dc.gov
Subject: Re: Comments to Appraisal of 700 and 800 blocks of Florida Avenue NW

Mark,

Wanted to confirm what time we are meeting today.

Thanks.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 office
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Fuller, Yohance (EOM)"
Date: Wed, 23 Sep 2009 17:05:49 -0400
To: Meister, Mark K.<MMeister@wmata.com>; Omar A. Karim<okarim@bannekerventures.com>; Marshall, Malcolm<MMarshall@wmata.com>; Bottigheimer, Nat<NBottigheimer@wmata.com>; Doggett, Rosalyn<RDoggett@wmata.com>
Subject: RE: Comments to Appraisal of 700 and 800 blocks of Florida Avenue NW
Mark,

Has a time been confirmed to meet tomorrow? I will be at JBG for the Committee and Board meeting. Perhaps we can meet right after those meetings? Please advise.

Yohance

From: Meister, Mark K. [mailto:MMeister@wmata.com]
Sent: Wednesday, September 23, 2009 11:38 AM
To: Omar A. Karim; Marshall, Malcolm; Bottigheimer, Nat; Doggett, Rosalyn
Cc: 'Maurice Perry'; 'Anthony Ives'; 'Tiwana Hicks'; Albert, Neil (EOM); Fuller, Yohance (EOM)
Subject: RE: Comments to Appraisal of 700 and 800 blocks of Florida Avenue NW

Omar,

We will make every effort to get this done tomorrow.

Mark

From: Omar A. Karim [mailto:okarim@bannekerverventures.com]
Sent: Wednesday, September 23, 2009 11:25 AM
To: Meister, Mark K.; Marshall, Malcolm; Bottigheimer, Nat; Doggett, Rosalyn
Cc: 'Maurice Perry'; 'Anthony Ives'; 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance S. Fuller
Subject: RE: Comments to Appraisal of 700 and 800 blocks of Florida Avenue NW

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Should Malcolm have any questions, I will be available all day to speak with him.

Thanks for the tremendous effort you and your team is putting toward getting this thing done.

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To: Omar A. Karim; Marshall, Malcolm; Bottigheimer, Nat; Doggett, Rosalyn
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Fax: 202-962-2396
Email: mmeister@wmata.com

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Cc: 'Maurice Perry'; 'Anthony Ives'; 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance S. Fuller
Subject: Comments to Appraisal of 700 and 800 blocks of Florida Avenue NW
Importance: High

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Total sq. ft.	28,376 sq. ft.	28,356.90 sq. ft.

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8,621 SF x 3.83 FAR = 33,018.43 SF
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Total developable SF = 102,048.08 SF

Thus, no premium should be added to this 102,048 SF because the Developer is unsure if it will be able to achieve its desired density on the adjacent parcels because the buildings that are part of the development may contribute to the 9th Street Historic District, and therefore, all, or part of the buildings may need to be kept, and therefore the Developer may not be able to demolish these buildings and as a result by not be able to build out to its desired FAR for the entire project. Moreover, if the buildings are not able to be fully demolished, the Developer will have to expend significant costs to maintain all or a portion of these structures. Thus, it is inappropriate to view the entirety of the development density generated by the WMATA sites and our sites as oppose to WMATA's stand alone sites, unless WMATA is willing to discount the price that the Developer is paying for the adjacent parcels as the price has a negative economic impact on the entire project.

3. Upon review of the comps in the appraisal, and discussion with an appraiser that we often work with for projects in this area, comps should only be used that are less than 12 months old. However, since there has been a lack of sales activity in this market, the appraiser indicated that it might use comps in the last 18 months (comps 3-6), but certainly not comps in 2006 and 2007. Thus, if comp 1 (which is almost 3 years old), comp 2 (which is 24 months old) and comp 3 (which is 20 months old) were removed from the comp chart, the average sales price is \$46 per FAR before any adjustments and before taking into account that the contract on the parcel at 1912 8th Street may not go for the price that its under contract for. If we use the appraiser's adjustment of 15% per year on each parcel (0.0125% deduct per month) the comp sales would indicate an adjusted price range of \$41.88 (comp 4), \$36.55 (comp 5) and \$38.25 (comp 6 assuming property closed w/n 12 months of contract) or **average of \$38.89 per FAR**. Thus, none of the last three comps sold for more than \$41.88 per FAR and therefore, we believe a comparable sales value would be no more than \$41.88 per FAR. If you added a location bump, we could accept a price of \$45 per FAR assuming we purchased the property within 12 months of approval of a purchase agreement.
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5. Adjustment to Value b/c of Inclusionary Zoning. A deduct to the overall value b/c of inclusion of the IZ should be calculated by taking into account the difference b/t what market rate units would generate and what IZ units would generate. Assuming that we have 8,163 SF attributed to the IZ units (8% of total buildable SF of project), and assuming that the market units would generate \$2.5 SF and the IZ units would generate \$1.5 SF, this would be a delta of \$1 per SF. Multiplying 8,163 x \$1 per SF x 12 months per year would generate a loss of \$97,956 (approx \$100,000) per year in loss revenue. Capping this at a 6.5% would generate a \$1.538M loss.
6. Adjustment to Value b/c of Extraordinary Costs (WMATA Easements and Tunnels): **\$2,300,000** (according to WMATA)

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Doggett, Rosalyn

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To: Yohance S. Fuller; Doggett, Rosalyn; Marshall, Malcolm; Meister, Mark K.; Bottigheimer, Nat
Cc: Maurice Perry; Anthony James Ives; Tiwana Hicks; Neil.Albert@dc.gov
Subject: Re: Comments to Appraisal of 700 and 800 blocks of Florida Avenue NW

Importance: High

Nat and Roz,

Based on Mark's email below, please confirm that we are meeting tomorrow. Since we did not confirm a time, I assume the due to the lateness, the morning would be out and therefore, the afternoon would have to do. Can we meet @ 2:30 tomorrow?

Thanks.

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From: "Omar Karim"
Date: Thu, 24 Sep 2009 15:57:56 +0000
To: Mark K. Meister<MMeister@wmata.com>; Yohance Fuller<yohance.fuller@dc.gov>; Marshall, Malcolm<MMarshall@wmata.com>; Bottigheimer, Nat<NBottigheimer@wmata.com>; Rosslyn Doggett<rdoggett@wmata.com>
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Doggett, Rosalyn

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okarim@bannekerventures.com

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From: Meister, Mark K.
Sent: Thursday, September 24, 2009 10:57 AM
To: okarim@bannekerventures.com; Yohance S. Fuller; Marshall, Malcolm; Bottigheimer, Nat; Doggett, Rosalyn
Cc: Maurice Perry; Anthony James Ives; Tiwana Hicks; Neil.Albert@dc.gov
Subject: RE: Comments to Appraisal of 700 and 800 blocks of Florida Avenue NW

Omar,

We are working with our appraiser to formulate a counteroffer to your offer of 9/22/09. As we are awaiting additional data from the appraiser, we are not in a position to meet today but anticipate being able to meet tomorrow. As I will be out of the office, I have asked Roz Doggett to contact you tomorrow, or later today if possible, to schedule a meeting.

Mark

Mark K. Meister
Program Manager, Real Estate
Office of Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
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Washington, DC 20001
Tel: 202-962-1589
Fax: 202-962-2396
Email: mmeister@wmata.com

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Doggett, Rosalyn

From: eric.smart@bolansmart.com
Sent: Thursday, September 24, 2009 8:26 AM
To: Doggett, Rosalyn
Subject: Re: FW: Comments to Appraisal of 700 and 800 blocks of Florida Avenue NW

Roz

Some quick comments on Omar's reasoning:

1. For size of lot, would say that price per sf of actual land area should become the reference, with WMATA surveying, or at least reviewing survey.
2. Why go with estimated FAR rather than actual achieved? If less, then maybe project may be somewhat less expensive to develop per achieved FAR, i.e. in area of tunnel deduct? Probably cannot quantify at this stage.
3. Suggestion that unencumbered value in 2009 of the property is \$45 per FAR is not outrageous.
4. In approximate agreement with valuing of affordable deduct.
5. I have no basis to comment on extraordinary deducts, but to say that it did not appear in Omar's earlier proformas.

Bottom line though is that a net of approximately \$25 per FAR including all the deducts may not be that far off for a hypothetical all cash sale deal forced to happen in 2009. Does not use ground lease tools or timing to advantage, but you know that anyway. Good luck, if that can possibly apply any more.

Eric

On Wed, 23 Sep 2009 3:08:30 -0500 (EST), "Doggett, Rosalyn"

<RDoggett@wmata.com> wrote:

> I am out of the office today (colonoscopy) so just opened this. Any comments from you will be appreciated. I just spoke to Mark, and I expect that he, Malcolm and I will meet at 9 tomorrow morning. Thanks.

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> Sent: Tuesday, September 22, 2009 6:24 PM

> To: Doggett, Rosalyn; Marshall, Malcolm; Meister, Mark K.; Bottigheimer, Nat

> Cc: 'Maurice Perry'; 'Anthony Ives'; 'Tiwana Hicks';

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8,621 sq. ft. 8,627.48 sq.ft.

> Total sq.
ft.

28,376 sq. ft. 28,356.90 sq. ft.

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> RECORD means information shown in the District of Columbia Surveyor's Office and SURVEY means information actually gathered by the surveyor during field surveys. Also, our surveyor performed research in the D.C. Surveyor's Office and found that Lot 0018 is no longer a valid lot. WMATA performed a subdivision on lots 0012 - 0018 to create lot 0031. The subdivision was completed on December 26, 1996.

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> 2. Total developable FAR SF of WMATA parcels should be as follows:

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> 15,945 SF x 3.35 FAR (developable FAR according to Eric Colbert, AIA, the appraiser's consultant) = 53,415.75 SF

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> 3,799 SF x 4.11 FAR = 15,613.89 SF

> Total developable SF = 102,048.08 SF

>

> Thus, no premium should be added to this 102,048 SF because the Developer is unsure if it will be able to achieve its desired density on the adjacent parcels because the buildings that are part of the development may contribute to the 9th Street Historic District, and therefore, all, or part of the buildings may need to be kept, and therefore the Developer may not be able to demolish these buildings and as a result by not be able to build out to its desired FAR for the entire project. Moreover, if the buildings are not able to be fully demolished, the Developer will have to expend significant costs to maintain all or a portion of these structures. Thus, it is inappropriate to view the entirety of the development density generated by the WMATA sites and our sites as oppose to WMATA's stand alone sites, unless WMATA is willing to discount the price that the Developer is paying for the adjacent parcels as the price has a negative economic impact on the entire project.

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> 3. Upon review of the comps in the appraisal, and discussion with an appraiser that we often work with for projects in this area, comps should only be used that are less than 12 months old. However, since there has been a lack of sales activity in this market, the appraiser indicated that it might use comps in the last 18 months (comps 3-6), but certainly not comps in 2006 and 2007. Thus, if comp 1 (which is almost 3 years old), comp 2 (which is 24 months old) and comp 3 (which is 20 months old) were removed from the comp chart, the average sales price is \$46 per FAR before any adjustments and before taking into account that the contract on the parcel at 1912 8th Street may not go for the price that its under contract for. If we use the appraiser's adjustment of 15% per year on each parcel (0.0125% deduct per month) the comp sales would indicate an adjusted price range of \$41.88 (comp 4), \$36.55 (comp 5) and \$38.25 (comp 6 assuming property closed w/n 12 months of contract) or average of \$38.89 per FAR. Thus, none of the last three comps sold for more than \$41.88 per FAR and therefore, we believe a comparable sales value would be no more than \$41.88 per FAR. If you added a location bump, we could accept a price of \$45 per FAR assuming we purchased the property within 12 months of approval of a purchase agreement.

>

>

>

> 4. Thus, the Unencumbered Value of the WMATA parcels would be \$45 per FAR x 102,048 or \$4,592,160.

>

>

> 5. Adjustment to Value b/c of Inclusionary Zoning. A deduct to the overall value b/c of inclusion of the IZ should be calculated by taking into account the difference b/t what market rate units would generate and what IZ units would generate. Assuming that we have 8,163 SF attributed to the IZ units (8% of total buildable SF of project), and assuming that the market units would generate \$2.5 SF and the IZ units would generate \$1.5 SF, this would be a delta of \$1 per SF. Multiplying 8,163 x \$1 per SF x 12 months per year would generate a loss of \$97,956 (approx \$100,000) per year in loss revenue. Capping this at a 6.5% would generate a \$1.538M loss.

>

>

>
> 6. Adjustment to Value b/c of Extraordinary Costs (WMATA
Easements and Tunnels): \$2,300,000 (according to WMATA)
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> However, the Developer would be willing to pay the following to
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> \$1,980,000 (amount that we agreed to pay in a capitalized lease)
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> TOTAL PAYMENTS TO WMATA \$2,545,000.00
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> We hope that we can meet tomorrow to wrap up the final terms of the
Revised Term Sheet.
>
> Thanks.
>
> Omar
>
>
> Omar A. Karim
> Banneker Ventures, LLC
> 729 15th Street, NW, Suite 400
> Washington, DC 20005
> (202) 393-5460 phone
> (202) 393-5462 fax
> (301) 523-1810 cell
> okarim@bannekerventures.com
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>
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Eric Smart, Bolan Smart Associates, Inc.
1250 24th Street, NW, Suite 300, Washington, DC 20037
202-776-7740 (direct), 202-841-2227 (cell), 202-371-1333 (BSA general)
www.bolansmart.com

Doggett, Rosalyn

From: Goldin, Steven
Sent: Wednesday, September 23, 2009 6:44 PM
To: Doggett, Rosalyn
Subject: RE: Development Proposal Sq 519 Congress Heights

Thanks Roz. I told the team this morning that in 6 months if they're not happy to blame you ☺ We will discuss
Steve

From: Doggett, Rosalyn
Sent: Wednesday, September 23, 2009 4:45 PM
To: Goldin, Steven
Subject: FW: Development Proposal Sq 519 Congress Heights
Importance: High

Steve, I look forward to seeing you tomorrow. This came in today, and, as I am at home, and have Florida Ave as a priority, I am not going to open it until tomorrow. However, you may want to consider to whom you want to assign this "unsolicited proposal." I and Jonathan met with Geoff and partners about two months ago. As I know Geoff both professionally and socially/civic affairs (but not closely), you may want to have one of the other staff handle it though I am glad to do it.
Regards, Roz

From: Geoffrey H. Griffis [ggriffis@citypartnersdc.com]
Sent: Wednesday, September 23, 2009 4:31 PM
To: Doggett, Rosalyn
Cc: Pat Strauss
Subject: Development Proposal Sq 519 Congress Heights

Dear Ms. Doggett:

CityPartners in joint venture with Sanford Capital is please to provide the attached proposal for development of the Alabama Avenue Congress Heights Metrorail Station, south side. As we have briefly discussed, Sanford City partners is in a unique position to enter into a development with WMATA as we have extensive experience with public-private partnerships, we currently control the adjacent site as well as numerous others in the immediate area, and we have a dynamic plan and the resources to implement it.

Please consider the attached proposal as an unsolicited offer and a vehicle to which we can enter into formal discussions for development of 1290 Alabama Avenue, SE, also known as Square 5914, Lots 02290160, 02290103, 0229015 in the District of Columbia (the Property).

Sanford City Partners will bring substantial added value to this WMATA land by combining its redevelopment with the parcel immediately adjacent that is owned by Sanford Capital. We are excited about the possibility of positively impacting this neighborhood, and look forward to working with WMATA to make that happen.

Please contact me at your earliest convenience regarding next steps.

Thank you

Geoffrey H. Griffis
CITYPARTNERS dc

1817 Adams Mill Rd NW
Suite 200
Washington, DC 20009
o 202.265.CITY
c 202.669.2546
f 202.265.2491

ggriffis@CityPartnersdc.com

Doggett, Rosalyn

From: Doggett, Rosalyn
Sent: Wednesday, September 23, 2009 5:41 PM
To: Doggett, Rosalyn
Subject: FW: Comments to Appraisal of 700 and 800 blocks of Florida Avenue NW
Importance: High

From: Doggett, Rosalyn
Sent: Wednesday, September 23, 2009 5:18 PM
To: Marshall, Malcolm
Cc: Meister, Mark K.
Subject: FW: Comments to Appraisal of 700 and 800 blocks of Florida Avenue NW

Malcolm, I don't know if you discussed this with Rick. I forwarded to Eric Smart a short time ago.

My initial thoughts are:

1. Yes we agree that we have less land area. You had planned to adjust for this in your review appraisal to the record plat numbers.
2. If this were offered for sale competitively we might, but not necessarily, have had it appraised at a lower number than the full FAR potential of @ 127,500 sf. (Rick Harps said that Eric Colbert's number was 113,000 sf not 102,000 sf as Banneker states) But it is not. The developer has told us that he plans to use at least 124,000 sf. Therefore, it is appropriate for us to look at the actuals. I would think that Banneker cannot have its cake and eat it, too. [Alternatively, we could ask for a higher number once zoning/alley closing approvals are obtained. However, this is not preferable since there will inevitably be many conditions asked by the developer]. Finally if Banneker believe that land values are a mere \$45/FAR, they should go back and renegotiate their options to \$55 (or \$45) per FAR sf on the 7,720 sf in the two adjacent parcels instead of the \$91/FAR sf that they have contracted for.
- 3.4. On comps and whether Rick knows what he is doing as an appraiser, I would defer to Rick.
5. On adjustment to value for IZ, I would also defer to Rick though it would be helpful to know his methodology. I would like to see how the average rent number Banneker uses compares to what IZ allows and what Rick is using. Also, Banneker's cap rate is inappropriately low as the IZ is part of a larger project that Banneker values exceedingly conservatively in its pro formas. You can't have both low cap rates and low value.

I do think that if we are going to consider the larger 124,000 sf amount as part of a larger project, then Rick's IZ deductions might have to be adjusted upward slightly to reflect our parcel 1 (the smallest) generating an IZ requirement.

With regard to their comments about a capitalized lease and the EGI payment that they might be willing to make [**and residual value upon which they did not comment**], I want to see what Eric Smart had calculated in late August, early September].

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Tuesday, September 22, 2009 6:24 PM
To: Doggett, Rosalyn; Marshall, Malcolm; Meister, Mark K.; Bottigheimer, Nat
Cc: 'Maurice Perry'; 'Anthony Ives'; 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance S. Fuller
Subject: Comments to Appraisal of 700 and 800 blocks of Florida Avenue NW

Nat, Mark, Malcolm and Röz,

Below please find our thoughts on the appraisal by Harps & Harps for the WMATA-owned parcels on the 700 and 800 blocks of Florida Avenue, NW dated September 17, 2009. Based on our analysis, we would be prepared to pay WMATA a total of \$2,545,000 to purchase the parcels. Our rationale is as follows:

1. WMATA parcels actually total 28,357 SF (as oppose to **28,892 SF** that was listed in the appraisal and mistakenly in our pro forma sent to WMATA). Our surveyor recently completed a field survey of the sites, which resulted in the following information:

	<u>RECORD</u>	<u>SURVEY</u>
Lot 31, Square 416	15,956 sq. ft.	15,944.97 sq.ft.
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Total sq. ft.	28,376 sq. ft.	28,356.90 sq. ft.

RECORD means information shown in the District of Columbia Surveyor's Office and SURVEY means information actually gathered by the surveyor during field surveys. Also, our surveyor performed research in the D.C. Surveyor's Office and found that Lot 0018 is no longer a valid lot. WMATA performed a subdivision on lots 0012 - 0018 to create lot 0031. The subdivision was completed on December 26, 1996.

2. Total developable FAR SF of WMATA parcels should be as follows:

15,945 SF x 3.35 FAR (developable FAR according to Eric Colbert, AIA, the appraiser's consultant) = 53,415.75 SF
 8,621 SF x 3.83 FAR = 33,018.43 SF
 3,799 SF x 4.11 FAR = 15,613.89 SF
Total developable SF = 102,048.08 SF

Thus, no premium should be added to this 102,048 SF because the Developer is unsure if it will be able to achieve its desired density on the adjacent parcels because the buildings that are part of the development may contribute to the 9th Street Historic District, and therefore, all, or part of the buildings may need to be kept, and therefore the Developer may not be able to demolish these buildings and as a result by not be able to build out to its desired FAR for the entire project. Moreover, if the buildings are not able to be fully demolished, the Developer will have to expend significant costs to maintain all or a portion of these structures. Thus, it is inappropriate to view the entirety of the development density generated by the WMATA sites and our sites as oppose to WMATA's stand alone sites, unless WMATA is willing to discount the price that the Developer is paying for the adjacent parcels as the price has a negative economic impact on the entire project.

3. Upon review of the comps in the appraisal, and discussion with an appraiser that we often work with for projects in this area, comps should only be used that are less than 12 months old. However, since there has been a lack of sales activity in this market, the appraiser indicated that it might use comps in the last 18 months (comps 3-6), but certainly not comps in 2006 and 2007. Thus, if comp 1 (which is almost 3 years old), comp 2 (which is 24 months old) and comp 3 (which is 20 months old) were removed from the comp chart, the average sales price is \$46 per FAR before any adjustments and before taking into account that the contract on the parcel at 1912 8th Street may not go for the price that its under contract for. If we use the appraiser's adjustment of 15% per year on each parcel (0.0125% deduct per month) the comp sales would indicate an adjusted price range of \$41.88 (comp 4), \$36.55 (comp 5) and \$38.25 (comp 6 assuming property closed w/n 12 months of contract) or **average of \$38.89 per FAR**. Thus, none of the last three comps sold for more than \$41.88 per FAR and therefore, we believe a comparable sales value would be no more than \$41.88 per FAR. If you added a location bump, we could accept a price of \$45 per FAR assuming we purchased the property within 12 months of approval of a purchase agreement.
4. Thus, the Unencumbered Value of the WMATA parcels would be \$45 per FAR x 102,048 or **\$4,592,160**.
5. Adjustment to Value b/c of Inclusionary Zoning. A deduct to the overall value b/c of inclusion of the IZ should be calculated by taking into account the difference b/t what market rate units would generate and what IZ units would generate. Assuming that we have 8,163 SF attributed to the IZ units (8% of total buildable SF of project), and assuming that the market units would generate \$2.5 SF and the IZ units would generate \$1.5 SF, this would be a delta of \$1 per SF. Multiplying 8,163 x \$1 per SF x 12 months per year would generate a loss of \$97,956 (approx \$100,000) per year in loss revenue. Capping this at a 6.5% would generate a \$1.538M loss.
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This offer assumes that WMATA will be willing to have our Term Sheet go to the Board in October, the Purchase Agreement go to the Board at the November meeting, and agree to a critical path schedule with all of WMATA's reviews.

We hope that we can meet tomorrow to wrap up the final terms of the Revised Term Sheet.

Thanks.

Omar

Omar A. Karim
Baneker Ventures, LLC
729 15th Street, NW, Suite 400
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(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@banekerventures.com

Doggett, Rosalyn

From: Yohance (EOM) Fuller [yohance.fuller@dc.gov]
Sent: Wednesday, September 23, 2009 5:06 PM
To: Omar A. Karim; Doggett, Rosalyn; Marshall, Malcolm; Meister, Mark K.; Bottigheimer, Nat
Cc: Maurice Perry; Anthony Ives; Tiwana Hicks; Neil.Albert@dc.gov
Subject: RE: Comments to Appraisal of 700 and 800 blocks of Florida Avenue NW

Mark,

Has a time been confirmed to meet tomorrow? I will be at JBG for the Committee and Board meeting. Perhaps we can meet right after those meetings? Please advise.

Yohance

From: Meister, Mark K. [mailto:MMeister@wmata.com]
Sent: Wednesday, September 23, 2009 11:38 AM
To: Omar A. Karim; Marshall, Malcolm; Bottigheimer, Nat; Doggett, Rosalyn
Cc: 'Maurice Perry'; 'Anthony Ives'; 'Tiwana Hicks'; Albert, Neil (EOM); Fuller, Yohance (EOM)
Subject: RE: Comments to Appraisal of 700 and 800 blocks of Florida Avenue NW

Omar,

We will make every effort to get this done tomorrow.

Mark

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Wednesday, September 23, 2009 11:25 AM
To: Meister, Mark K.; Marshall, Malcolm; Bottigheimer, Nat; Doggett, Rosalyn
Cc: 'Maurice Perry'; 'Anthony Ives'; 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance S. Fuller
Subject: RE: Comments to Appraisal of 700 and 800 blocks of Florida Avenue NW

Mark,

Thanks for the update. Since we are working to get on the agenda for the Oct 8th committee meeting, could we push for meeting tomorrow? I think our analysis of and comments to the appraisal are pretty limited to two issues (comparable sales FAR and IZ deduction) and therefore, I'm hopeful that Malcolm will be able to review these with the backdrop that he's been working with the appraiser for sometime to get it to where it is today, and allow us to get this thing done tomorrow. Can we push for this?

Should Malcolm have any questions, I will be available all day to speak with him.

Thanks for the tremendous effort you and your team is putting toward getting this thing done.

Omar

From: Meister, Mark K. [mailto:MMeister@wmata.com]
Sent: Wednesday, September 23, 2009 11:17 AM
To: Omar A. Karim; Marshall, Malcolm; Bottigheimer, Nat; Doggett, Rosalyn
Cc: 'Maurice Perry'; 'Anthony Ives'; 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance S. Fuller
Subject: RE: Comments to Appraisal of 700 and 800 blocks of Florida Avenue NW

Omar,

Thanks for your analysis. I've asked our appraiser, Malcolm Marshall, and Rosalyn Doggett to review your analysis in light of WMATA's appraisal and formulate a response. I received a voicemail from Yohance Fuller this morning requesting a meeting this afternoon to, hopefully, finalize Term Sheet negotiations. Unfortunately, Roz is out of the office today and Malcolm will need some time to complete his review having received your information at 6:25 p.m. yesterday. Consequently, a meeting today will not work. Upon Roz's return to the office, I will be in further touch with you to schedule the meeting.

Mark

Mark K. Meister
Program Manager, Real Estate
Office of Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority

600 Fifth Street, NW
Washington, DC 20001
Tel: 202-962-1589
Fax: 202-962-2396
Email: mmeister@wmata.com

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Cc: 'Maurice Perry'; 'Anthony Ives'; 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance S. Fuller
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 (301) 523-1810 cell
 okarim@banekervertures.com

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, September 23, 2009 5:04 PM
To: Ackerman, Heidi; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Goldin, Steven; Haldeman, Kristin M.; Harrington, Thomas; Hendren, Patricia; Jachles, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Johnston, Kasondra; Jones, Catherine; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Mohsberg, Sid; Peterson, Scott; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S.
Subject: Board Documents Preparation Status
Attachments: Board Items Preparation Milestones - 2009.xls; 11-5-09 PDRE Cmte Agenda.doc

All,

Attached is the status of PLJD's preparation for upcoming Committee and Board meetings.

Heads Up for near-term milestones:

9/30/09, 1000-1100, SAAM Conference Room: pre-brief for Nat for the 11/5/09 PDRE Cmte meeting.

10/2/09, 1500: PLJD owes its materials (BAIS, presentation, resolution (if applicable) to Michelle Bellamy (OPRS).

10/5/09: 1000-1100: Pre-brief for AGM, OPRS, room 4G-22.

Attached is the agenda according to OPRS. I've annotated it to show who owns and is responsible for preparing each PLJD item.

The OPRS agenda matches the BAR: http://p590a3.wmata.com:7778/pls/bar/p_bar_public

I'm aware of discussions concerning modifying or deleting some of these items, but until decisions are reached, this agenda is still official.

WHEN THOSE WHO OWN EACH ITEM COME TO THE BRIEFING FOR NAT NEXT WEDNESDAY (A WEEK AWAY), THEY NEED TO BRING WITH THEM FIVE COPIES OF EACH OF THEIR SUPPORTING DOCUMENTS: BAIS, POWERPOINT PRESENTATION, AND DRAFT RESOLUTION (IF APPLICABLE).

Thanks.

Sid

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Wednesday, September 23, 2009 12:05 PM
To: Doggett, Rosalyn; Marshall, Malcolm; Meister, Mark K.; Bottigheimer, Nat
Cc: 'Maurice Perry'; 'Anthony Ives'; 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance S. Fuller
Subject: RE: Comments to Appraisal of 700 and 800 blocks of Florida Avenue NW

Thanks.

Omar

From: Meister, Mark K. [mailto:MMeister@wmata.com]
Sent: Wednesday, September 23, 2009 11:38 AM
To: Omar A. Karim; Marshall, Malcolm; Bottigheimer, Nat; Doggett, Rosalyn
Cc: 'Maurice Perry'; 'Anthony Ives'; 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance S. Fuller
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Omar,

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Mark

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To: Meister, Mark K.; Marshall, Malcolm; Bottigheimer, Nat; Doggett, Rosalyn
Cc: 'Maurice Perry'; 'Anthony Ives'; 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance S. Fuller
Subject: RE: Comments to Appraisal of 700 and 800 blocks of Florida Avenue NW

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Fax: 202-962-2396

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Importance: High

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15,945 SF x 3.35 FAR (developable FAR according to Eric Colbert, AIA, the appraiser's consultant) = 53,415.75 SF
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Total developable SF = 102,048.08 SF

Thus, no premium should be added to this 102,048 SF because the Developer is unsure if it will be able to achieve its desired density on the adjacent parcels because the buildings that are part of the development may contribute to the 9th Street Historic District, and therefore, all, or part of the buildings may need to be kept, and therefore the Developer may not be able to demolish these buildings and as a result by not be able to build out to its desired FAR for the entire project. Moreover, if the buildings are not able to be fully demolished, the Developer will have to expend significant costs to maintain all or a portion of these structures. Thus, it is inappropriate to view the entirety of the development density generated by the WMATA sites and our sites as oppose to WMATA's stand alone sites, unless WMATA is willing to discount the price that the Developer is paying for the adjacent parcels as the price has a negative economic impact on the entire project.

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therefore the Developer may not be able to demolish these buildings and as a result by not be able to build out to its desired FAR for the entire project. Moreover, if the buildings are not able to be fully demolished, the Developer will have to expend significant costs to maintain all or a portion of these structures. Thus, it is inappropriate to view the entirety of the development density generated by the WMATA sites and our sites as oppose to WMATA's stand alone sites, unless WMATA is willing to discount the price that the Developer is paying for the adjacent parcels as the price has a negative economic impact on the entire project.

3. Upon review of the comps in the appraisal, and discussion with an appraiser that we often work with for projects in this area, comps should only be used that are less than 12 months old. However, since there has been a lack of sales activity in this market, the appraiser indicated that it might use comps in the last 18 months (comps 3-6), but certainly not comps in 2006 and 2007. Thus, if comp 1 (which is almost 3 years old), comp 2 (which is 24 months old) and comp 3 (which is 20 months old) were removed from the comp chart, the average sales price is \$46 per FAR before any adjustments and before taking into account that the contract on the parcel at 1912 8th Street may not go for the price that its under contract for. If we use the appraiser's adjustment of 15% per year on each parcel (0.0125% deduct per month) the comp sales would indicate an adjusted price range of \$41.88 (comp 4), \$36.55 (comp 5) and \$38.25 (comp 6 assuming property closed w/n 12 months of contract) or **average of \$38.89 per FAR**. Thus, none of the last three comps sold for more than \$41.88 per FAR and therefore, we believe a comparable sales value would be no more than \$41.88 per FAR. If you added a location bump, we could accept a price of \$45 per FAR assuming we purchased the property within 12 months of approval of a purchase agreement.
4. Thus, the Unencumbered Value of the WMATA parcels would be \$45 per FAR x 102,048 or **\$4,592,160**.
5. Adjustment to Value b/c of Inclusionary Zoning. A deduct to the overall value b/c of inclusion of the IZ should be calculated by taking into account the difference b/t what market rate units would generate and what IZ units would generate. Assuming that we have 8,163 SF attributed to the IZ units (8% of total buildable SF of project), and assuming that the market units would generate \$2.5 SF and the IZ units would generate \$1.5 SF, this would be a delta of \$1 per SF. Multiplying 8,163 x \$1 per SF x 12 months per year would generate a loss of \$97,956 (approx \$100,000) per year in loss revenue. Capping this at a 6.5% would generate a \$1.538M loss.
6. Adjustment to Value b/c of Extraordinary Costs (WMATA Easements and Tunnels): **\$2,300,000** (according to WMATA)

Final Value of Property Subject to IZ and WMATA Tunnels and Easements

Value unencumbered: \$4,592,160
 Adjustments for IZ: \$1,538,000
 Adjustments for Extraordinary Costs: \$2,300,000

Final Encumbered Value of Property: \$754,160

However, the Developer would be willing to pay the following to purchase the parcels:

\$1,980,000 (amount that we agreed to pay in a capitalized lease)
 \$350,000 (value that the EGI payments is worth)
 \$100,000 (Option Fee)
 \$115,000 (Pre-Closing payments)

TOTAL PAYMENTS TO WMATA \$2,545,000.00

This offer assumes that WMATA will be willing to have our Term Sheet go to the Board in October, the Purchase Agreement go to the Board at the November meeting, and agree to a critical path schedule with all of WMATA's reviews.

We hope that we can meet tomorrow to wrap up the final terms of the Revised Term Sheet.

Thanks.

Omar

Omar A. Karim
 Banneker Ventures, LLC
 729 15th Street, NW, Suite 400
 Washington, DC 20005
 (202) 393-5460 phone
 (202) 393-5462 fax
 (301) 523-1810 cell

okarim@bannekerventures.com

Doggett, Rosalyn

From: noreply+feedproxy@google.com on behalf of Greater Greater Washington [alpert@gmail.com]
Sent: Wednesday, September 23, 2009 5:06 AM
To: Doggett, Rosalyn
Subject: Greater Greater Washington

Greater Greater Washington



- [Then and Now: Engine Company 15](#)
- [Powering the streetcars, part 2: From web to thread](#)
- [Park\(ing\) Day reminds us how society shapes public space](#)
- [Outrage against enforcement is unsafe at any speed](#)
- [Powering the streetcars, part 1: The dilemma](#)
- [Breakfast links: Keep the blood flowing](#)

Then and Now: Engine Company 15

Posted: 22 Sep 2009 01:40 PM PDT

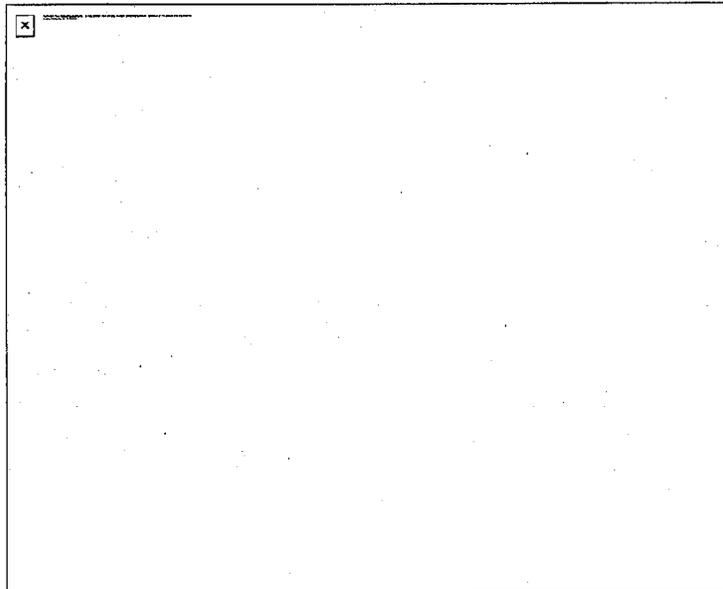
By Kent Boese

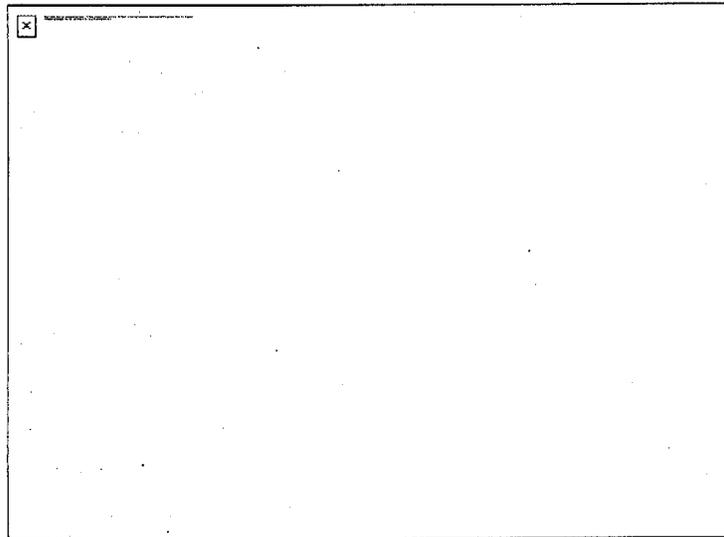


Engine Company 15, located at 14th and V Streets, SE, opened on April 15, 1898. This firehouse was in continuous use until it was razed in 1966. After being temporarily housed at Engine 32 for nearly two years, it was able to move into a new firehouse on the same site. The new firehouse was dedicated on January 6, 1969.

The new Engine 15 was the first D.C. Fire Dept unit to make its building available for community recreation. DCFD did this to better community relations and hoped it would cut down on hostility to firemen and the number of false alarm calls.

Additional images from the old Engine Company 15 are below.





(5 comments · share or email)

Related posts:

Lost Washington: Engine Company No. 2 (Sep 2, 2009)

Then and Now: Arcade Market / DC USA (Jul 8, 2009)

Lost Washington: Crandall's Joy Theater (May 12, 2009)

Then and Now: W.B. Moses & Sons (Apr 29, 2009)

Then and Now: Granite and peaches (Mar 27, 2009)

Powering the streetcars, part 2: From web to thread

Posted: 22 Sep 2009 12:16 PM PDT

When many people think of "overhead wires" for streetcars, they picture the dense net of heavy cables common to many older systems. Modern streetcars, however, use very thin, single wires that are almost completely invisible.

Boston is a good example of the old system. It has a system of "trackless trolleys" which use wires (but run without tracks, like buses). These have two parallel wires, each fairly thick, and suspended above the roadway by fairly closely spaced perpendicular wires. Wires connect with large, very visible connections. Near intersections, there are numerous crossing wires and numerous support wires attaching in all directions. The effect makes the area look like a spider's web is hanging above the street.



Not a very pleasing wire system. Photo by bradlee9119.

Over time, systems evolved to require fewer wires and fewer supports. Here is a more recent trolleybus system in San Francisco that still uses two wires, but the visual impact is much lower.



San Francisco. Photo by infosnackhq.

Unlike trolleybuses such as those above, the latest streetcar systems only require a single wire, again with widely spaced supports. Plus, where there are tall buildings or tree canopies, the wires virtually blend into the streetscape entirely.



Brussels. Photo by Ralph Garboushian.

I've deliberately selected photographs with visible wires. However, in many photographs the wires become nearly invisible. In fact, streetcar advocates have sometimes shown pictures of overhead wires to skeptical neighbors, only to be accused of Photoshopping the wires out of the picture. (The above images are not Photoshopped except to resize them and add sharpening, which makes the wires even more visible.)

If DC used wires within the L'Enfant City, most streets would look like the ones in Brussels or San Francisco. If you looked toward the opposite side of the street, the wires would blend in entirely. If you looked far down the street, you could see two single strands (one in each direction) with occasional crossing supports, but not enough to "spoil the view."

Furthermore, engineers have a lot of leeway in the way they support the overhead wires. If the visual impact is a design consideration from the beginning, they can do a great deal to minimize the visibility.

Still, the wires would be visible. This should not be a reason to reject wires entirely, as there are already plenty of visible items in the air around streets, such as streetlights, traffic signals, trees, awnings, and buildings. The biggest and most reasonable concern revolves around the major "viewsheds," such as the view from Eastern Market Metro up Pennsylvania Avenue to the Capitol.

Tomorrow, we'll look at the hybrid solution DC is likely to adopt.

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[Powering the streetcars, part 1: The dilemma \(Sep 22, 2009\)](#)

[Streetcars now on the front burner \(Aug 7, 2009\)](#)

[Streetcar rails arrive on Benning Road \(May 26, 2009\)](#)

[Bombardier announces contactless light rail power system \(Jan 23, 2009\)](#)

[Making streetcars work \(Feb 3, 2008\)](#)

Park(ing) Day reminds us how society shapes public space

Posted: 22 Sep 2009 10:55 AM PDT



Photo by the author

By **Pete Witte**

*"Environments change...in the midst of these events, people remember the past and imagine the future."
— What Time Is This Place?, the late Kevin Lynch, Urban Thinker and MIT Professor*

On Friday, September 18th, the international event known as Park(ing) Day took place here in Washington, D.C. The annual event, which transforms metered parking spaces into mini parks, began in San Francisco in 2005 and has since spread to other cities around the globe, including spaces in New York, Denver, Rome, and Berlin.

Park(ing) Day's purpose is "to bring awareness to how we use public space in our cities and how to use it to make our urban neighborhoods more livable, environmentally sustainable and beautiful."

While this was not the first time the event was attempted here, it was the first time the event ran successfully through the course of a full day (some activists and planners tried to host the event in a parking space a couple of years ago, but they didn't have permits and the authorities shut them down within an hour). This year's Park(ing) Day wasn't free of planning troubles: as discussed on GGW last week, the organizers (Justin Young, Brandon Schmittling, and Chris Loos) had difficulty obtaining permits from DDOT for the four planned locations. At the last minute, they were forced to alter plans.

The event's location was moved to one large space, a vacant parking lot along 14th and S Streets, NW owned by Garden

District, a local urban garden center, who stepped up just in the nick of time and saved the day so that the demonstration wasn't turned into a larger act of civil disobedience. (Another backup plan was to just pack up and move park(ing) locations every time authorities shut down the event.) The lot of impervious surface was transformed into a beautiful park, with real green grass and potted flowers, garden furniture, and lots of happy people playing board games and badminton, eating cupcakes and apples, and discussing life's pleasures. Some passersby heard about the event online, others just happened to walk by and were invited to partake. The scene was beautiful.

Park(ing) Day in D.C. reminded me of a lesson I learned in an urban planning course on behavior in the physical environment. In that course, University of Maryland Professor Sidney Brower described how behavior settings—a combination of both the physical and human components in any given space—provide the conventions in the environment that define what is appropriate and inappropriate behavior. While the designers of the physical setting obviously play an important role in the formation of the behavior setting, the space's users can, do, and should alter it according to their needs.

In his book, *Design in Familiar Places*, Brower wrote: "Successful spaces and facilities conform to the conventions of the particular society to which the users belong; they owe their success not simply to the way they look, but to the way they are used, managed, presented, and interpreted, and to the goodness of fit between their physical and behavioral components" (page 57). In essence, Brower argues that public space isn't a static physical entity; it is thoroughly a social entity, too. We are not just stuck with whatever physical space is provided for us. A little programming, such as an event like Park(ing) Day, can go a long way toward inexpensively transforming mundane spaces into greater spaces.



There are plenty of opportunities for taking action in spaces around D.C. In fact, this isn't the first time you have heard the suggestion that what is needed is more programming in public spaces. Alex Block recently pointed to all the "odd-shaped public spaces" scattered around D.C. that result from the diagonal avenues crossing through the rectilinear grid. Many simply need re-programming to make them functional. Of course, there are many other spaces where a little more programming could go a long way toward making "our urban neighborhoods more livable, environmentally sustainable and beautiful." Go out and find those spaces! On next year's Park(ing) Day, hopefully D.C. will transform many more spaces for the day. Perhaps even, between now and then, some spaces ripe for transformation will already have been changed.

Park(ing) Day spawned many videos of the festivities in cities around the county and the world, including Charlottesville, San Francisco, , and New York.

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Related posts:

[DDOT being narrow-minded and overcautious on Park\(ing\) Day \(Sep 14, 2009\)](#)

[Ticketing of cars in public space reaches Capitol Hill \(Apr 27, 2009\)](#)

[Public Space Committee says Shell, No \(Dec 19, 2008\)](#)

[Summer Streets: Next year in Washington? \(Sep 2, 2008\)](#)

[Public spaces on public radio \(Feb 14, 2008\)](#)

Outrage against enforcement is unsafe at any speed

Posted: 22 Sep 2009 08:43 AM PDT



Photo by Abhi Here.

By Stephen Miller

Over the past few issues of [themail@dcwatch](#), longtime DC activist Gary Imhoff has defended speeding as acceptable behavior on city streets. On September 13, he referenced a [Washington Times](#) editorial which noted that the District's speed and red-light cameras issued slightly more than double the number of tickets they did two years ago. The editorial also complained about the cameras now mounted on street sweepers. Mr. Imhoff claims that "drivers seem to be content with being shaken down." He calls for "retaliation at the polls" against politicians who support camera enforcement.

In the next issue, Philip Wirtz, sought clarification. It seemed that Imhoff and his supporters "are not questioning the

legitimacy of the law," he wrote. "They are questioning the legitimacy of enforcing a good law...Isn't this really just 'sour grapes' about being caught?"

Imhoff responded **this week**. "There are two major types of crimes," he tells his readers. Some, like murder, should be dealt with strongly and swiftly. "But other acts aren't bad in themselves, though they may be illegal." Mr. Imhoff counts speeding as one of these **benign offenses**. It's exactly **this type of rationalization** that led many people to drink and drive before it became socially unacceptable. The very same **delusion** leads people to engage in distracted driving today.

By now, most people accept that drunk driving and distracted driving are dangerous behaviors. It may come as a surprise to Mr. Imhoff that speeding — even 10 mph over the limit — is also a reckless behavior that endangers the safety of road users. Has he ever heard the slogan, **speed kills**? A pedestrian is at least seven times more likely to be killed if struck by a vehicle traveling 30 mph than a vehicle traveling 20 mph. Perhaps Mr. Imhoff should reconsider his belief that driving 10 mph over the speed limit involves "no moral failing."

It is certainly a problem when a road is designed to encourage speed yet has an artificially low speed limit and speed cameras. That's an **unfair trap** that should be remedied by either an appropriate speed limit or a slower, safer road design. Mr. Imhoff also makes a valid point that traffic law and enforcement should have an "actual impact on safety." But whose safety? For Mr. Imhoff's answer to this question, we only need to go back to 2007. "The major purpose of normal traffic laws," he wrote, "is to make driving safer." Pedestrians and cyclists are absent from Imhoff's windshield perspective. No wonder he thinks speeding on city streets is acceptable behavior.

(30 comments · share or email)

Related posts:

[Let's talk about enforcement](#) (Apr 28, 2009)

[Speed limits don't match road designs](#) (Mar 23, 2009)

[Most people don't speed. For some values of "speed."](#) (Feb 19, 2009)

[Design for speed, collect the dough](#) (Feb 12, 2009)

[Support two-way 15th Street today](#) (Jun 19, 2008)

Powering the streetcars, part 1: The dilemma

Posted: 22 Sep 2009 06:57 AM PDT



Streetcar with overhead wires at Glen Echo, Md.

In 1962, Washington, D.C. closed the last of its streetcar lines. Today, the District is working to resurrect its streetcar system. A starter line is already under construction in Anacostia, and H Street and Benning Road, NE have rails in the ground in anticipation of a future line. One of the most significant obstacles to planning a new streetcar system is the question of how to power the vehicles.

Most streetcar systems use overhead catenary wires for power. However, a very old law prohibits wires of any kind in the L'Enfant City, generally bounded by the Potomac and Anacostia Rivers, Rock Creek, and Florida Avenue. The pre-1962 system had a network of vaults under the road. Wires ran in the road, and a device called a "plow" connected to the streetcar reached under the roadbed and contacted the wires. Streetcars switched back and forth between the in-ground system and overhead wires at the edges of the L'Enfant City. This system was prone to breakdowns and difficult to maintain. Also, once DC shut its system down, the specific technology ceased to exist.

Some systems do use similar systems today. Bordeaux, France, has an in-ground system manufactured by Alstom. Unfortunately, they, too, have had many maintenance issues. Any system that's not used widely and only made by one company is inevitably less reliable and more expensive than a more widespread system. Bordeaux also gets much less snow than Washington. Further, Alstom has insisted, at least in the past, that a city using its technology buy all of its vehicles and equipment from them, including the overhead wire portion, removing the opportunity for the city to negotiate for better prices.



Left: Bordeaux tram using in-ground power. Photo by Pictr 30D. Right: Bombardier's PRIMOVE.

Bombardier developed an alternative power systems, called **PRIMOVE**. It uses magnetic induction to convey power from an underground wire to a streetcar through the roadway without requiring an actual, physical connection. This is the same scientific concept behind electric toothbrushes. Magnetic induction is not very efficient, but it could work over short distances. This technology hasn't yet been deployed anywhere, and being the guinea pig for any new technology invariably means working through bugs, reliability problems, and inevitable cost overruns.

Paris is testing another alternative, **Alstom's STEEM**. This uses supercapacitors mounted on the vehicles, which charge when the train brakes and when vehicles are stopped in stations. These vehicles can switch back and forth between battery and overhead wires. However, Paris's trams don't run air conditioning, which is a must in muggy DC.

The bottom line: A new streetcar system will almost surely cost far more and break down more often if DDOT has to use a new technology throughout the L'Enfant City instead of the tried-and-true wires. Councilmember Tommy Wells' staff have been researching the legal issues around the ban. As he told us in a recent chat, they believe the DC Council could legally modify or overturn it. However, the National Capital Planning Commission, the federal board that oversees many aspects of planning in and around DC, **strongly opposes wires**. Even if Wells is right about the law, NCPC could push Congress to overturn it. Therefore, DC faces a much easier road if they can work out a deal with NCPC.

Next: Are wires really that bad?

(44 comments · share or email)

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Making streetcars work (Feb 3, 2008)

Breakfast links: Keep the blood flowing

Posted: 22 Sep 2009 05:37 AM PDT



Photo by liangjinjian.

Sign up for Bikestation: You can now sign up for membership in the forthcoming Union Station bicycle station. Memberships are \$20 a year \$96 a year or \$12 a month, plus a \$20 annual administrative fee, and include changing facilities, lockers, and even bike repair services. The station will open in early October.

A little less Circulation: Despite Georgetown Metropolitan's best efforts, DC is cutting the Wisconsin Avenue segment of the Circulator. According to DDOT, that section represented 15% of the cost but only 2% of the riders. (Georgetown Metropolitan, DDOT, Post)

Corner stores now healthier: The Healthy Corner Stores program is bringing fresh produce to many corner stores in Wards 7 and 8. (Beyond Bread)

Rail guns: A rider in the DOT bill requires Amtrak to allow firearms in checked luggage. New York area legislators and NYC Mayor Mike Bloomberg are fighting this proposal. But that's far from enough for the Old Dominion, whose commuter rail system voted to allow riders to carry concealed, loaded guns on the train. Erika Niedowski thinks it's quite silly, especially since they can't carry the guns across the DC line, where most VRE commuters end up. (Examiner, City Paper, Michael P, Ward 1 Guy)

Ethics time: DC Council Chairman Vincent Gray will introduce an ethics code of conduct today, largely in response to scandals around Marlon Barry. At the moment, it's general and has no specific teeth, but Gray sees it as a first step. (Examiner)

Reality vs. formula for rail lines: Phoenix's new light rail system dramatically exceeded expectations. Transit opponents criticized the line before its building and still think it's too heavily subsidized, but fail to mention the money given to highways. (New York Times, Ben) ... The Overhead Wire notes that this is only the latest in a series of rail lines where the FTA formula underestimates ridership. That's a serious problem when the FTA formula determines which projects get funding and which don't; how many projects have localities scrapped entirely because they didn't meet the "cost-effectiveness index"

but perhaps actually did?

Performance parking at the beach: Santa Monica, California will try performance parking, reversing a previous policy of continuing to build parking structures and keeping the most desirable spaces closest to the beach the cheapest. That resulted in long lines of drivers circling around those garages. They'll now set prices closer to demand and eliminate two hours of free parking, which area employees were just exploiting by moving their cars throughout the day. (Surf Santa Monica, Michael P)

Rolling back parking enforcement: Residents and business leaders revolted when Oakland, California extended the hours of parking enforcement to raise revenue. This is the hazard of using parking policy as a revenue source instead of just to manage demand. . . Chicago will give parkers a free minute or two after out of sync meter clocks sometimes misled drivers. (SFGate, Southtown Star, Michael P)

Have a tip for the links? [Submit it here.](#)

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[Do Fairfax's higher fare bus lines make a profit?](#) (Sep 1, 2009)

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Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Tuesday, September 22, 2009 6:25 PM
To: Doggett, Rosalyn; Marshall, Malcolm; Meister, Mark K.; Bottigheimer, Nat
Cc: Maurice Perry; Anthony Ives; Tiwana Hicks; Neil.Albert@dc.gov; Yohance S. Fuller
Subject: Comments to Appraisal of 700 and 800 blocks of Florida Avenue NW

Importance: High

Nat, Mark, Malcolm and Roz,

Below please find our thoughts on the appraisal by Harps & Harps for the WMATA-owned parcels on the 700 and 800 blocks of Florida Avenue, NW dated September 17, 2009. Based on our analysis, we would be prepared to pay WMATA a total of \$2,545,000 to purchase the parcels. Our rationale is as follows:

1. WMATA parcels actually total 28,357 SF (**as oppose to 28,892 SF** that was listed in the appraisal and mistakenly in our pro forma sent to WMATA). Our surveyor recently completed a field survey of the sites, which resulted in the following information:

	<u>RECORD</u>	<u>SURVEY</u>
Lot 31, Square 416	15,956 sq. ft.	15,944.97 sq.ft.
Lot 44, Square 393	3,799 sq. ft.	3,784.45 sq.ft.
Lot 45, Square 45	8,621 sq. ft.	8,627.48 sq.ft.
Total sq. ft.	28,376 sq. ft.	28,356.90 sq. ft.

RECORD means information shown in the District of Columbia Surveyor's Office and SURVEY means information actually gathered by the surveyor during field surveys. Also, our surveyor performed research in the D.C. Surveyor's Office and found that Lot 0018 is no longer a valid lot. WMATA performed a subdivision on lots 0012 - 0018 to create lot 0031. The subdivision was completed on December 26, 1996.

2. Total developable FAR SF of WMATA parcels should be as follows:

15,945 SF x 3.35 FAR (developable FAR according to Eric Colbert, AIA, the appraiser's consultant) = 53,415.75 SF
8,621 SF x 3.83 FAR = 33,018.43 SF
3,799 SF x 4.11 FAR = 15,613.89 SF
Total developable SF = 102,048.08 SF

Thus, no premium should be added to this 102,048 SF because the Developer is unsure if it will be able to achieve its desired density on the adjacent parcels because the buildings that are part of the development may contribute to the 9th Street Historic District, and therefore, all, or part of the buildings may need to be kept, and therefore the Developer may not be able to demolish these buildings and as a result by not be able to build out to its desired FAR for the entire project. Moreover, if the buildings are not able to be fully demolished, the Developer will have to expend significant costs to maintain all or a portion of these structures. Thus, it is inappropriate to view the entirety of the development density generated by the WMATA sites and our sites as oppose to WMATA's stand alone sites, unless WMATA is willing to discount the price that the Developer is paying for the adjacent parcels as the price has a negative economic impact on the entire project.

3. Upon review of the comps in the appraisal, and discussion with an appraiser that we often work with for projects in this area, comps should only be used that are less than 12 months old. However, since there has been a lack of sales activity in this market; the appraiser indicated that it might use comps in the last 18 months (comps 3-6), but certainly not comps in 2006 and 2007. Thus, if comp 1 (which is almost 3 years old), comp 2 (which is 24 months old) and comp 3 (which is 20 months old) were removed from the comp chart, the average sales price is \$46 per FAR before any adjustments and before taking into account that the contract on the parcel at 1912 8th Street may not go for the price that its under contract for. If we use the appraiser's adjustment of 15% per year on each parcel (0.0125% deduct per month) the comp sales would indicate an adjusted price range of \$41.88 (comp 4), \$36.55 (comp 5) and \$38.25 (comp 6 assuming property closed w/n 12 months of contract) or **average of \$38.89 per FAR**. Thus, none of the last three comps sold for more than \$41.88 per FAR and therefore, we believe a comparable sales value would be no more than \$41.88 per FAR. If you added a location bump, we could accept a price of \$45 per FAR assuming we purchased the property within 12 months of approval of a purchase agreement.
4. Thus, the Unencumbered Value of the WMATA parcels would be \$45 per FAR x 102,048 or **\$4,592,160**.
5. Adjustment to Value b/c of Inclusionary Zoning. A deduct to the overall value b/c of inclusion of the IZ should be calculated by taking into account the difference b/t what market rate units would generate and what IZ units would generate. Assuming that we have 8,163 SF attributed to the IZ units (8% of total buildable SF of project), and assuming that the market units would generate \$2.5 SF and the IZ units would generate \$1.5 SF, this would

be a delta of \$1 per SF. Multiplying 8,163 x \$1 per SF x 12 months per year would generate a loss of \$97,956 (approx \$100,000) per year in loss revenue. Capping this at a 6.5% would generate a \$1.538M loss.

6. Adjustment to Value b/c of Extraordinary Costs (WMATA Easements and Tunnels): **\$2,300,000** (according to WMATA)

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Adjustments for IZ: \$1,538,000
Adjustments for Extraordinary Costs: \$2,300,000

Final Encumbered Value of Property: \$754,160

However, the Developer would be willing to pay the following to purchase the parcels:

\$1,980,000 (amount that we agreed to pay in a capitalized lease)
\$350,000 (value that the EGI payments is worth)
\$100,000 (Option Fee)
\$115,000 (Pre-Closing payments)

TOTAL PAYMENTS TO WMATA \$2,545,000.00

This offer assumes that WMATA will be willing to have our Term Sheet go to the Board in October, the Purchase Agreement go to the Board at the November meeting, and agree to a critical path schedule with all of WMATA's reviews.

We hope that we can meet tomorrow to wrap up the final terms of the Revised Term Sheet.

Thanks.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Tuesday, September 22, 2009 12:29 PM
To: Doggett, Rosalyn
Subject: FW: FL Ave - Adjacent Parcels
Attachments: Real Estate Purchase Agreement by and between Teles Professional Services, LLC and Banneker Ventures, LLC.pdf

From: Tiwana Hicks [mailto:thicks@bannekerventures.com]
Sent: Tuesday, September 22, 2009 12:22 PM
To: Montague, Joshua W.
Subject: RE: FL Ave - Adjacent Parcels

Second of 2.

From: Montague, Joshua W. [mailto:jwmontague@wmata.com]
Sent: Tuesday, September 22, 2009 12:10 PM
To: Tiwana Hicks
Subject: FL Ave - Adjacent Parcels

Hi Tiwana,

I got an email message saying that you were trying to send me a message that was too big for our system. Unfortunately our computer system blocks messages that are larger than 10MB. That seems really small in today's world, but it is what it is.

Can you re-send the docs in multiple messages so that it will fit under our systems' requirements?

Thanks!

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

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Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Tuesday, September 22, 2009 11:08 AM
To: okarim@bannekerventures.com
Cc: Maurice Perry; Tiwana Hicks; Yohance S. Fuller; jhagner@wcsr.com; Doggett, Rosalyn
Subject: RE: Florida Avenue - Adjacent Parcels

Unfortunately, Nat does not have these agreements. Can you re-send to me?

Thank you.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

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From: Omar Karim [mailto:okarim@bannekerventures.com]
Sent: Tuesday, September 22, 2009 10:19 AM
To: Montague, Joshua W.
Cc: Maurice Perry; Tiwana Hicks; Yohance S. Fuller; jhagner@wcsr.com; Doggett, Rosalyn
Subject: Re: Florida Avenue - Adjacent Parcels

We've provided purchase agreements for the two parcels to Nat, et al a few weeks ago. The addresses are 1931 and 1933-1935 9th Street NW.

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 office
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Montague, Joshua W."
Date: Tue, 22 Sep 2009 10:15:30 -0400
To: Omar A. Karim<okarim@bannekerventures.com>
Subject: Florida Avenue - Adjacent Parcels
Omar,

Which adjacent parcels will be a part of the total project?

Have you provided evidence of site control of these parcels? If not, can you do so?

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

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Doggett, Rosalyn

From: Bottigheimer, Nat
Sent: Tuesday, September 22, 2009 11:00 AM
To: Doggett, Rosalyn
Cc: Montague, Joshua W.
Subject: RE: Florida Avenue - Adjacent Parcels

I don't know what he's referring to. I don't think I've received any mail other than email, and I just checked and all the email I've received you've received, too.

From: Doggett, Rosalyn
Sent: Tuesday, September 22, 2009 10:44 AM
To: Bottigheimer, Nat
Cc: Montague, Joshua W.
Subject: FW: Florida Avenue - Adjacent Parcels

Nat, can you get these agreements to me or Josh? Thanks.

From: Omar Karim [mailto:okarim@bannekerventures.com]
Sent: Tuesday, September 22, 2009 10:19 AM
To: Montague, Joshua W.
Cc: Maurice Perry; Tiwana Hicks; Yohance S. Fuller; Doggett, Rosalyn; jhagner@wcsr.com
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From: "Montague, Joshua W."
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Sent: Tuesday, September 22, 2009 10:19 AM
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Subject: Re: Florida Avenue - Adjacent Parcels

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Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Tuesday, September 22, 2009 10:16 AM
To: Omar A. Karim
Cc: Yohance S. Fuller; jhagner@wcsr.com; 'Maurice' Perry; 'Tiwana Hicks'; Doggett, Rosalyn
Subject: Florida Avenue - Adjacent Parcels

Omar,

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Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
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Doggett, Rosalyn

From: Fred Pryor Seminars [Fred_Pryor_Seminars@busenetwork.net]
Sent: Tuesday, September 22, 2009 3:28 AM
To: Doggett, Rosalyn
Subject: How to Mentor, Coach, and Build Teams that Work!

Team-Building, Mentoring, and Coaching Skills for Managers & Supervisors

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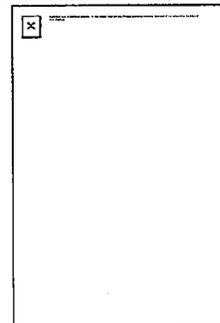
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Event # 89319

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Event # 89322

TOWSON, MD - 11/17/2009 SHERATON HOTEL NORTH 903 DULANEY VALLEY ROAD
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COLUMBIA, MD - 11/18/2009 Event # 89324	HOMEWOOD SUITES BY HILTON 8320 BENSON DR
BETHESDA, MD - 11/18/2009 Event # 89328	RESIDENCE INN MARRIOTT 7335 WISCONSIN AVE
ANNAPOLIS, MD - 11/19/2009 Event # 89325	COUNTRY INN AND SUITES 2600 HOUSLEY RD.
FAIRFAX, VA - 11/19/2009 Event # 89329	COMFORT INN UNIVERSITY CENTER 11180 FAIRFAX BLVD
WALDORF, MD - 11/20/2009 Event # 89330	DAMON'S 45 ST. PATRICK'S DR.

Seminar Overview

THE "WANT-TO-WIN" ATTITUDE: HOW TO BUILD IT

- Why you must be demanding ... and how to do it the right way.
- Self-management and empowerment: how to get others to direct and motivate themselves.
- Confidence and self-esteem: super policies that build up reluctant employees and motivate underachievers.
- A look at your own coaching ability, measured against 20 traits shared by the best athletic coaches.

STRATEGY AND PLANNING ESSENTIALS FOR MANAGERS/COACHES

- Your "game plan" — 5 simple steps for no-fail, successful plans.
- A key formula that ensures you'll make consistently good decisions.
- 7 easy strategies that coaches/managers use to deal with pressure — before it escalates to stress and anxiety!
- "Snap judgments" — clever solutions that maximize your ability to think on your feet.

HOW TO COACH YOUR TEAM

- 15 ways to transform even the most divided work group into an enthusiastic, winning team.
- The team lineup: how to recognize individual strengths and organize players into position.
- Peer conflicts — how to defuse them before they affect the entire work group.
- When to reward or praise individuals in front of the team.

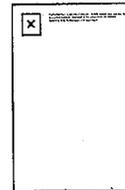
COACHING AND COUNSELING THE PROBLEM PLAYER

- How to recognize a developing crisis: 20 signs that point to an escalating problem.
- Is counseling the right approach? The risks and benefits of counseling, from the experts.
- 8 guiding steps to positive discipline and corrective action.
- What to do if nothing works — 4 final options.

HOW TO HANDLE A COACHING/COUNSELING SESSION

- Should you offer your opinion? When to give advice and when to be neutral.

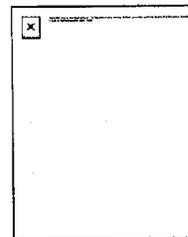
-  The Ultimate Supervisor
-  Payroll Law 2010
-  Microsoft Excel 2007 Basics
-  Business Writing for Results
-  How to Design Eye-Catching Brochures, Newsletters, Ads, and Reports
-  Adobe Photoshop -- A One-Day Workshop
-  Management Skills for Administrative Personnel
-  Employment Law 2010
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- How to deal with anger, crying, and other emotional responses.
- Denial: what to do when someone won't admit to a problem.
- The importance of healing the wounds — how to close on an upbeat, positive note and avoid grudges.

COACHING SUPERSTARS: HOW TO BE A MANAGER AND A MENTOR

- Tips to ensure you recognize employees with great potential.
- Ways to offer constructive criticism to a top performer.
- Incentives you can offer when you can't give raises or promotions.
- What you should expect to bring to — and take from — a mentor relationship.

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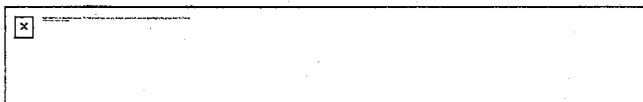
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Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekervertures.com]
Sent: Monday, September 21, 2009 6:38 PM
To: Marshall, Malcolm
Cc: Doggett, Rosalyn
Subject: RE: Appraisal for WMATA Parcels on Florida Avenue - Extraordinary Assumptions

Importance: High

Malcolm,

This is confusing. We agree that the land sales comparison approach was used to derive the overall value. However, the appraisal does not provide an explanation of how the appraiser came up with the deduction b/c of IZ units. How do you explain a \$500k deduct in the land value and an additional \$200k? What is this \$200k deduct for and how was the \$500k derived? A deduct to the overall value b/c of inclusion of the IZ could be calculated two ways that we see:

1. Take into account the difference b/t what market rate units would generate and what IZ units would generate. Assuming that we have 8,163 SF attributed to the IZ units (8% of total buildable SF of project), and assuming that the market units would generate \$2.5 SF and the IZ units would generate \$1.5 SF, this would be a delta of \$1 per SF. Multiplying 8,163 x \$1 per SF x 12 months per year would generate a loss of \$97,956 (approx \$100,000) per year in loss revenue. Capping this at a 6.5% would generate a \$1.538M loss.
2. An alternative approach would be to calculate the cost to build 8,163 SF of IZ units. If we take \$254 per SF to build the project and multiply this by 8,163 SF of IZ units, this would mean that the IZ units would cost \$2.073M to build. If we deduct 40% of the costs to build the units from the total costs (because the income from the IZ units could support some of the costs), this would mean that the loss on the project would be \$829,000 before any return is calculated as the appraiser indicated in the appraisal. If we assume a nominal return of 15% per year return on equity (although we have previously agreed that equity/member loans in this deal would receive a 20% annual return) over a say 7 year total pre-development, construction and hold period, this would mean an additional \$3M loss to the project. Thus, the total loss would be \$829,000 + \$3,034,000 = \$3,863,000.

If we used the lesser of these values, the deduct b/c of the IZ units would be \$1.538M from the Base Value versus the \$700,000 that was provided in the appraisal (\$500k) and subsequent email (\$200k).

Please let us know the appraiser's thoughts to our analysis.

Omar

From: Marshall, Malcolm [mailto:MMarshall@wmata.com]
Sent: Monday, September 21, 2009 4:08 PM
To: Omar A. Karim
Cc: Doggett, Rosalyn
Subject: RE: Appraisal for WMATA Parcels on Florida Avenue - Extraordinary Assumptions

No. The appraiser used the sales comparison approach overall with a land residual technique implied only as part of footnote 11 where net income from the affordable units is considered relevant. Together the two deductions will likely be close to \$700,000 (\$500,000 & \$200,000).

From: Omar A. Karim [mailto:okarim@bannekervertures.com]
Sent: Monday, September 21, 2009 3:18 PM
To: Marshall, Malcolm
Cc: Doggett, Rosalyn
Subject: RE: Appraisal for WMATA Parcels on Florida Avenue - Extraordinary Assumptions

I thought that the appraiser used a comparable sales approach, as oppose to an income approach. If they did, then the income from the affordable units would not be relevant or really counted in the value. If it was, it would be about 1/3 of the income of the market units and thus, maybe the \$2.4M deduct would be \$1.6M deduct, but certainly there would be a larger deduct than \$500k, wouldn't you agree?

From: Marshall, Malcolm [mailto:MMarshall@wmata.com]
Sent: Monday, September 21, 2009 3:12 PM
To: Omar A. Karim
Cc: Doggett, Rosalyn
Subject: RE: Appraisal for WMATA Parcels on Florida Avenue - Extraordinary Assumptions

I think you are double-counting deductions with the \$2,400,000. I believe the appraiser made deductions for the affordable units based primarily on his estimate of reduced net income generated from the affordable units as compared with market rate units.

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Monday, September 21, 2009 11:56 AM
To: Marshall, Malcolm
Cc: 'Maurice Perry'; 'Anthony Ives'; 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance S. Fuller; Moneme, Emeka; Meister, Mark K.; Bottigheimer, Nat; Doggett, Rosalyn
Subject: RE: Appraisal for WMATA Parcels on Florida Avenue - Extraordinary Assumptions
Importance: High

Malcolm,

Can you ask the appraiser how he came up with the \$200,000 figure for the Extraordinary Assumption costs to build the IZ units. The appraisal read like it was a much higher cost. The \$200,000 seems way low. If we have to build 8 units for example (8% of 100,000 SF), this would result in a deduct of \$300,000 per unit (hard and soft costs) x 8 units or \$2.4M, versus the \$500,000 in land value deduction and \$200,000 in additional deductions that you mentioned in your email.

Thank you in advance.

Omar

From: Marshall, Malcolm [mailto:MMarshall@wmata.com]
Sent: Monday, September 21, 2009 11:43 AM
To: Omar A. Karim
Cc: 'Maurice Perry'; 'Anthony Ives'; 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance S. Fuller; Moneme, Emeka; Meister, Mark K.; Bottigheimer, Nat; Doggett, Rosalyn
Subject: RE: Appraisal for WMATA Parcels on Florida Avenue - Extraordinary Assumptions

I have provided our appraiser the information below. He indicated preliminarily that Item 1. below would lower the value approximately \$200,000. He is analyzing Item 2. below & indicates that this would, obviously, have a significant impact, resulting in a very low figure. He is currently preparing an analysis for us.

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Monday, September 21, 2009 10:30 AM
To: Marshall, Malcolm
Cc: 'Maurice Perry'; 'Anthony Ives'; 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance S. Fuller; Moneme, Emeka; Meister, Mark K.; Bottigheimer, Nat; Doggett, Rosalyn
Subject: Appraisal for WMATA Parcels on Florida Avenue - Extraordinary Assumptions
Importance: High

Malcolm,

We are analyzing the appraisal sent over by Harps & Harps and have 2 quick questions that we hope you can reach out to your appraiser this morning and get responses:

1. The appraiser included an Extraordinary Assumption in the appraisal in four different locations that any costs to develop the 8% IZ units, less the value of the land, would be offset by city or federal subsidies. To our knowledge, there are no city or federal subsidies for any projects that don't have a minimum of 20% affordable units (not IZ units which are at a higher AMI), and then there are no assurances that the project would even receive these subsidies. Can you ask the appraiser to what the value of the sites would be if he didn't include this Extraordinary Assumption.
2. If we have to build 20% affordable housing units on the WMATA parcels, what would the impact of the appraised value be?

We are completing a comprehensive review of the appraisal today and need this for our review which we plan on submitting to you by COB today.

Thank you in advance.

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell

okarim@bannekerventures.com

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Monday, September 21, 2009 5:12 PM
To: SAAM; Wyner, Jonathan S.
Subject: FW: Metro News Clips - Monday, September 21, 2009
Attachments: WPOST1.pdf; WPOST2.pdf; WPOST3.pdf; WPOST4.pdf; WPOST5.pdf; WPOST6.pdf; WPOST7.pdf; WPOST8.pdf; WPOST9.pdf; nytimes1.pdf

From: Taubenkibel, Steven
Sent: Monday, September 21, 2009 8:35 AM
To: Taubenkibel, Steven
Subject: Metro News Clips - Monday, September 21, 2009

To all:

Metro News

- 1) Metro's Mail Disrupted By Unpaid Bill, http://www.washingtonpost.com/wp-dyn/content/article/2009/09/19/AR2009091902279_pf.html Washington Post, September 20
- 2) Is Not Sitting On The Metro A Stand For Mothers-To-Be?, http://www.washingtonpost.com/wp-dyn/content/article/2009/09/19/AR2009091902281_pf.html Washington Post, September 20
- 3) Red Line Blues, http://www.washingtonpost.com/wp-dyn/content/article/2009/09/19/AR2009091902233_pf.html Washington Post, September 20
- 4) Service Cut Rankles Circulator Riders, http://www.washingtonpost.com/wp-dyn/content/article/2009/09/19/AR2009091902282_pf.html Washington Post, September 20
- 5) A Day Of Rethinking Our Four-Wheeled Fixation, http://www.washingtonpost.com/wp-dyn/content/article/2009/09/19/AR2009091902274_pf.html Washington Post, September 20
- 6) Metro Turns To Suicide Prevention Groups For Help, http://www.washingtonpost.com/wp-dyn/content/article/2009/09/18/AR2009091803429_pf.html Washington Post, September 19
- 7) Editorial: Unsafe At Any Speed, http://www.washingtonpost.com/wp-dyn/content/article/2009/09/18/AR2009091803373_pf.html Washington Post, September 19
- 8) Anacostia Streetcar Track Installation Begins, http://www.washingtonpost.com/wp-dyn/content/article/2009/09/19/AR2009091902291_pf.html Washington Post, September 20
- 9) Tom Toles Cartoon, <http://www.washingtonpost.com/wp-dyn/content/opinions/tomtoles/> Washington Post, September 21, 2009

US Transit News

- 1) In Phoenix, Weekend Users Make Light Rail A Success, http://www.nytimes.com/2009/09/20/us/20rail.html?_r=1&adxnnl=1&pagewanted=print&adxnnlx=1253535939-6g6ukCL7w8KobJb/1PXb3Q New York Times, September 20

Doggett, Rosalyn

From: Marshall, Malcolm
Sent: Monday, September 21, 2009 4:08 PM
To: Omar A. Karim
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Subject: RE: Appraisal for WMATA Parcels on Florida Avenue - Extraordinary Assumptions

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Sent: Monday, September 21, 2009 3:18 PM
To: Marshall, Malcolm
Cc: Doggett, Rosalyn
Subject: RE: Appraisal for WMATA Parcels on Florida Avenue - Extraordinary Assumptions

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From: Marshall, Malcolm [mailto:MMarshall@wmata.com]
Sent: Monday, September 21, 2009 3:12 PM
To: Omar A. Karim
Cc: Doggett, Rosalyn
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Importance: High

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Thank you in advance.

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Harry D. Sewell [hsewell@dchfa.org]
Sent: Monday, September 21, 2009 3:31 PM
To: Doggett, Rosalyn
Subject: RE: Jazz 9% Tax Credits

Roz:

For deals less than 100% affordable, credits are taken against the appropriate percentage of rent restricted units.

H

From: Doggett, Rosalyn [mailto:RDoggett@wmata.com]
Sent: Friday, September 18, 2009 2:56 PM
To: Harry D. Sewell
Subject: RE: Jazz 9% Tax Credits

Thanks, Harry. Just so I am clear, would this be for an 80-20 project? (20% at 50%AMI)
Roz

From: Harry D. Sewell [mailto:hsewell@dchfa.org]
Sent: Friday, September 18, 2009 9:18 AM
To: Doggett, Rosalyn
Subject: Jazz 9% Tax Credits

Roz:

Good to see you the other day. In general, proceeds from 9% Low Income Housing Tax Credits should cover approximately 70% of the development costs, minus costs for land.

Let's catch up over lunch sometime soon.

H

 District of Columbia
Housing Finance Agency
Harry D. Sewell | Executive Director |
815 Florida Avenue, NW | Washington, DC 20001 |
Phone: 202-777-1601 | Fax: 202-389-6736 | www.dchfa.org |

DCHFA NOTICE: E-mail sent through the Internet is not secure. DCHFA therefore recommends that you do not send any confidential or sensitive information to us via electronic mail, including social security numbers, account numbers, or personal identification numbers. Delivery, and or timely delivery of internet mail is not guaranteed. DCHFA therefore recommends that you do not send time sensitive or action-oriented messages to us via electronic mail.

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Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Monday, September 21, 2009 3:18 PM
To: Marshall, Malcolm
Cc: Doggett, Rosalyn
Subject: RE: Appraisal for WMATA Parcels on Florida Avenue - Extraordinary Assumptions

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Sent: Monday, September 21, 2009 3:06 PM
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Subject: RE: Appraisal for WMATA Parcels on Florida Avenue - Extraordinary Assumptions

I think you are double-counting deductions with the \$2,400,000. I believe the appraiser made deductions for the affordable units based primarily on his estimate of reduced net income generated from the affordable units as compared with market rate units, although there is likely some offset for the lower unit costs for the affordable component.

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Sent: Monday, September 21, 2009 11:56 AM
To: Marshall, Malcolm
Cc: 'Maurice Perry'; 'Anthony Ives'; 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance S. Fuller; Moneme, Emeka; Meister, Mark K.; Bottigheimer, Nat; Doggett, Rosalyn
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Doggett, Rosalyn

From: Wyner, Jonathan S.
Sent: Monday, September 21, 2009 11:36 AM
To: Bottigheimer, Nat; Goldin, Steven; Meister, Mark K.; Marshall, Malcolm; Malasky, Gary; Doggett, Rosalyn; Burns, Bob; Hamre, James; McElhenny-Smith, Robin; Mohsberg, Sid
Cc: Demographics.....
Subject: Demographics.....
Attachments: 3101 Eisenhower Avenue EBIS_Reports.pdf; Copy of Comparison Report.xls
Importance: High

For your JD/TOD projects....if you want short versions of demographics – see attached for Alexandria Yard – I can do those in a few moments – if you want long versions with aerials and maps, that takes a bit longer.....check out the www.stdbonline.com web page.....also see the sample comparison.....as shown on this e-mail

It might also be good for our PLD Planning functions!

Jonathan

[Click to view this email in a browser](#)



News

CDB Reports

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and as STDBonline
te additional quarterly
em, it is necessary to
) days after the reports
reated.
g process, so please
anted reports to your
drive for future use.

Data Update

rts Updated
: 3.0, more reports have
the NEW 2009/2014
all 2009/2014 reports
called '2009 Reports'
port list. Latest reports
d include:

- Old Income Chart
- Holds By Type Report
- ation by Age Report
- ty Summary
- Youth Report
- raisal Version
- e Summary
- mary with Charts
- Appraisal Version
- Growth Chart
- Appraisal Version
- Growth Chart
- ng Express Pack
- ousing Profile
- c Profile

Report Feature
Comparison Report

The Comparison Report allows STDBonline users the ability to compare 5 Study Areas and receive key demographic information in one editable report! All Study Areas are eligible for use with Comparison Reports. The report is created as an Excel Spreadsheet to allow users to highlight areas of interest or create charts or graphs in Excel to maximize the comparison feature.

[Click here to view a sample](#)

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Research, analyze and market your property all at once! CCIMREDEX will be integrated with the industry's top marketing, analytical and financial products, including the newly released Site Analysis 3.0 by STDBonline. Your complete marketing and financial package will be a mouse click away with the property data within CCIMREDEX!

For more information and details, [click here](#) or go to www.ccimredex.com

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Enhancements

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September 2009

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October 2009

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Packages of Specialty
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office, Multi-Family,
f Storage and Senior
using

November 2009

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rkets have been added
ich users can select to
study area.

December 2009

SEPTEMBER 19th
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ProspectNow

ProspectNow is a Commercial Real Estate prospecting system that enables Commercial Real Estate Professionals to contact more owners and close more deals. ProspectNow contains an online database of over 6 million commercial property owners with phone numbers, contact info and property information along with an integrated CRM system and a business database for finding tenants that includes 30 million businesses. ProspectNow currently has over 2,200 registered users of investors, brokers, commercial lenders and loan brokers nationwide. Simply visit STDB.com, click the Partnership graphic and click the ProspectNow logo or [click here](#).

CCIM News & Events

Twenty Top Speakers, Island Paradise, World's Best Commercial Pros Key to Success Series '09

The [CCIM & IREM Success Series 2009](#) features more than 20 in-depth sessions on topics relevant to brokerage: Turning distressed properties into profitable investments, capital markets, the impact of proposed tax laws, and proven marketing strategies.

It's being held in Honolulu, where the average high temperature will be 87 degrees!

The current Success Series 2009 registration fee is \$675; however, if you stay at the [Hilton Hawaiian Village](#), the headquarters hotel, you'll pay only \$575. Room rates at the Hilton begin at \$189. Many major airlines are now holding fare sales on flights to Honolulu, with discounts as much as 67%. And, commercial pros from the U.S., Canada and Taiwan already have registered.

Why wait??

CCIM Institute Membership Provides You the Benefits to Succeed

As a member of the CCIM Institute, you have access to an outstanding collection of exclusive benefits designed to help you expand your career and do your job better. From enhanced STDBonline capabilities to free web conferences to the award-winning CIRE magazine, members of the CCIM Institute have the tools and resources they need to achieve success at their fingertips.

[Click here to view the complete lineup of CCIM member benefits](#)

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Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Monday, September 21, 2009 10:30 AM
To: Marshall, Malcolm
Cc: 'Maurice Perry'; 'Anthony Ives'; 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance S. Fuller; Doggett, Rosalyn; Moneme, Emeka; Meister, Mark K.; Bottigheimer, Nat
Subject: Appraisal for WMATA Parcels on Florida Avenue - Extraordinary Assumptions
Importance: High

Malcolm,

We are analyzing the appraisal sent over by Harps & Harps and have 2 quick questions that we hope you can reach out to your appraiser this morning and get responses:

1. The appraiser included an Extraordinary Assumption in the appraisal in four different locations that any costs to develop the 8% IZ units, less the value of the land, would be offset by city or federal subsidies. To our knowledge, there are no city or federal subsidies for any projects that don't have a minimum of 20% affordable units (not IZ units which are at a higher AMI), and then there are no assurances that the project would even receive these subsidies. Can you ask the appraiser to what the value of the sites would be if he didn't include this Extraordinary Assumption.
2. If we have to build 20% affordable housing units on the WMATA parcels, what would the impact of the appraised value be?

We are completing a comprehensive review of the appraisal today and need this for our review which we plan on submitting to you by COB today.

Thank you in advance.

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Bottigheimer, Nat
Sent: Friday, September 18, 2009 1:59 PM
To: Doggett, Rosalyn; Marshall, Malcolm
Cc: Meister, Mark K.
Subject: RE: More Florida Avenue

All—

Anything we need from Harps please convey that this is extremely time sensitive and we need ASAP.

Thanks,

Nat

From: Doggett, Rosalyn
Sent: Friday, September 18, 2009 1:41 PM
To: Marshall, Malcolm
Cc: Meister, Mark K.; Bottigheimer, Nat
Subject: More Florida Avenue

Additionally, we need to have Harps add to the appraisal to give an opinion on land value if 20% of the units are at 50% of median. The District of Columbia has asked for us to provide this by Tuesday. The work that you did previously to write down value should be of assistance to Harps. Please advise.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Harry D. Sewell [hsewell@dchfa.org]
Sent: Friday, September 18, 2009 9:18 AM
To: Doggett, Rosalyn
Subject: Jazz 9% Tax Credits

Roz:

Good to see you the other day. In general, proceeds from 9% Low Income Housing Tax Credits should cover approximately 70% of the development costs, minus costs for land.

Let's catch up over lunch sometime soon.

H



District of Columbia
Housing Finance Agency

Harry D. Sewell | Executive Director |
815 Florida Avenue, NW | Washington, DC 20001 |
Phone: 202-777-1601 | Fax: 202-986-6736 | www.dchfa.org |

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Doggett, Rosalyn

From: Meister, Mark K.
Sent: Thursday, September 17, 2009 1:47 PM
To: Bottigheimer, Nat
Cc: Doggett, Rosalyn; Marshall, Malcolm; Montague, Joshua W.
Subject: Proposed Banneker Term Sheet
Attachments: SHAW-HOWARD FL AVE Meeting 9-18-09.doc

Nat,

Attached is Roz's review of Banneker's proposed Term Sheet.

Mark

Doggett, Rosalyn

From: Tiwana Hicks [thicks@bannekerventures.com]
Sent: Thursday, September 17, 2009 10:32 AM
To: Montague, Joshua W.
Cc: 'Maurice' 'Perry'; okarim@bannekerventures.com; Neil.Albert@dc.gov; Yohance S. Fuller; Doggett, Rosalyn; John' 'Hagner; Moneme, Emeka; Marshall, Malcolm; Meister, Mark K.; Bottigheimer, Nat
Subject: Outline of Cotenancy Agreement for The Jazz @ Florida Avenue
Attachments: WINSTON-#4204842-v1A-
Outline_of_Cotenancy_Agreement_for_The_Jazz_@_Florida_Avenue.doc

Josh:

Attached please find the Outline of Cotenancy Agreement for The Jazz @ Florida Avenue. We believe this outline strikes an effective balance between providing enough details for WMATA to make an "informed" decision to go forward with the cotenancy arrangement after the Ground Lease, but avoiding some of the granular details that will get resolved in the final Cotenancy Agreement. We look forward to discussing its contents in further detail at Friday's meeting.

Sincerely,

Tiwana

Tiwana Z. Hicks
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, D.C. 20005
T: (202) 393-5460
F: (202) 393-5462
C: (202) 486-1863
thicks@bannekerventures.com

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Thursday, September 17, 2009 7:52 AM
To: Doggett, Rosalyn
Cc: Meister, Mark K.
Subject: RE: Florida Avenue

This was moved up to 10am!

Sorry for the late notice. I was out all day yesterday.

Hope you can make it.

From: Doggett, Rosalyn
Sent: Wednesday, September 16, 2009 9:24 AM
To: Montague, Joshua W.
Subject: RE: Florida Avenue

I will come.

From: Montague, Joshua W.
Sent: Tuesday, September 15, 2009 5:46 PM
To: Doggett, Rosalyn; Meister, Mark K.
Subject: Florida Avenue

Hi Roz and Mark,

I am meeting with Carol O'Keeffe and Bruce Heppen on Thursday at 10:30am to discuss the developer's Co-tenancy Agreement proposal.

If you have free time, please come down and join us. Let me know if you can make it.

Thanks,

Josh

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Wednesday, September 16, 2009 12:30 PM
To: SAAM; Wyner, Jonathan S.
Subject: FW: Metro News Clips - Wednesday, September 16, 2009
Attachments: WPOST1.pdf; WPOST2.pdf; dcexaminer3.pdf; dcexaminer4.pdf; wtopnews5.pdf; wjla6.pdf; boston1.pdf

From: Taubenkibel, Steven
Sent: Wednesday, September 16, 2009 10:17 AM
To: Taubenkibel, Steven
Subject: Metro News Clips - Wednesday, September 16, 2009

To all:

Metro News

- 1) Metrobus Crash Not The First For Driver, http://www.washingtonpost.com/wp-dyn/content/article/2009/09/15/AR2009091503546_pf.html Washington Post, September 16, 2009
- 2) Metro Steps Up Disinfection In Bid To Prevent Cases, http://www.washingtonpost.com/wp-dyn/content/article/2009/09/15/AR2009091503149_pf.html Washington Post, September 16, 2009
- 3) Serious Metro Crime Jumps In Montgomery County, <http://www.washingtonexaminer.com/local/Serious-Metro-crimes-jump-in-Montgomery-County-8249289-59394762.html> Washington Examiner, September 16, 2009
- 4) Metro Worker Hit By Train Dies Of Injuries, <http://www.washingtonexaminer.com/local/Metro-worker-hit-by-train-dies-of-injuries-8249172-59388737.html> Washington Examiner, September 16, 2009
- 5) Increase In Suicides Adds To Metro's Troubles, <http://wtopnews.com/?nid=25&sid=1763215> WTOP News, September 15
- 6) Serious Crime Up At Metro In Montgomery County, <http://www.wjla.com/news/stories/0909/659754.html> WJLA TV 7 September 16

US Transit News

- 1) S. Station Commuter Train Crash Injures 18, http://www.boston.com/news/local/massachusetts/articles/2009/09/16/s_station_commuter_train_crash_injures_18?mode=PF Boston Globe, September 16

Doggett, Rosalyn

From: Yohance (EOM) Fuller [yohance.fuller@dc.gov]
Sent: Tuesday, September 15, 2009 9:20 PM
To: Bottigheimer, Nat
Cc: Maurice Perry; aives@bannekerventures.com; Omar A. Karim; Tiwana Hicks; Neil.Albert@dc.gov; sgoldin@intercapholdings.com; Doggett, Rosalyn; John Hagner; Moneme, Emeka; Marshall, Malcolm; Meister, Mark K.
Subject: Re: Shaw-Howard/Florida Avenue Appraisal

Great. Thanks, I will also be in attendance.

Sent from my iPhone

On Sep 15, 2009, at 9:14 PM, "Bottigheimer, Nat" <NBottigheimer@wmata.com> wrote:

It's on our calendars for 2:30

From: Yohance (EOM) Fuller [yohance.fuller@dc.gov]
Sent: Tuesday, September 15, 2009 8:40 PM
To: Omar A. Karim; Bottigheimer, Nat; Meister, Mark K.; Doggett, Rosalyn
Cc: Maurice Perry; aives@bannekerventures.com; Tiwana Hicks; Neil.Albert@dc.gov; sgoldin@intercapholdings.com; John Hagner; Moneme, Emeka; Marshall, Malcolm
Subject: RE: Shaw-Howard/Florida Avenue Appraisal

Mark/Nat/Roz --

Just closing the loop. Are we confirmed from 2:30p? Please advise.

Yohance

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Tuesday, September 15, 2009 2:34 PM
To: 'Meister, Mark K.'; 'Bottigheimer, Nat'; 'Doggett, Rosalyn'
Cc: 'Maurice Perry'; aives@bannekerventures.com; 'Tiwana Hicks'; Albert, Neil (EOM); Fuller, Yohance (EOM); sgoldin@intercapholdings.com; 'John Hagner'; 'Moneme, Emeka'; 'Marshall, Malcolm'
Subject: RE: Shaw-Howard/Florida Avenue Appraisal

Mark,

We are not available until 2:30 on Friday. Can we meet at that time? Also, can you confirm that Nat will be there as I'm sure there will be a number of issues that we will need his sign-off on so as to get this thing done on Friday.

Thanks.

Omar

From: Meister, Mark K. [mailto:MMeister@wmata.com]
Sent: Tuesday, September 15, 2009 1:51 PM
To: Omar A. Karim; Bottigheimer, Nat; Doggett, Rosalyn
Cc: 'Maurice Perry'; aives@bannekerventures.com; 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance S. Fuller; sgoldin@intercapholdings.com; 'John Hagner'; Moneme, Emeka; Marshall, Malcolm
Subject: RE: Shaw-Howard/Florida Avenue Appraisal

Omar,

I can't do Friday morning but I am available at 1:30. Roz is out of the office today, so I cannot confirm her attendance at this time. Let's hold 1:30 and I will talk to Roz tomorrow.

Mark

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Tuesday, September 15, 2009 10:51 AM
To: Meister, Mark K.; Bottigheimer, Nat; Doggett, Rosalyn
Cc: 'Maurice Perry'; aives@bannekerventures.com; 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance S. Fuller; sgoldin@intercapholdings.com; 'John Hagner'; Moneme, Emeka; Marshall, Malcolm
Subject: RE: Shaw-Howard/Florida Avenue Appraisal

Nat, Mark and Roz,

On Friday, Roz indicated that she would have to check her schedule before we could confirm a time to meet again this Friday. I believe we had agreed to hold the meeting in the morning. Can you all confirm that the morning is still good. If so, can we meet at 9am?

Thank you in advance.

Omar

From: Bottigheimer, Nat [mailto:NBottigheimer@wmata.com]
Sent: Thursday, September 10, 2009 10:03 PM
To: Yohance S. Fuller; Omar A. Karim; Meister, Mark K.
Cc: Maurice Perry; aives@bannekerventures.com; Tiwana Hicks; Neil.Albert@dc.gov; John Hagner; Moneme, Emeka; Marshall, Malcolm; Doggett, Rosalyn; sgoldin@intercapholdings.com
Subject: RE: Shaw-Howard/Florida Avenue Appraisal

Yohance and Omar--

I recognize neither of you may be able to review this material prior to tomorrow morning's meeting among ourselves and Banneker, but I wanted to provide our responses to Omar's comments below so that all involved in this negotiation can be aware of the positions Metro staff will be taking and the basis for these positions.

Thanks very much.

Nat

From: Yohance (EOM) Fuller [yohance.fuller@dc.gov]
Sent: Wednesday, September 09, 2009 6:28 PM
To: Omar A. Karim; Meister, Mark K.
Cc: Maurice Perry; aives@bannekerventures.com; Tiwana Hicks; Neil.Albert@dc.gov; Bottigheimer, Nat; John Hagner; Moneme, Emeka; Marshall, Malcolm; Doggett, Rosalyn
Subject: RE: Shaw-Howard/Florida Avenue Appraisal

Mark et al.,

Per an email exchange with Nat earlier today -- there are only a few outstanding items to resolve to get a term sheet in draft from and more importantly get this on October's agenda. I don't see why we can't get all stakeholders at a table and get these issues finally put to bed.

Please set up a meeting this Friday, per our conversation last week. It is imperative that we get these initial deal terms finalized by COB Friday. I am available 2:30p and anytime thereafter.

Regards,

Yohance

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Wed 9/9/2009 5:21 PM
To: 'Meister, Mark K.'
Cc: 'Bottigheimer, Nat'; 'Moneme, Emeka'; 'Doggett, Rosalyn'; 'Marshall, Malcolm'; Fuller, Yohance (EOM); Albert, Neil (EOM); 'Perry, Maurice'; 'Tiwana Hicks'; aives@bannekerventures.com; 'Hagner, John'
Subject: RE: Shaw-Howard/Florida Avenue Appraisal

Mark,

Thank you for the email with your thoughts on the basic WMATA Financial Terms. Below are our comments:

Capitalized Lease Payments

If we agree to all of the other terms, we could agree to pay the value of the capitalized lease payment of \$1.98M that your appraiser put together.

Please explain why you indicated that the value of the land was absent any subsidies other than 4% tax credits. Based on our knowledge of projects that include 20% affordable housing, and as discussed with you all on several occasions, the value of the land would be zero if we had to do 20% affordable housing and then we would still need some subsidies to cover the gap. We can't think of one project in the District that includes 20% affordable housing that is paying anywhere close to what we would pay WMATA AND these projects would still need subsidies.

We would not be willing to pay WMATA any portion of any subsidies that we obtain for the project, let alone paying 80% of anything that we get. We've mentioned this many times before as we believe that no project could move forward with 20% affordable housing and pay \$1.98M

at closing for the land, without some public subsidies to help close the gap because of the inclusion of the affordable housing units.

Pre-Closing Payments

Okay with amounts but payments would be made quarterly.

Additional Density

This is confusing. The portion of the alley that will be closed is 1,025 SF. About ½ will be decided to WMATA and ½ will be decided to us as the purchasers of the adjacent parcels that are next to the alley. Since we are building a 5 story building, this would mean 512 SF x 5 stories = 2,560 SF would be attributable to WMATA land. Based on your calculations of the value of the land, this would mean that we would pay about \$16 per SF or \$42,000 in additional capitalized rent at Lease execution. We could agree to this increase over the \$1.98M.

Annual Operating Income Participation

We would agree to 1.5% of Effective Gross Income but would not run our Debt Service Coverage at 1.25. We've never run our DSC at 1.25 as our project couldn't be financed at this rate. We are using a 1.11 DSC because HUD allows this.

Capital Event Participation

Any equity or member loans to receive a 20% return prior to WMATA receiving its 10% of net proceeds. Member loans or equity are indistinguishable. We could agree that equity or member loans not to exceed 40% of the development costs.

Term

Initial term is 60 years with an option for the Developer to extend for another 39 years. Any annual escalation after the initial term to be at 1%, not 3%.

After yesterday's meeting, we thought that we were much closer to resolving the financial issues with you all. However, based on the terms that you sent us this afternoon, it appears that you all want to continue to raise new issues and change old ones. We cannot send over a summary of open issues until we know where we are with the ones above.

We welcome meeting with you again on Friday to try to come to some agreement on these terms.

Omar

Omar A. Karim

Banneker Ventures, LLC

729 15th Street, NW, Suite 400

Washington, DC 20005

(202) 393-5460 phone

(202) 393-5462 fax

(301) 523-1810 cell

okarim@bannekerventures.com

From: Meister, Mark K. [mailto:MMeister@wmata.com]
Sent: Wednesday, September 09, 2009 2:54 PM
To: okarim@bannekerventures.com
Cc: Bottigheimer, Nat; Moneme, Emeka; Doggett, Rosalyn; Marshall, Malcolm
Subject: RE: Shaw-Howard/Florida Avenue Appraisal

Omar,

As discussed, please see attached Basic WMATA Financial Terms.

Mark

Mark K. Meister

Acting Director

Office of Station Area Planning and Asset Management

Washington Metropolitan Area Transit Authority

600 Fifth Street, NW

Washington, DC 20001

Tel: 202-962-1589

Fax: 202-962-2396

Email: mmeister@wmata.com

From: Omar Karim [mailto:okarim@bannekerventures.com]
Sent: Wednesday, September 09, 2009 2:38 PM
To: Meister, Mark K.
Cc: Tiwana Hicks
Subject: Re: Shaw-Howard/Florida Avenue Appraisal?

Thanks.

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 office
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Meister, Mark K."
Date: Wed, 9 Sep 2009 14:22:28 -0400
To: Omar A. Karim <okarim@bannekerventures.com>
Subject: RE: Shaw-Howard/Florida Avenue Appraisal?

Omar,

I will have it to you within the next half hour.

Mark

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Wednesday, September 09, 2009 1:55 PM
To: Meister, Mark K.
Cc: 'Tiwana Hicks'
Subject: Shaw-Howard/Florida Avenue Appraisal?
Importance: High

Mark,

Any word on the update appraisal results?

Omar

Omar A. Karim
Banneker Ventures, LLC

729 15th Street, NW, Suite 400

Washington, DC 20005

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okarim@bannekerventures.com

Doggett, Rosalyn

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To: okarim@bannekerventures.com
Cc: Bottigheimer, Nat; Moneme, Emeka; Doggett, Rosalyn; Marshall, Malcolm
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As discussed, please see attached Basic WMATA Financial Terms.

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Sent: Wednesday, September 09, 2009 2:38 PM
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Subject: Re: Shaw-Howard/Florida Avenue Appraisal?

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Sent: Tuesday, September 15, 2009 8:41 PM
To: Omar A. Karim; Doggett, Rosalyn; Meister, Mark K.; Bottigheimer, Nat
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Subject: RE: Shaw-Howard/Florida Avenue Appraisal

Mark/Nat/Roz --

Just closing the loop. Are we confirmed from 2:30p? Please advise.

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Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Tuesday, September 15, 2009 5:46 PM
To: Doggett, Rosalyn; Meister, Mark K.
Subject: Florida Avenue

Hi Roz and Mark,

I am meeting with Carol O'Keeffe and Bruce Heppen on Thursday at 10:30am to discuss the developer's Co-tenancy Agreement proposal.

If you have free time, please come down and join us. Let me know if you can make it.

Thanks,

Josh

Doggett, Rosalyn

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Sent: Tuesday, September 15, 2009 4:49 PM
To: Doggett, Rosalyn; Meister, Mark K.; Bottigheimer, Nat
Cc: 'Maurice Perry'; aives@bannekerventures.com; 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance S. Fuller; sgoldin@intercapholdings.com; 'John Hagner'; Moneme, Emeka; Marshall, Malcolm
Subject: RE: Shaw-Howard/Florida Avenue Appraisal
Attachments: Summary of Updated Term Sheet-Shaw-Howard-Florida Avenue Sites (9-15-09).doc
Importance: High

Nat, Mark, and Roz,

Attached please find the updated Summary of the Term Sheet for the Shaw-Howard/Florida Avenue sites. The four items highlighted in red are our responses to some of the questions that were raised at Friday's meeting. All of the other items we believe have been agreed to by WMATA and Banneker/BACDC. Please review the Summary for accurateness as we hope to finalize all remaining issues either prior to or at Friday's meeting.

Best,

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okarim@bannekerventures.com

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Sent: Wednesday, September 09, 2009 2:54 PM
To: okarim@bannekerventures.com
Cc: Bottigheimer, Nat; Moneme, Emeka; Doggett, Rosalyn; Marshall, Malcolm
Subject: RE: Shaw-Howard/Florida Avenue Appraisal

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Fax: 202-962-2396
Email: mmeister@wmata.com

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To: Meister, Mark K.
Cc: Tiwana Hicks
Subject: Re: Shaw-Howard/Florida Avenue Appraisal?

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I will have it to you within the next half hour.

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Doggett, Rosalyn

From: Wyner, Jonathan S.
Sent: Tuesday, September 15, 2009 2:30 PM
To: Meister, Mark K.; Marshall, Malcolm; Malasky, Gary; Burns, Bob; Doggett, Rosalyn; Goldin, Steven
Cc: Maguigad, David; Mohsberg, Sid; Bottigheimer, Nat; McElhenny-Smith, Robin
Attachments: AdvancedExcel Sept09.pdf; Core Tools.xls; Big Institution Partnership Docs.pdf; Cash Flow - student.xls; Cash Flow.xls; Construction - student.xls; Construction.xls; Copy of Partnerships.xls; Core Tools - student.xls; WM Securities First Stamford Place.pdf; FundSummaryTerms.pdf; Intro to Excel VBA.xls; KAHR Brochure.pdf; Partnerships - student.xls; Partnerships.xls; PROP-TEASER_London.pdf; rea040109.pdf; Solutions to Common Problems.xls; US Fund Structure.pdf

Importance: High

Attached are the "hand-outs" for the recent 2 day ULI class on "Advanced Pro-Forma Modeling Using Excel".

I am writing up my notes but that could take a few days....

What is very interesting is using the Excel What If Analysis – (Scenario Manager, Goal Seek and Data Table) and the Data Analysis and Solver Add-on's. I'll need to get practice in using these tools, but they allow for "dynamic" spreadsheets.

Jonathan

Ps. Start with the Core Tools and then Cash flows spreadsheet.....you will need to enable macros – and to add the add-on's in Excel options

Jonathan Stuart Wyner, CPM®, CCIM
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Washington Metropolitan Area Transit Authority
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Department of Planning & Joint Development
600 Fifth Street, NW
Washington, DC 20001
202/962-1577

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Tuesday, September 15, 2009 12:12 PM
To: Doggett, Rosalyn; Burns, Bob; Malasky, Gary; Scales, Phillip; Wyner, Jonathan S.
Subject: FTA Quarterly Report
Attachments: FTA Quarterly REV 4 Status of Current Projects 7-22-09.doc

The next FTA Quarterly Meeting is scheduled for November 5, 2009. Nat has requested that I update this report to brief him and Steve Goldin prior to the OPRS pre-brief in October. Please review your assigned projects, update the status as appropriate and forward the redline version to me by COB Thursday, September 17th. Thanks

Doggett, Rosalyn

From: Yohance (EOM) Fuller [yohance.fuller@dc.gov]
Sent: Tuesday, September 15, 2009 11:01 AM
To: Doggett, Rosalyn; Meister, Mark K.; Bottigheimer, Nat
Subject: RE: Shaw-Howard/Florida Avenue Appraisal

Nat et al.,

To the best of your ability, let's plan to meet on Friday at 9am. I'm off that day, for my son's first birthday -- but will still plan to attend the meeting at 9a.

Thanks In Advance,

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From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Tuesday, September 15, 2009 10:51 AM
To: 'Bottigheimer, Nat'; 'Meister, Mark K.'; 'Doggett, Rosalyn'
Cc: Albert, Neil (EOM); Fuller, Yohance (EOM); 'Maurice Perry'; aives@bannekerventures.com; 'Tiwana Hicks'; 'John Hagner'; 'Moneme, Emeka'; 'Marshall, Malcolm'; sgoldin@intercapholdings.com
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Subject: RE: Shaw-Howard/Florida Avenue Appraisal
Attachments: Jazz @ Florida Avenue Financial Model - (Sent to WMATA as of 9-15-09).xls

Importance: High

Nat, Mark and Rosalyn,

As promised on Friday, attached please find our updated budget and 15 year residential and retail pro formas. Also as promised, by COB today, we will send you the updated Summary of the Term Sheet with our thoughts on Capital Participation, and by COB tomorrow we will send you an outline of the co-tenancy agreement.

We look forward to meeting with you all on Friday to work out any remaining issues so that the Revised Term Sheet can go to the Planning, Development and Real Estate Committee on October 8th.

Please call or email with any questions.

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Washington, DC 20001
Tel: 202-962-1589
Fax: 202-962-2396
Email: mmeister@wmata.com

From: Omar Karim [mailto:okarim@bannekerventures.com]
Sent: Wednesday, September 09, 2009 2:38 PM
To: Meister, Mark K.
Cc: Tiwana Hicks
Subject: Re: Shaw-Howard/Florida Avenue Appraisal?

Thanks.

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 office
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Meister, Mark K."
Date: Wed, 9 Sep 2009 14:22:28 -0400
To: Omar A. Karim<okarim@bannekerventures.com>
Subject: RE: Shaw-Howard/Florida Avenue Appraisal?
Omar,

I will have it to you within the next half hour.

Mark

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Wednesday, September 09, 2009 1:55 PM
To: Meister, Mark K.
Cc: 'Tiwana Hicks'
Subject: Shaw-Howard/Florida Avenue Appraisal?
Importance: High

Mark,

Any word on the update appraisal results?

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: noreply+feedproxy@google.com on behalf of Greater Greater Washington
[alpert@gmail.com]
Sent: Saturday, September 12, 2009 5:07 AM
To: Doggett, Rosalyn
Subject: Greater Greater Washington

Greater Greater Washington



- Wisconsin Giant opponents file lawsuit
- On the calendar: Walk, bike, park, and paddle
- DDOT's Kathleen Penney has resigned
- Metro customer service lines keep banker's hours
- DC uninsured rate dropped, is one of lowest in US
- Breakfast links: Ouch

Wisconsin Giant opponents file lawsuit

Posted: 11 Sep 2009 12:56 PM PDT



Residents are suing to stop this. Image from the Giant project team.

Opponents of the Wisconsin Giant project have filed a lawsuit to try to stop the project. The Wisconsin-Newark Neighbors Coalition, one of several ad-hoc groups that formed to oppose the project, has appealed the Zoning Commission's approval of the project (PDF). Jeff Davis, founder of pro-Giant group AWARE, wrote, "This could delay the construction by an additional one to three years."

Resident Bill wrote on the Cleveland Park listserv,

I for one am dismayed by the endless bickering and legal maneuvering that hamstring any effort to make our neighborhood a better place. The Giant controversy is only the most recent and egregious example.

I have spent many years in countries Americans often regard as "byzantine" and "dysfunctional," looking down on them because they can't resolve any of their problems or resolve conflicts without people tearing each other apart. I'd say Cleveland Park in the past few years ranks with the worst of them in terms of conflict resolution, and we are a small community of generally well-educated and tolerant people with many mutual interests about what makes a neighborhood most livable.

WNNC's opposition brief (PDF) in the Zoning Commission case outlines their objections. The neighborhood commercial overlay, which includes the Giant site, prohibits development of the scale in the project. WNNC argues that the Zoning Commission doesn't have the authority to approve the Giant PUD in a way that conflicts with the overlay. Councilmember Phil Mendelson made a similar argument at the hearing.

The Office of Planning and the Cleveland Park ANC both have argued, as did I, that the overlay shouldn't trump the project. In its order, the Zoning Commission claimed that it does have the authority to remove the property from the overlay. They are the ones who create overlays, and can also modify them, and make other zoning amendments. The opponents essentially appear to be arguing that the Zoning Commission has to go through a different kind of proceeding to modify the overlay, separate from the approval of the PUD, or have the Board of Zoning Adjustment grant a special exception. The Zoning Commission says that they are allowed to make map amendments in conjunction with a PUD, and this counts as a map amendment.

Ann Hamilton, a resident of the area, sent that brief to the Office of Zoning and participated in the hearing as part of WNNC. Hamilton is also running for one of the officer positions in the Cleveland Park Citizens' Association as part of the "Unity Slate," which has recently emerged in opposition to Davis' "Reform Slate." Likely seeing the writing on the wall from the rush of new members and the backlash when they postponed the elections, the present leaders aren't running, but sources familiar with the candidates say that the Unity Slate represents the old guard's handpicked successors.

The Unity Slate candidate for President, John Chelen, wrote about bringing the neighborhood together and creating a more inclusive and communicative CPCA, similar themes to those we heard from Davis and the Reform Slate. The key differences are in their approach to the actual issues and change in the neighborhood. From all indications so far, from the Giant to the restaurant limitations on Connecticut Avenue, the Unity Slate seems to come down on the side of opposing most change, and the Reform Slate interested in finding ways to improve the neighborhood that most residents can support.

(13 comments · share or email)

Related posts:

Mendelson endorses overlay purity over neighborhood vibrancy (Apr 9, 2009)

Cheh: "broad-based support" for Wisconsin Giant project (Feb 20, 2009)

Fight for your right for a vibrant Wisconsin Avenue (Jan 21, 2009)

ANC and residents debate loading, parking for Wisconsin Giant (Dec 16, 2008)

Wisconsin Giant plan is not too giant (Oct 16, 2008)

On the calendar: Walk, bike, park, and paddle

Posted: 11 Sep 2009 10:40 AM PDT



Photo by Scott Beale/Laughing Squid.

DC's traditionally quiet summer is over. There are lots of events coming up this weekend and across the next few weeks. September is always a particularly big month in transportation, as Park(ing) Day and Car-Free Day both show up just days apart, sandwiching Walking(&Biking)TownDC, not to mention government agencies ramping the public meetings back up and numerous other walking tours, street festivals, and more.

This weekend: If you've always wanted to green your home but don't know how, find out at the **Green Your Home Expo**, featuring companies offering energy efficiency, renewable energy, green household products, and more. They'll be in the plaza outside UDC, 4200 Connecticut Avenue NW (by the Van Ness Metro) from 10 am to 2 pm.

The Surfrider Foundation is **paddling the Potomac** from 10 am to 2 pm, starting at the Thompson Boat Center where Virginia Avenue meets Rock Creek Parkway. And the DC Building Industry Association is helping out all day to **improve Fort Mahan Park**.

Celebrate car independence: The fall's two major car-non-oriented events are coming up. Park(ing) Day started in San Francisco, where some local artists fed a meter, rolled out a rectangular piece of artificial grass, put in a park bench, and showed passerby how much green space you could get in the heart of the city by utilizing the 160 square feet of a typical parking space. This year, DC **will have some parks of its own** for the first time. Unfortunately, the law doesn't just let you park some grass and a bench in a parking space the way you can a motor vehicle, so organizers have applied for permits for **four spaces**, in Georgetown, U Street, Gallery Place, and Adams Morgan. Park(ing) Day is Friday the 18th.

The following Tuesday, September 22nd, is the more official non-car event, **Car-Free Day**. As they have the last few years, DC will hold a celebration at 7th and F, NW. You can **take the pledge** to try to get around without driving for the day. The week is also Try Transit Week in Virginia, designed to encourage Virginians to give transit a try.

Walk and bike tours: There are lots of walking tours and biking tours coming up, including the 800-lb walking tour weekend, **WalkingTown DC**, on September 19th and 20th. This iteration has over 100 free walking tours, from Florida Market to Deanwood, African-American history, murals at the Department of the Interior, cemeteries, and estates in Georgetown. WalkingTown DC's companion program, **BikingTown DC**, has six tours covering Anacostia, Ward 5, houses of worship, the Mall, and green buildings.



State-named avenues. Image by Matt Johnson.

Also back on Saturday the 19th but farther north is a **big bike ride of Montgomery County's Agricultural Reserve**. Participants can choose tours of 17, 25, 35, 54 or 67 miles, which start between 9:30 and 10:30 am at Poolesville High School.

Speaking of long bike rides, the following weekend is WABA's **50 States Ride**, which hits all 50 of Washington's state-named **avenues** on a tough ride of over 60 miles. For those who want to see some state streets without so many hills, there's also a 13

Colonies ride hitting the original 13 colonies, all of whose streets come into DC's center, from Rhode Island just north of downtown to South Carolina on Capitol Hill. Both rides are on September 26th, start between 8 and 9 am, and cost \$10-15.

Be festive: Adams Morgan Day is this Sunday, September 13th, featuring food, music, art, and culture from 12 to 7 pm along 18th Street. More on their **annoying Flash** site. And the next weekend is the **H Street Festival**, from 12 to 6.

In Montgomery, the **Takoma Park Folk Festival** is this Sunday (the 13th) from 11 to 6:30, and the **Magical Montgomery Festival** celebrates the arts in Downtown Silver Spring on Saturday, September 26th from 12 to 6.

Listen and learn: On Wednesday the 23rd, CSG is organizing a **tour of the Capitol Riverfront**, where you can hear the history and see all the development projects in this burgeoning part of the city.

The Brookland Neighborhood Civic Association is having a discussion of bicycling in Brookland, including the Metropolitan Branch Trail and other trails, featuring folks from the Met Branch trail coalition, WABA, and Rails-to-Trails. That's Tuesday, September 15th, 7 pm at the Brooks Mansion, 901 Newton Street, NE right near the Metro.

Zipcar founder Robin Chase will talk about transportation in a lecture entitled "**Beyond Zipcar**" at the National Building Museum on Monday the 21st at 12:30. That event is free, but you have to RSVP.



Photo by Amsterdamize.

And Mikael Colville-Andersen, who created the blog **Copenhagen Cycle Chic**, will discuss the nexus between making bicycling fashionable and getting more people to use this sustainable form of transportation. The talk is on Wednesday, September 30th, at 6 pm at the NCPC offices, 401 9th St, NW, 5th floor.

Give your input: You might not have time to weigh in at public meetings after all those festivals, lectures and tours, but there are two key ones. VDOT has finally started analyzing alternatives to widening I-66 after getting a wake-up call from COG. They're presenting the alternatives at a series of evening meetings in Arlington on the 23rd, Haymarket on the 24th, and Vienna on the 30th. Meanwhile, WMATA will listen to X bus riders as part of their restructuring of those lines with a meeting on H Street (really G) on the 22nd and near Minnesota and Benning on the 24th.

If this is totally overwhelming, all of this is on the **Greater Greater Washington calendar**, with the next week or so of events always appearing on the right sidebar on the main page.

(6 comments · share or email)

Related posts:

[Feet in the Street Saturday in Fort Dupont \(Aug 28, 2009\)](#)

[On the calendar: 17th, 18th, bike lanes and streetcars \(Jul 29, 2009\)](#)

[WalkingTown DC schedule released \(May 6, 2009\)](#)

[Almost like Summer Streets: Bike DC \(Sep 19, 2008\)](#)

[WalkingTown DC schedule \(Apr 11, 2008\)](#)

DDOT's Kathleen Penney has resigned

Posted: 11 Sep 2009 09:53 AM PDT



Several different sources have confirmed that DDOT Associate Director and Chief Engineer Kathleen Penney has resigned. Penney heads the Infrastructure and Project Management Administration (IPMA), which is responsible for the engineering and building of DDOT projects from street repaving to new bridges.

Many of our criticisms of DDOT have revolved around IPMA, which has been a force for conventional traffic engineering within DDOT. Often, progressive plans come out of DDOT's Policy and Planning arm (TPPA), and then IPMA deletes parts that don't conform to traditional street design rules. Sometimes the engineers genuinely can't make something work in a way that fits with safety rules or turning radii for trucks, but I've heard that the **delayed improvements at 15th and W, NW** and **lack of progress on the 15th Street contraflow bike lane** had something to do with IPMA's lack of enthusiasm. And according to

consultants who've worked with DDOT, IPMA officials often disparage TPPA and have at times refused to participate in the same meeting as the planners.

Replacing Penney will be one of Gabe Klein's best opportunities to change the culture at DDOT. We need a Chief Engineer who's not only willing but eager to implement real improvements to the way we use public space and to pedestrian and bicycle safety, like protected bike lanes, raised crosswalks, and bulb-outs. We need a Chief Engineer who wants to work collaboratively with the planners to make DC's streets the best and safest they can be. And, of course, we need a Chief Engineer who can manage huge projects and large teams of consultants and contractors to ensure that bridges, sidewalks, and roadbeds are completed on time and within budget.

(5 comments · share or email)

Related posts:

[The waiting game: Two intersections now safer for pedestrians \(Aug 26, 2009\)](#)

[Where's the 15th Street contraflow lane? \(Aug 6, 2009\)](#)

[Doubts about cycle track, concerns about process \(Nov 10, 2008\)](#)

[Needed: leadership and management at DDOT \(Jun 13, 2008\)](#)

[Dupont's 18th Street next for reconstruction \(May 16, 2008\)](#)

Metro customer service lines keep banker's hours

Posted: 11 Sep 2009 08:22 AM PDT



Photo by wongjunhao.

By Michael Perkins

Metro staff presented the results of the Labor Day track maintenance to a Board committee yesterday ([audio](#)). According to the staff member giving the report, Metro successfully completed the track repair, and the shuttle service provided was a success.

However, Metro Board Member Jeff McKay(?)'s experience with similar shuttle service was anything but smooth. According to Mr. McKay, he and dozens of other customers waited 35 minutes for a shuttle from Rosslyn, and when it arrived, there were four of them at the same time.

When the customers finally arrived at the Pentagon station platform, they found out that the train had left just a couple of minutes before, taking only three people, and the wait for the next train would be 40 minutes. Mr. McKay asked the station manager why there was no communication between the station level and the street level, where a bus supervisor could have alerted the station and train operator to hold for incoming passengers. According to McKay, the station manager told him that due to a new safety policy, he was not allowed to use his cell phone. However, this is not accurate; the new policy only applies to vehicle operators, not station managers.

Another Board member (Catherine Hudgins of Fairfax?) asked Metro staff about other customer complaints received that weekend. Staff said that they received only 90 customer service complaint phone calls that weekend, which was pretty good considering their ridership. The only problem is that the customer service phone line is only open from 8 am to 5 pm, Monday to Friday. My calls to that line outside of business hours were directed to call back later, with no option to leave a message.

Staff also did not mention the customer service complaints they received from other methods. Metro accepts customer service complaints via the web. Since last year, they have returned emails to the customer service email address without response.

Unlike other government agencies in the area (like Arlington County (@ArlingtonVA), DDOT (@DDOTDC) and other transit agencies like BART (@SFBART), Metro's twitter account doesn't follow anyone, and to my knowledge has only responded once via Twitter to a customer complaint, when I directly brought the customer's complaint to the attention of Metro by another means. Other companies like Comcast track traffic on Twitter to get a sense of their customer's complaints and needs.

Metro has to do the track maintenance sometime, and it's tricky to move customers in shuttle buses that get stuck in traffic and carry far fewer people than a train. However, Metro needs to know how customers feel about its service. Of course, they

also have no money. Is Metro doing enough to listen to customers? Should the complaint line let people record voicemail messages? Should WMATA listen to what its customers are saying on Twitter or is that a waste of time?

(10 comments · share or email)

Related posts:

[A cheaper route to Metro core capacity, part 2: Virginia service patterns \(Jun 30, 2009\)](#)

[Metro board says no to food, "master licensee" \(May 28, 2009\)](#)

[RAC tonight: budget, customer service standards \(Feb 4, 2009\)](#)

[Metro refuses to participate in Google Transit \(Dec 13, 2008\)](#)

[Metro actually works \(sometimes\) \(Nov 19, 2007\)](#)

DC uninsured rate dropped, is one of lowest in US

Posted: 11 Sep 2009 07:23 AM PDT



Caduceus at the National Postal Mus. Photo by takomabelot.

By **Ed Lazere**

New figures released by the U.S. Census Bureau reveal some good news about health insurance coverage in the District of Columbia. The share of residents without insurance stood at 9.8 percent in 2007-2008, a significant decline from 12.9 percent in 2000-2001. When compared with states, DC is in the top fifth in its insurance coverage rate. (Massachusetts has the lowest uninsured rate, at 5.4 percent.)

The reduction in uninsured DC residents reflects greater access to government health insurance programs. Some 22 percent of DC residents had public health coverage in 2007-2008, up from 17 percent in 2000-2001. (The share of residents with employer-provided health insurance was basically the same in the two periods.) The increase in public health insurance receipt in DC likely reflects the creation of the DC HealthCare Alliance in 2001, which provides coverage to uninsured residents below 200 percent of poverty who are not eligible for other public programs. Roughly 40,000 DC residents will be served by the Alliance in 2010. The Alliance complements the District's Medicaid program, which primarily serves low-income families with children and residents who are either elderly or disabled.

In addition, the District expanded health insurance for low-income families with children in its Medicaid program over the past decade. Medicaid eligibility for children was raised from 200 percent of poverty to 300 percent of poverty.

The new Census figures for DC point to an important policy success as the nation considers health care reform, showing that expanding access to health insurance coverage greatly reduces the share of residents who have no coverage.

These data reflect conditions in 2008. Since then, the decline in the national economy likely has left more residents without employer-provided health insurance. Even though some of the unemployed will qualify for Medicaid or the HealthCare Alliance, the share of residents without health insurance may be higher today. At the same time, the District is preparing to implement a new low-cost health insurance option for moderate-income families, called Healthy DC, which will increase access to health care.

(2 comments · share or email)

Related posts:

[Community revitalization must start with persistently poor neighborhoods \(Aug 10, 2009\)](#)

[Mayor Fenty's proposed cuts fall too heavily on the poor \(Jul 27, 2009\)](#)

[Homeless shelters reaching a crisis \(Jul 17, 2009\)](#)

[Children should not be the breadwinners \(May 20, 2009\)](#)

Breakfast links: Ouch

Posted: 11 Sep 2009 05:57 AM PDT



Photo by thisisbossi.

Charter driver hits Metrobus: 19 people were injured on a Metrobus this morning after the driver of a charter bus rear-ended a Metrobus on Good Hope Road in Anacostia. (Get There)

Hello? Police?: Metro police didn't respond to a problem on the Red Line earlier this week. A man was screaming and hassling passengers, and the train operator kept calling out, "transit police please contact the operator." The train waited 5 minutes at Gallery Place as the operator asked for police, but none arrived, nor at any other stations at least to Dupont Circle. (Unsuck DC Metro)

The new new corridor: Takoma Park is trying to promote its New Hampshire Avenue corridor with a new Web site, branding it "The New New Hampshire Ave" and celebrating the ethnic businesses along the corridor. It also includes a page on plans for the corridor, including a boulevard concept to make the road more pedestrian- and bicycle-friendly.

"Transportation" equals "roads" to AASHTO: AASHTO, the American Association of State Highway and Transportation Officials, AAA, and the Chamber of Commerce picked "America's Ten Best Transportation Projects." Yet there's not a single transit, pedestrian or bicycle project among them. That's not just because they liked road projects the most; according to the press release, the award team only even considered road projects.

Preston Bryant to chair NCPC: President Obama has nominated Preston Bryant, Virginia's Secretary of Natural Resources and a Republican from Richmond, to replace John Cogbill as Chair of NCPC. Cogbill's seat must go to a Virginian, as the rules require Presidential appointees to include one person from Virginia and one from Maryland. From the few NCPC meetings I've seen, Cogbill wasn't particularly sympathetic to DC's needs; will Bryant be better? (Washington Business Journal)

Making the east coast look bad: The EFF compares transit agencies' handling of schedule data. West coast agencies, like those in San Francisco and Portland, get high marks for embracing an open source model; New York and DC come out on the bottom between the NY MTA's legal threats to applications and WMATA's plans to spend \$500,000 to find out if their data is worth anything. (Electronic Frontier Foundation, Michael P)

Hunting for better bicycling: Froggie, who lives in Huntington, put together a bicycling wish list. Better signs, separated bike lanes, more trails, and a decent bike route through Old Town Alexandria top the list. (Froggie's Blog)

A whale of a cake: This is really funny. DCist asked a cake shop to write "DCist" in big letters across a whole cake. Instead, they got a cake reading, "DCist on a whole cake." Better yet, the handwriting makes it look like it says, "DCist on a whale cake."

Have a tip for the links? [Submit it here.](#)

(6 comments · [share](#) or [email](#))

Related posts:

[Arlington collecting bicycle and pedestrian traffic data \(Feb 3, 2009\)](#)

[Prince George's transportation plan, part 1: More sidewalks, more roads \(Jan 30, 2009\)](#)

[Zoo thinking still car-centric \(Dec 15, 2008\)](#)

[Police, prosecutors in Wisconsin town say cyclists have no right to the road \(Oct 3, 2008\)](#)

[Takoma Park considering boulevard for New Hampshire Ave \(Aug 14, 2008\)](#)

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Doggett, Rosalyn

From: Meister, Mark K.
Sent: Friday, September 11, 2009 3:09 PM
To: Doggett, Rosalyn
Subject: RE: Fl Ave Elevations
Attachments: Jazz @ Florida Avenue - Elevations and Sections (as of 9-8-09).pdf

Here ya go.

From: Doggett, Rosalyn
Sent: Friday, September 11, 2009 2:53 PM
To: Meister, Mark K.
Subject: Fl Ave Elevations

I have duly scrolled every email from Omar since the beginning of August and find none with elevations. Please send me the goods. Thanks

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Yohance (EOM) Fuller [yohance.fuller@dc.gov]
Sent: Thursday, September 10, 2009 11:16 PM
To: okarim@bannekerventures.com; Meister, Mark K.; Bottigheimer, Nat
Cc: maurice.perry@bankofamerica.com; aives@bannekerventures.com; thicks@bannekerventures.com; Neil.Albert@dc.gov; sgoldin@intercapholdings.com; Doggett, Rosalyn; JHagner@wcsr.com; Moneme, Emeka; Marshall, Malcolm
Subject: Re: Shaw-Howard/Florida Avenue Appraisal

Nat,

I appreciate your due diligence thus far. I will review it prior to our meeting in the morning.

Yohance

From: Bottigheimer, Nat <NBottigheimer@wmata.com>
To: Fuller, Yohance (EOM); Omar A. Karim <okarim@bannekerventures.com>; Meister, Mark K. <MMeister@wmata.com>
Cc: Maurice Perry <maurice.perry@bankofamerica.com>; aives@bannekerventures.com <aives@bannekerventures.com>; Tiwana Hicks <thicks@bannekerventures.com>; Albert, Neil (EOM); John Hagner <JHagner@wcsr.com>; Moneme, Emeka <EMoneme@wmata.com>; Marshall, Malcolm <MMarshall@wmata.com>; Doggett, Rosalyn <RDoggett@wmata.com>; sgoldin@intercapholdings.com <sgoldin@intercapholdings.com>
Sent: Thu Sep 10 22:03:12 2009
Subject: RE: Shaw-Howard/Florida Avenue Appraisal

Yohance and Omar--

I recognize neither of you may be able to review this material prior to tomorrow morning's meeting among ourselves and Banneker, but I wanted to provide our responses to Omar's comments below so that all involved in this negotiation can be aware of the positions Metro staff will be taking and the basis for these positions.

Thanks very much.

Nat

From: Yohance (EOM) Fuller [yohance.fuller@dc.gov]
Sent: Wednesday, September 09, 2009 6:28 PM
To: Omar A. Karim; Meister, Mark K.
Cc: Maurice Perry; aives@bannekerventures.com; Tiwana Hicks; Neil.Albert@dc.gov; Bottigheimer, Nat; John Hagner; Moneme, Emeka; Marshall, Malcolm; Doggett, Rosalyn
Subject: RE: Shaw-Howard/Florida Avenue Appraisal

Mark et al.,

Per an email exchange with Nat earlier today -- there are only a few outstanding items to resolve to get a term sheet in draft from and more importantly get this on October's agenda. I don't see why we can't get all stakeholders at a table and get these issues finally put to bed.

Please set up a meeting this Friday, per our conversation last week. It is imperative that we get these initial deal terms finalized by COB Friday. I am available 2:30p and anytime thereafter.

Regards,

Yohance

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Wed 9/9/2009 5:21 PM
To: 'Meister, Mark K.'
Cc: 'Bottigheimer, Nat'; 'Moneme, Emeka'; 'Doggett, Rosalyn'; 'Marshall, Malcolm'; Fuller, Yohance (EOM); Albert, Neil (EOM); 'Perry, Maurice'; 'Tiwana Hicks'; aives@bannekerventures.com; 'Hagner, John'
Subject: RE: Shaw-Howard/Florida Avenue Appraisal

Mark,

Thank you for the email with your thoughts on the basic WMATA Financial Terms. Below are our comments:

Capitalized Lease Payments

If we agree to all of the other terms, we could agree to pay the value of the capitalized lease payment of \$1.98M that your appraiser put together.

Please explain why you indicated that the value of the land was absent any subsidies other than 4% tax credits. Based on our knowledge of projects that include 20% affordable housing, and as discussed with you all on several occasions, the value of the land would be zero if we had to do 20% affordable housing and then we would still need some subsidies to cover the gap. We can't think of one project in the District that includes 20% affordable housing that is paying anywhere close to what we would pay WMATA AND these projects would still need subsidies.

We would not be willing to pay WMATA any portion of any subsidies that we obtain for the project, let alone paying 80% of anything that we get. We've mentioned this many times before as we believe that no project could move forward with 20% affordable housing and pay \$1.98M at closing for the land, without some public subsidies to help close the gap because of the inclusion of the affordable housing units.

Pre-Closing Payments

Okay with amounts but payments would be made quarterly.

Additional Density

This is confusing. The portion of the alley that will be closed is 1,025 SF. About ½ will be deeded to WMATA and ½ will be deeded to us as the purchasers of the adjacent parcels that are next to the alley. Since we are building a 5 story building, this would mean 512 SF x 5 stories = 2,560 SF would be attributable to WMATA land. Based on your calculations of the value of the land, this would mean that we would pay about \$16 per SF or \$42,000 in additional capitalized rent at Lease execution. We could agree to this increase over the \$1.98M.

Annual Operating Income Participation

We would agree to 1.5% of Effective Gross Income but would not run our Debt Service Coverage at 1.25. We've never run our DSC at 1.25 as our project couldn't be financed at this rate. We are using a 1.11 DSC because HUD allows this.

Capital Event Participation

Any equity or member loans to receive a 20% return prior to WMATA receiving its 10% of net proceeds. Member loans or equity are indistinguishable. We could agree that equity or member loans not to exceed 40% of the development costs.

Term

Initial term is 60 years with an option for the Developer to extend for another 39 years. Any annual escalation after the initial term to be at 1%, not 3%.

After yesterday's meeting, we thought that we were much closer to resolving the financial issues with you all. However, based on the terms that you sent us this afternoon, it appears that you all want to continue to raise new issues and change old ones. We cannot send over a summary of open issues until we know where we are with the ones above.

We welcome meeting with you again on Friday to try to come to some agreement on these terms.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: Meister, Mark K. [mailto:MMeister@wmata.com]
Sent: Wednesday, September 09, 2009 2:54 PM
To: okarim@bannekerventures.com
Cc: Bottigheimer, Nat; Moneme, Emeka; Doggett, Rosalyn; Marshall, Malcolm
Subject: RE: Shaw-Howard/Florida Avenue Appraisal

Omar,

As discussed, please see attached Basic WMATA Financial Terms.

Mark

Mark K. Meister
Acting Director
Office of Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001
Tel: 202-962-1589
Fax: 202-962-2396
Email: mmeister@wmata.com

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Subject: Re: Shaw-Howard/Florida Avenue Appraisal?

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okarim@bannekerventures.com

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Date: Wed, 9 Sep 2009 14:22:28 -0400
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Subject: RE: Shaw-Howard/Florida Avenue Appraisal?
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Sent: Wednesday, September 09, 2009 1:55 PM
To: Meister, Mark K.
Cc: 'Tiwana Hicks'
Subject: Shaw-Howard/Florida Avenue Appraisal?
Importance: High

Mark,

Any word on the update appraisal results?

Omar

Omar A. Karim
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Washington, DC 20005
(202) 393-5460 phone
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(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Bottigheimer, Nat
Sent: Thursday, September 10, 2009 10:03 PM
To: Yohance S. Fuller; Omar A. Karim; Meister, Mark K.
Cc: Maurice Perry; aives@bannekerventures.com; Tiwana Hicks; Neil.Albert@dc.gov; John Hagner; Moneme, Emeka; Marshall, Malcolm; Doggett, Rosalyn; sgoldin@intercapholdings.com
Subject: RE: Shaw-Howard/Florida Avenue Appraisal
Attachments: Shaw-Howard Florida Avenue WMATA Response to Banneker 9-10-09.doc

Yohance and Omar--

I recognize neither of you may be able to review this material prior to tomorrow morning's meeting among ourselves and Banneker, but I wanted to provide our responses to Omar's comments below so that all involved in this negotiation can be aware of the positions Metro staff will be taking and the basis for these positions.

Thanks very much.

Nat

From: Yohance (EOM) Fuller [yohance.fuller@dc.gov]
Sent: Wednesday, September 09, 2009 6:28 PM
To: Omar A. Karim; Meister, Mark K.
Cc: Maurice Perry; aives@bannekerventures.com; Tiwana Hicks; Neil.Albert@dc.gov; Bottigheimer, Nat; John Hagner; Moneme, Emeka; Marshall, Malcolm; Doggett, Rosalyn
Subject: RE: Shaw-Howard/Florida Avenue Appraisal

Mark et al.,

Per an email exchange with Nat earlier today -- there are only a few outstanding items to resolve to get a term sheet in draft form and more importantly get this on October's agenda. I don't see why we can't get all stakeholders at a table and get these issues finally put to bed.

Please set up a meeting this Friday, per our conversation last week. It is imperative that we get these initial deal terms finalized by COB Friday. I am available 2:30p and anytime thereafter.

Regards,

Yohance

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Wed 9/9/2009 5:21 PM
To: 'Meister, Mark K.'
Cc: 'Bottigheimer, Nat'; 'Moneme, Emeka'; 'Doggett, Rosalyn'; 'Marshall, Malcolm'; Fuller, Yohance (EOM); Albert, Neil (EOM); 'Perry, Maurice'; 'Tiwana Hicks'; aives@bannekerventures.com; 'Hagner, John'
Subject: RE: Shaw-Howard/Florida Avenue Appraisal

Mark,

Thank you for the email with your thoughts on the basic WMATA Financial Terms. Below are our comments:

Capitalized Lease Payments

If we agree to all of the other terms, we could agree to pay the value of the capitalized lease payment of \$1.98M that your appraiser put together.

Please explain why you indicated that the value of the land was absent any subsidies other than 4% tax credits. Based on our knowledge of projects that include 20% affordable housing, and as discussed with you all on several occasions, the value of the land would be zero if we had to do 20% affordable housing and then we would still need some subsidies to cover the gap. We can't think of one project in the District that includes 20% affordable housing that is paying anywhere close to what we would pay WMATA AND these projects would still need subsidies.

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Pre-Closing Payments

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Additional Density

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Annual Operating Income Participation

We would agree to 1.5% of Effective Gross Income but would not run our Debt Service Coverage at 1.25. We've never run our DSC at 1.25 as our project couldn't be financed at this rate. We are using a 1.11 DSC because HUD allows this.

Capital Event Participation

Any equity or member loans to receive a 20% return prior to WMATA receiving its 10% of net proceeds. Member loans or equity are indistinguishable. We could agree that equity or member loans not to exceed 40% of the development costs.

Term

Initial term is 60 years with an option for the Developer to extend for another 39 years. Any annual escalation after the initial term to be at 1%, not 3%.

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We welcome meeting with you again on Friday to try to come to some agreement on these terms.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: Meister, Mark K. [mailto:MMeister@wmata.com]
Sent: Wednesday, September 09, 2009 2:54 PM
To: okarim@bannekerventures.com
Cc: Bottigheimer, Nat; Moneme, Emeka; Doggett, Rosalyn; Marshall, Malcolm
Subject: RE: Shaw-Howard/Florida Avenue Appraisal

Omar,

As discussed, please see attached Basic WMATA Financial Terms.

Mark

Mark K. Meister
Acting Director
Office of Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001
Tel: 202-962-1589
Fax: 202-962-2396
Email: mmeister@wmata.com

From: Omar Karim [mailto:okarim@bannekerventures.com]
Sent: Wednesday, September 09, 2009 2:38 PM
To: Meister, Mark K.
Cc: Tiwana Hicks
Subject: Re: Shaw-Howard/Florida Avenue Appraisal?

Thanks.

Omar A. Karim
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729 15th Street, NW, Suite 400
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(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Meister, Mark K."
Date: Wed, 9 Sep 2009 14:22:28 -0400
To: Omar A. Karim<okarim@bannekerventures.com>
Subject: RE: Shaw-Howard/Florida Avenue Appraisal?
Omar,

I will have it to you within the next half hour.

Mark

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Wednesday, September 09, 2009 1:55 PM
To: Meister, Mark K.
Cc: 'Tiwana Hicks'
Subject: Shaw-Howard/Florida Avenue Appraisal?
Importance: High

Mark,

Any word on the update appraisal results?

Omar

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Doggett, Rosalyn

From: Omar Karim [okarim@bannekerventures.com]
Sent: Thursday, September 10, 2009 1:21 PM
To: Yohance S. Fuller; Meister, Mark K.; Bottigheimer, Nat
Cc: Maurice Perry; Anthony James Ives; Tiwana Hicks; Doggett, Rosalyn
Subject: Re: Jazz @ Florida

Great. See you all tomorrow @ 9am.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 office
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Meister, Mark K."
Date: Thu, 10 Sep 2009 13:10:07 -0400
To: Omar A. Karim<okarim@bannekerventures.com>; Yohance S. Fuller<Yohance.Fuller@dc.gov>;
Bottigheimer, Nat<NBottigheimer@wmata.com>
Subject: RE: Jazz @ Florida
Omar,

Let's do 9 am.

Mark

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Thursday, September 10, 2009 1:03 PM
To: Yohance S. Fuller; Meister, Mark K.; Bottigheimer, Nat
Cc: Maurice 'Perry'; 'Anthony James Ives'; 'Tiwana Hicks'; Doggett, Rosalyn
Subject: RE: Jazz @ Florida

Mark,

Can we meet at 9am or after 2pm as Maurice Perry of BoA has a call at 11 that he can't get out of and will have to leave by 10:30/10:45.

Omar

From: Meister, Mark K. [mailto:MMeister@wmata.com]
Sent: Thursday, September 10, 2009 12:40 PM
To: okarim@bannekerventures.com; Yohance S. Fuller; Bottigheimer, Nat
Cc: Anthony James Ives; Tiwana Hicks; Doggett, Rosalyn
Subject: RE: Jazz @ Florida

Omar,

We are available to meet at 10:00 tomorrow at our office.

Mark

Mark K. Meister
Acting Director
Office of Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001
Tel: 202-962-1589
Fax: 202-962-2396
Email: mmeister@wmata.com

From: Omar Karim [mailto:okarim@bannekerventures.com]
Sent: Wednesday, September 09, 2009 7:27 PM
To: Yohance S. Fuller; Bottigheimer, Nat
Cc: Anthony James Ives; Tiwana Hicks; Meister, Mark K.
Subject: Re: Jazz @ Florida

Nat,

Based on the Financial Summary you sent us this afternoon and our comment to it, I believe it would be prudent meet on Friday. There are a number of new and old issues that you raised in the Summary which we cannot do because the economics will not allow us. I am avail anytime except 1-2 on Friday. Please let me know if you can meet on Friday.

Omar

Omar A. Karim
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729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 office
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Bottigheimer, Nat"
Date: Wed, 9 Sep 2009 15:59:18 -0400
To: Yohance S. Fuller<Yohance.Fuller@dc.gov>;
okarim@bannekerventures.com<okarim@bannekerventures.com>
Subject: RE: Jazz @ Florida

We actually met yesterday, Yohance, and today we sent a number to Omar based on the 50% AMI, 20% affordable, and our appraised value. Omar agreed to send back to us a list of items that are still outstanding and also those items that have been agreed to. Yesterday, we identified only a few major outstanding items. The first task was to get agreement on those from a terms sheet point of view, and after that to tackle the more detailed jda issues.

From: Yohance (EOM) Fuller [mailto:yohance.fuller@dc.gov]
Sent: Wednesday, September 09, 2009 3:51 PM
To: okarim@bannekerventures.com; Bottigheimer, Nat
Subject: Jazz @ Florida

Gents,

Thanks for keeping me in the loop regarding the Jazz @ Florida Avenue project. Per our conversation last week, do you both still plan to meet on Friday to has out the term sheet details?

Please advise,

Yohance

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Thursday, September 10, 2009 12:22 PM
To: Doggett, Rosalyn
Cc: Bottigheimer, Nat; Wallace, Maria A
Subject: FW: Shaw-Howard/Florida Avenue Appraisal

Roz,

Are you available to meet with Nat today at 3:00 to discuss the outstanding lease items?

Mark

From: Bottigheimer, Nat
Sent: Thursday, September 10, 2009 12:20 PM
To: Meister, Mark K.
Cc: Wallace, Maria A
Subject: Re: Shaw-Howard/Florida Avenue Appraisal

Great, - can we try for 3pm or so?

From: Meister, Mark K.
To: Bottigheimer, Nat
Cc: Doggett, Rosalyn
Sent: Thu Sep 10 12:17:55 2009
Subject: RE: Shaw-Howard/Florida Avenue Appraisal
Sure, but I would like to get together with you and Roz and strategize first. I've asked Roz to prioritize the outstanding items as far as WMATA is concerned.

From: Bottigheimer, Nat
Sent: Thursday, September 10, 2009 12:08 PM
To: Meister, Mark K.
Subject: Fw: Shaw-Howard/Florida Avenue Appraisal
Importance: High

Can you arrange to get together tomorrow with Omar?

From: Yohance (EOM) Fuller
To: Omar A. Karim ; Meister, Mark K.
Cc: Maurice Perry ; aives@bannekerventures.com ; Tiwana Hicks ; Neil.Albert@dc.gov; Bottigheimer, Nat; John Hagner ; Moneme, Emeka; Marshall, Malcolm; Doggett, Rosalyn
Sent: Wed Sep 09 18:28:22 2009
Subject: RE: Shaw-Howard/Florida Avenue Appraisal
Mark et al.,

Per an email exchange with Nat earlier today -- there are only a few outstanding items to resolve to get a term sheet in draft from and more importantly get this on October's agenda. I don't see why we can't get all stakeholders at a table and get these issues finally put to bed.

Please set up a meeting this Friday, per our conversation last week. It is imperative that we get these initial deal terms finalized by COB Friday. I am available 2:30p and anytime thereafter.

Regards,

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From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Wed 9/9/2009 5:21 PM
To: 'Meister, Mark K.'
Cc: 'Bottigheimer, Nat'; 'Moneme, Emeka'; 'Doggett, Rosalyn'; 'Marshall, Malcolm'; Fuller, Yohance (EOM); Albert, Neil (EOM); 'Perry, Maurice'; 'Tiwana Hicks'; aives@bannekerventures.com; 'Hagner, John'
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Pre-Closing Payments

Okay with amounts but payments would be made quarterly.

Additional Density

This is confusing. The portion of the alley that will be closed is 1,025 SF. About ½ will be deeded to WMATA and ½ will be deeded to us as the purchasers of the adjacent parcels that are next to the alley. Since we are building a 5 story building, this would mean 512 SF x 5 stories = 2,560 SF would be attributable to WMATA land. Based on your calculations of the value of the land, this would mean that we would pay about \$16 per SF or \$42,000 in additional capitalized rent at Lease execution. We could agree to this increase over the \$1.98M.

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We welcome meeting with you again on Friday to try to come to some agreement on these terms.

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okarim@bannekerventures.com

From: Meister, Mark K. [mailto:MMeister@wmata.com]
Sent: Wednesday, September 09, 2009 2:54 PM
To: okarim@bannekerventures.com
Cc: Bottigheimer, Nat; Moneme, Emeka; Doggett, Rosalyn; Marshall, Malcolm
Subject: RE: Shaw-Howard/Florida Avenue Appraisal

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As discussed, please see attached Basic WMATA Financial Terms.

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Fax: 202-962-2396
Email: nmeister@wmata.com

From: Omar Karim [mailto:okarim@bannekerventures.com]
Sent: Wednesday, September 09, 2009 2:38 PM
To: Meister, Mark K.
Cc: Tiwana Hicks
Subject: Re: Shaw-Howard/Florida Avenue Appraisal?

Thanks.

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okarim@bannekerventures.com

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Date: Wed, 9 Sep 2009 14:22:28 -0400
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Subject: RE: Shaw-Howard/Florida Avenue Appraisal?
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I will have it to you within the next half hour.

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Subject: Shaw-Howard/Florida Avenue Appraisal?
Importance: High

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Any word on the update appraisal results?

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From: Meister, Mark K.
Sent: Thursday, September 10, 2009 12:18 PM
To: Bottigheimer, Nat
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Subject: RE: Shaw-Howard/Florida Avenue Appraisal

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Cc: 'Bottigheimer, Nat'; 'Moneme, Emeka'; 'Doggett, Rosalyn'; 'Marshall, Malcolm'; Fuller, Yohance (EOM); Albert, Neil (EOM); 'Perry, Maurice'; 'Tiwana Hicks'; aives@bannekerventures.com; 'Hagner, John'
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To: Meister, Mark K.
Cc: 'Tiwana Hicks'
Subject: Shaw-Howard/Florida Avenue Appraisal?
Importance: High

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Omar

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okarim@bannekerventures.com

Doggett, Rosalyn

From: Bottigheimer, Nat
Sent: Thursday, September 10, 2009 7:58 AM
To: Doggett, Rosalyn; Meister, Mark K.
Subject: FW: U Street

This is the third extension, right?

From: Pant, Shiva K.
Sent: Thursday, September 10, 2009 7:42 AM
Cc: O'Keefe, Carol B.; Moneme, Emeka; Requa, Jack; Sequeira, Loyda; Bottigheimer, Nat
Subject: Re: U Street

Nat--please be prepared to address this question and how certain you are that this will be the last.

Thx

Thx

Shiva

Shiva K. Pant
Chief of Staff
Office of the General Manager
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

Direct: 202-962-1721
Cell: 202-744-7587
Spant@wmata.com

From: Jim Graham
To: Pant, Shiva K.
Cc: Neil.Albert@dc.gov; O'Keefe, Carol B.; Moneme, Emeka; Requa, Jack; Sequeira, Loyda; Bottigheimer, Nat
Sent: Thu Sep 10 07:39:24 2009
Subject: RE: U Street
How many extensions is this?

I typically answer emails before 9 AM on weekdays. If you email me after that, it is likely that you will hear from me the next weekday. If there is a need to communicate prior to that, you may wish to call me. For most effective communication, please use my direct email address: jim@grahamwone.com

Jim Graham, Councilmember, Ward One, 1350 Pa. Ave., NW, #105, Washington, DC 20004. 202-724-8181; 202-724-8109 (fax).

Chairman, Committee on Public Works and the Transportation (including alcohol regulation). Main Committee Number: 202-724-8195. 1350 Pa. Ave., NW, #116, Washington, DC 20004.

Chairman and Voting Member, Board of Directors, WMATA/Metro.

Website: www.grahamwone.com

From: Pant, Shiva K. [mailto:SPant@wmata.com]
Sent: Wednesday, September 09, 2009 10:19 AM
To: Jim Graham
Cc: Bottigheimer, Nat; Moneme, Emeka; Requa, Jack; Sequeira, Loyda; O'Keefe, Carol B.; Neil.Albert@dc.gov
Subject: U Street

Chairman Graham:

In John's absence, I am responding to your e-mail regarding the status of the subject proposal. We will brief you and other Board members tomorrow in executive session about the status of negotiations. We also are asking the committee for an extension of 120 days to complete negotiations with Banneker. We have targeted December for completion of a joint development agreement.

Thanks and please let me know if you have any questions,

Shiva

Shiva Pant
Chief of Staff
202-962-1721

-----Original Message-----

From: Jim Graham [mailto:Jim@grahamwone.com]
Sent: Monday, September 07, 2009 9:08 AM
To: Catoe, John B.
Subject: FW: U Street Flea Market Slated for Redevelopment

Where are we on this?

I typically answer emails before 9 AM on weekdays. If you email me after that, it is likely that you will hear from me the next weekday. If there is a need to communicate prior to that, you may wish to call me. For most effective communication, please use my direct email address: jim@grahamwone.com

Jim Graham, Councilmember, Ward One, 1350 Pa. Ave., NW, #105, Washington, DC 20004. 202-724-8181; 202-724-8109 (fax).

Chairman, Committee on Public Works and the Transportation (including alcohol regulation).
Main Committee Number: 202-724-8195. 1350 Pa. Ave., NW, #116, Washington, DC 20004.

Chairman and Voting Member, Board of Directors, WMATA/Metro.

Website: www.grahamwone.com

-----Original Message-----

From: wnagroup@googlegroups.com [mailto:wnagroup@googlegroups.com] On Behalf Of Scott Pomeroy
Sent: Monday, September 07, 2009 9:09 AM
To: ustreetnews@yahoogroups.com; WNAGroup
Subject: U Street Flea Market Slated for Redevelopment

U Street Flea Market Slated for Redevelopment Retail and Apartments Planned for WMATA-owned Site by Hunter Gorinson

[http://capitalcommunitarynews.com/CCN_Website09/publication%20html/papers/DCN/0909/UStFleaMarket.html]

More than a year after gaining development rights to a string of Washington Metro Area Transit Authority (WMATA)-owned vacant lots along Florida Avenue NW, Banneker Ventures LLC and the Banc of America Community Development Corporation have announced the details behind the mixed-use, mixed-income project they're now calling "The Jazz @ Florida Avenue."

Per an application for Federal Low Income Housing Tax Credits filed with the District's Department of Housing and Community Development (DHCD) in July, the Jazz will bring some 153,770 square feet of new apartments and retail to the current site of Shaw's U Street Flea Market. In total, WMATA owns three separate properties between Seventh and Ninth streets on the north side [actually, the south side] of Florida Avenue, totaling nearly 29,000 square feet, above the Green Line tunnel linking the Howard-Shaw and U Street-Cardozo stations. Those lots, all of which will be incorporated in to the Jazz, stand just blocks from Howard University and delineate the border of the booming U Street corridor from the less development-prone Shaw/LeDroit Park communities.

"We've had challenges at Ninth and U," said Bryan N. Martin Firvida, president of the U Street Neighborhood Association. "It'll be nice to see new activity and investment on that corner. The neighborhood is always looking for new opportunities for more daytime traffic and more retail. Everyone loves the idea of the 24-hour neighborhood that serves not only people who are just visiting, but residents as well. This is one of the gateway corners into the neighborhood, and it's going to be nice have something other than a vacant lot there."

Since being selected to develop the project by WMATA in June of last year, Banneker has gone on to acquire two other privately-owned parcels along Ninth Street, thereby adding an additional 7,720 square feet of buildable ground area to their project plan. At present, the Jazz is slated to consist of three adjacent four-story buildings, for a total of 124 apartments and 20,000 square feet of ground-floor retail.

Designed by Torti Gallas and Partners, each of the glass and brick buildings will feature between 32 and 52 units, one level of underground parking and a private interior courtyard for use by residents only. According to the development teams application, their plans call for "a mix of studio, junior one-bedroom, one-bedroom and two-bedroom units" with finishes like "9-foot ceilings, in-unit laundry, granite countertops and ceramic kitchen tiles." Kettler Management has already been contracted to handle the day-to-day of the residential operation.

Making it Affordable and Profitable

Twenty-six of the Jazz's apartment units have been earmarked for affordable housing (defined as housing for District residents making 50 percent or less of the Area Median Income), with the remainder slated to hit the market as workforce housing targeted at the "young and affluent professionals" now flooding into the greater U Street area.

It is the Jazz's affordable housing component, however, that has put the project on the fast track to development. Since posting their application with DHCD, the Banneker/Banc of America proposal has drawn several letters of support from prominent local authorities, businesses and residents, including Advisory Neighborhood Commissioner Myla Moss (1B01), Suman Sorg, head of a U Street-based architectural firm unaffiliated with the project, and Dr Rodney D. Green, executive director of the Howard University Center for Urban Progress.

"The injection of commercial and residential development will have a transformative impact on two city blocks on the Florida Avenue corridor that have been underutilized for over 40 years," wrote Green, who has previously worked with Banneker Ventures on the redevelopment of Petworth's Park Morton public housing complex. "The plans for this project include 26 units of affordable housing, which is both a commendable and necessary element of any urban development. We are confident [of Banneker's] ability to ensure that The Jazz @ Florida Avenue will be a successful community partner."

A key component of that partnership will be the Jazz's retail outlets, which will front along a two-block span of Florida Avenue. Though the development team has not formally outlined uses for the commercial space, the Florida Avenue lots do fall under the purview of three District planning initiatives: the Great Streets plan for Seventh Street and Georgia Avenue NW; the Neighborhood Investment Fund that seeks to "provide a much-needed economic stimulus to the immediate area"; and, most importantly, the District of Columbia's Uptown Cultural District Plan for Greater Shaw/U Street (aka "the Duke Plan"), which envisions the neighborhood as DC's newest "arts and entertainment district with active restaurants, shopping and music/theatre venues"

Once completed, the Jazz @ Florida Avenue will stand directly across from such area nightlife destinations as Nellie's Sports Bar and the DC9 and Town nightclubs, and two blocks from the soon-to-be renovated, historic Howard Theatre. As such, the Jazz's strategic positioning makes it a linchpin of the Duke Plan's intent to extend the success of the U Street corridor even farther south. For their part, Banneker hopes to invite area foot traffic in with not only new shopping opportunities, but three public, open-air plazas along Eighth Street, Ninth Street and Florida Avenue, as well.

Extra Credit

Apart from the application for \$695,000 in tax credits currently pending with DHCD, the \$40 million project is being funded in part by Tax Incremental Financing (TIF) "tentatively awarded" by the Office of the Deputy Mayor for Planning and Economic Development (DMPED). According to the DHCD, the developers are "currently in final negotiations with [DMPED] to receive \$7 million in the form of a promissory note to help pay costs associated with infrastructure, parking and the retail component." Banneker founder and principal Omar Karim did not respond to repeated inquiries concerning the status of these negotiations.

Moss, however, has been receiving quarterly updates from the developer for the past two years and states that an announcement regarding the tax credit application will be coming in the next several weeks.

"I understand that they have been notified that they have been tentatively awarded the credits that they were seeking and that on Sept. 9, there will be a meeting of those who have made the short list. [DHCD] will absolutely make an approval after [that date]," said Moss.

Though the Jazz is scheduled to start construction in the summer of 2010, the Banneker team has yet to fully reach joint development and lease agreements with WMATA. A final, conclusive meeting with that agency's board of directors was expected in late July but failed to materialize. Angela Gates, an information specialist with WMATA, says that the board will now likely meet with Banneker representatives this winter, and according to Moss, the developer hopes to have the Jazz "fully operational by the fall of 2011."

You received this message because you are subscribed to the Google Groups "WNAGroup" group.
To post to this group, send email to wnagroup@googlegroups.com To unsubscribe from this group, send email to wnagroup+unsubscribe@googlegroups.com
For more options, visit this group at <http://groups.google.com/group/wnagroup?hl=en>

Internal Virus Database is out of date.
Checked by AVG - www.avg.com
Version: 8.5.392 / Virus Database: 270.13.44/2283 - Release Date: 08/05/09 05:57:00

Doggett, Rosalyn

From: Yohance (EOM) Fuller [yohance.fuller@dc.gov]
Sent: Wednesday, September 09, 2009 6:28 PM
To: Omar A. Karim; Meister, Mark K.
Cc: Maurice Perry; aives@bannekerventures.com; Tiwana Hicks; Neil.Albert@dc.gov; Doggett, Rosalyn; John Hagner; Moneme, Emeka; Marshall, Malcolm; Bottigheimer, Nat
Subject: RE: Shaw-Howard/Florida Avenue Appraisal
Importance: High

Mark et al.,

Per an email exchange with Nat earlier today -- there are only a few outstanding items to resolve to get a term sheet in draft from and more importantly get this on October's agenda. I don't see why we can't get all stakeholders at a table and get these issues finally put to bed.

Please set up a meeting this Friday, per our conversation last week. It is imperative that we get these initial deal terms finalized by COB Friday. I am available 2:30p and anytime thereafter.

Regards,

Yohance

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Wed 9/9/2009 5:21 PM
To: 'Meister, Mark K.'
Cc: 'Bottigheimer, Nat'; 'Moneme, Emeka'; 'Doggett, Rosalyn'; 'Marshall, Malcolm'; Fuller, Yohance (EOM); Albert, Neil (EOM); 'Perry, Maurice'; 'Tiwana Hicks'; aives@bannekerventures.com; 'Hagner, John'
Subject: RE: Shaw-Howard/Florida Avenue Appraisal

Mark,

Thank you for the email with your thoughts on the basic WMATA Financial Terms. Below are our comments:

Capitalized Lease Payments

If we agree to all of the other terms, we could agree to pay the value of the capitalized lease payment of \$1.98M that your appraiser put together.

Please explain why you indicated that the value of the land was absent any subsidies other than 4% tax credits. Based on our knowledge of projects that include 20% affordable housing, and as discussed with you all on several occasions, the value of the land would be zero if we had to do 20% affordable housing and then we would still need some subsidies to cover the gap. We can't think of one project in the District that includes 20% affordable housing that is paying anywhere close to what we would pay WMATA AND these projects would still need subsidies.

We would not be willing to pay WMATA any portion of any subsidies that we obtain for the project, let alone paying 80% of anything that we get. We've mentioned this many times before as we believe that no project could move forward with 20% affordable housing and pay \$1.98M at closing for the land, without some public subsidies to help close the gap because of the inclusion of the affordable housing units.

Pre-Closing Payments

Okay with amounts but payments would be made quarterly.

Additional Density

This is confusing. The portion of the alley that will be closed is 1,025 SF. About ½ will be deeded to WMATA and ½ will be deeded to us as the purchasers of the adjacent parcels that are next to the alley. Since we are building a 5 story building, this would mean 512 SF x 5 stories = 2,560 SF would be attributable to WMATA land. Based on your calculations of the value of the land, this would mean that we would pay about \$16 per SF or \$42,000 in additional capitalized rent at Lease execution. We could agree to this increase over the \$1.98M.

Annual Operating Income Participation

We would agree to 1.5% of Effective Gross Income but would not run our Debt Service Coverage at 1.25. We've never run our DSC at 1.25 as our project couldn't be financed at this rate. We are using a 1.11 DSC because HUD allows this.

Capital Event Participation

Any equity or member loans to receive a 20% return prior to WMATA receiving its 10% of net proceeds. Member loans or equity are indistinguishable. We could agree that equity or member loans not to exceed 40% of the development costs.

Term

Initial term is 60 years with an option for the Developer to extend for another 39 years. Any annual escalation after the initial term to be at 1%, not 3%.

After yesterday's meeting, we thought that we were much closer to resolving the financial issues with you all. However, based on the terms that you sent us this afternoon, it appears that you all want to continue to raise new issues and change old ones. We cannot send over a summary of open issues until we know where we are with the ones above.

We welcome meeting with you again on Friday to try to come to some agreement on these terms.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: Meister, Mark K. [mailto:MMeister@wmata.com]
Sent: Wednesday, September 09, 2009 2:54 PM
To: okarim@bannekerventures.com
Cc: Bottigheimer, Nat; Moneme, Emeka; Doggett, Rosalyn; Marshall, Malcolm
Subject: RE: Shaw-Howard/Florida Avenue Appraisal

Omar,

As discussed, please see attached Basic WMATA Financial Terms.

Mark

Mark K. Meister
Acting Director
Office of Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001
Tel: 202-962-1589
Fax: 202-962-2396
Email: mmeister@wmata.com

From: Omar Karim [mailto:okarim@bannekerventures.com]
Sent: Wednesday, September 09, 2009 2:38 PM
To: Meister, Mark K.
Cc: Tiwana Hicks
Subject: Re: Shaw-Howard/Florida Avenue Appraisal?

Thanks.

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 office
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Meister, Mark K."
Date: Wed, 9 Sep 2009 14:22:28 -0400
To: Omar A. Karim <okarim@bannekerventures.com>
Subject: RE: Shaw-Howard/Florida Avenue Appraisal?
Omar,

I will have it to you within the next half hour.

Mark

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Wednesday, September 09, 2009 1:55 PM
To: Meister, Mark K.
Cc: 'Tiwana Hicks'
Subject: Shaw-Howard/Florida Avenue Appraisal?
Importance: High

Mark,

Any word on the update appraisal results?

Omar

Omar A. Karim
Baneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Wednesday, September 09, 2009 2:54 PM
To: okarim@bannekerventures.com
Cc: Bottigheimer, Nat; Moneme, Emeka; Doggett, Rosalyn; Marshall, Malcolm
Subject: RE: Shaw-Howard/Florida Avenue Appraisal
Attachments: Shaw Howard Fl Ave Basic Financial Terms 9-9-09 (2).doc

Omar,

As discussed, please see attached Basic WMATA Financial Terms.

Mark

Mark K. Meister
Acting Director
Office of Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001
Tel: 202-962-1589
Fax: 202-962-2396
Email: mmeister@wmata.com

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Sent: Wednesday, September 09, 2009 2:38 PM
To: Meister, Mark K.
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Thanks.

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Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 office
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From: "Meister, Mark K."
Date: Wed, 9 Sep 2009 14:22:28 -0400
To: Omar A. Karim<okarim@bannekerventures.com>
Subject: RE: Shaw-Howard/Florida Avenue Appraisal?
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I will have it to you within the next half hour.

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From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Wednesday, September 09, 2009 1:55 PM
To: Meister, Mark K.
Cc: 'Tiwana Hicks'
Subject: Shaw-Howard/Florida Avenue Appraisal?
Importance: High

Mark,

Any word on the update appraisal results?

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: eric.smart@bolansmart.com
Sent: Wednesday, September 09, 2009 2:44 PM
To: Doggett, Rosalyn
Cc: Montague, Joshua W.; Marshall, Malcolm; Meister, Mark K.
Subject: Re: FL Ave baic financial terms
Attachments: Shaw_Howard_FL_Ave_Basic_Financial_Terms_9-9-09 BSA rev.doc

After a brief review with Roz she asked that we insert suggested numbers for your next foray back with Omar. They are based on offsetting a huge decrease in the base rent, plus allowing for it to be prepaid, with a history of quasi offers and talk points from Omar.

Eric

On Wed, 09 Sep 2009 16:59:55 -0000 (GMT), "Doggett, Rosalyn"

<RDoggett@wmata.com> wrote:

> Any changes or additions?

>

> Rosalyn P. Doggett

> Station Area Planning and Asset Management Washington Metropolitan

> Area Transit Authority 600 Fifth Street, NW Washington, DC 20001

>

> rdoggett@wmata.com

> 202-962-2208 phone

> 202-962-2396 fax

>

>

>

>

>

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Eric Smart, Bolan Smart Associates, Inc.

1250 24th Street, NW, Suite 300, Washington, DC 20037 202-776-7740 (direct), 202-841-2227
(cell), 202-371-1333 (BSA general) www.bolansmart.com

Doggett, Rosalyn

From: eric.smart@bolansmart.com
Sent: Wednesday, September 09, 2009 2:20 PM
To: Doggett, Rosalyn
Subject: Re: FL Ave baic financial terms
Attachments: Shaw_Howard_FL_Ave_Basic_Financial_Terms_9-9-09 BSA COMMENTS.doc

Roz

I left phone message and here are some quick comments.

Eric

On Wed, 09 Sep 2009 11:59:55 -0500 (EST), "Doggett, Rosalyn"

<RDoggett@wmata.com> wrote:

> Any changes or additions?

>

> Rosalyn P. Doggett

> Station Area Planning and Asset Management Washington Metropolitan

> Area Transit Authority 600 Fifth Street, NW Washington, DC 20001

>

> rdoggett@wmata.com

> 202-962-2208 phone

> 202-962-2396 fax

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>

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Eric Smart, Bolan Smart Associates, Inc.

1250 24th Street, NW, Suite 300, Washington, DC 20037 202-776-7740 (direct), 202-841-2227

(cell), 202-371-1333 (BSA general) www.bolansmart.com

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, September 09, 2009 11:55 AM
To: Bottigheimer, Nat
Cc: Doggett, Rosalyn
Attachments: Shaw Howard Fl Ave FURTHER extend negotiation period rev 4-m.ppt

Nat,

In the interest of a quick turnaround, attached is the latest version I have.

I'm obtaining a copy of the version that was in the SECT mailout. My sense is that any differences will be in the layout, not the words. This presentation was prepared during the transition.

Sid

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Tuesday, September 08, 2009 12:13 PM
To: Montague, Joshua W.
Cc: Maurice' Perry; 'Tiwana Hicks'; Neil.Albert@dc.gov; Yohance S. Fuller; Doggett, Rosalyn; John' Hagner; Moneme, Emeka; Marshall, Malcolm; Meister, Mark K.; Bottigheimer, Nat
Subject: The Jazz @ Florida Avenue - Comments to JDA and Elevations and Sections
Attachments: WINSTON-#4178271-v2-
Joint_Development_Agreement_for_The_Jazz_@_Florida_Avenue.DOC; WINSTON-#
4178271-v1&2-Joint_Development_Agreement_for_The_Jazz_@_Florida_Avenue.DOC;
WINSTON-#4178303-v2-
Joint_Development_Agreement_Definitions_for_The_Jazz_@_Florida_Avenue.DOC;
WINSTON-#4178303-v1&2-
Joint_Development_Agreement_Definitions_for_The_Jazz_@_Florida_Avenue.DOC; Jazz @
Florida Avenue - Elevations and Sections (as of 9-8-09).pdf

Josh,

As promised, we attach for your review the following:

1. Revised JDA;
2. Redline of the JDA showing all changes from the latest version that WMATA sent us;
3. Revised Definitions/Defined Terms for the JDA
4. Redline of the Definitions/Defined Terms showing all changes from the latest version that WMATA sent us
5. Latest Elevations and Sections from Torti Gallas

Our attorney, John Hagner, provided footnotes to many of the changes in the document which should clarify why changes were made to the documents. The revised JDA addresses most, if not all, of the principal elements of the deal, including the proposed financial structure, how the adjacent parcels will be handled, etc. As discussed, we are proposing to pay the entire Base Rent for the 60-year Initial Term under a capitalized lease structure in addition to paying WMATA a % of Effective Gross Income. The balance of the issues are properly addressed in the Lease which we expect to get over to you by the end of the week if not by early next week. However, we believe that significant progress can be made with the revised JDA. Other than the JDA, Lease and Elevations and Sections, I believe this is all of the information that we promised you all except the updated pro forma which we will provide as soon as we get the updated results of the appraisal from you all. As mentioned to Nat, Marshall and Yohance, it will take a few days for us to turn the pro forma around after we receive the results of the appraisal. We have already began updating it and if we get the results today, we should be able to send you all something by Thursday or Friday at the latest.

My best,

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Wyner, Jonathan S.
Sent: Tuesday, September 08, 2009 9:07 AM
To: Malasky, Gary; Doggett, Rosalyn; Burns, Bob; McElhenry-Smith, Robin; Goldin, Steven; Mohsberg, Sid
Subject: Web Page Project Write-ups
Attachments: JD Assignments 9-08 incl COUNAB all.docx; ACTIVE JD Assignments 09-08 incl COUNAB.docx

Importance: High

Here are the latest JD tables showing project responsibility – The Active JD projects need write-ups.

We need to develop timetable for write-up production – We need to allow enough time for write-ups to be reviewed and approved prior to web placement.

Much thanks,

jonathan

Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development
600 Fifth Street, NW
Washington, DC 20001
202/962-1577

Doggett, Rosalyn

From: noreply+feedproxy@google.com on behalf of Greater Greater Washington [alpert@gmail.com]
Sent: Friday, September 04, 2009 5:09 AM
To: Doggett, Rosalyn
Subject: Greater Greater Washington

Greater Greater Washington



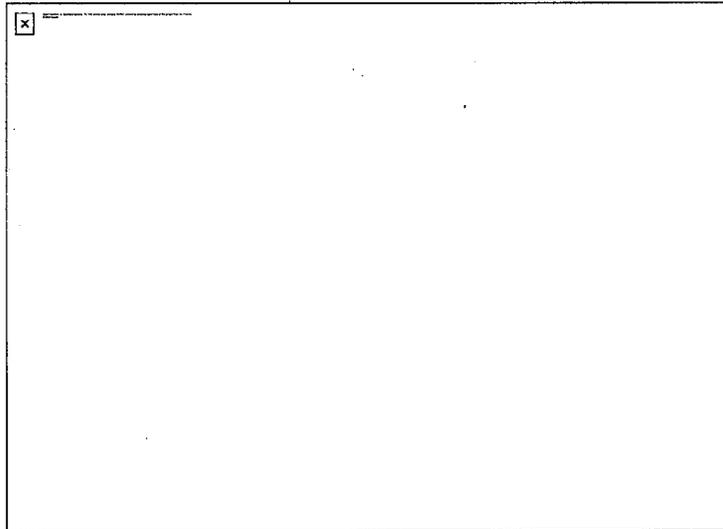
- [Lost Washington: The Capital Garage, 1320 New York Avenue](#)
- [Washington's rails, part 3: Maryland's wish list](#)
- [Bus driver hits jogger, maybe while turning](#)
- [Gaylord workers decry NH-1 reroute](#)
- [Breakfast links: Not easy being green](#)

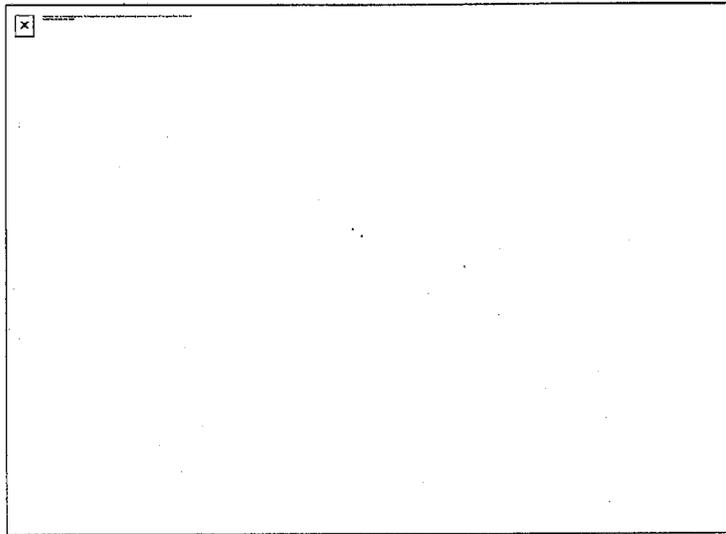
Lost Washington: The Capital Garage, 1320 New York Avenue

Posted: 03 Sep 2009 12:36 PM PDT

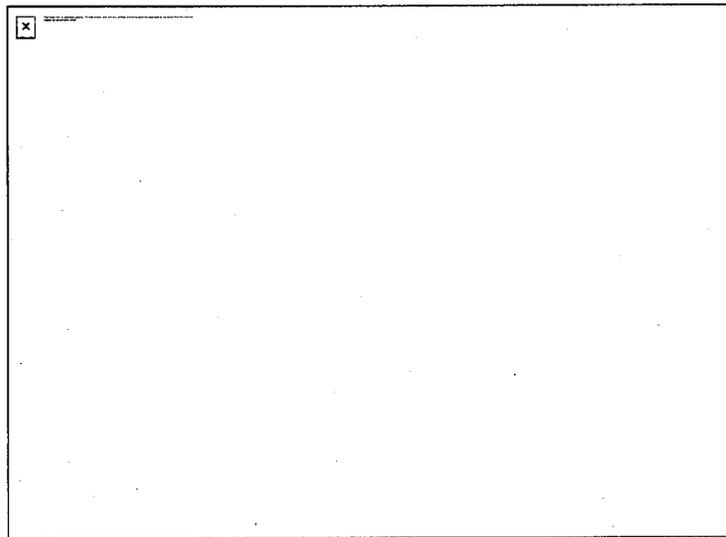
By Kent Boese

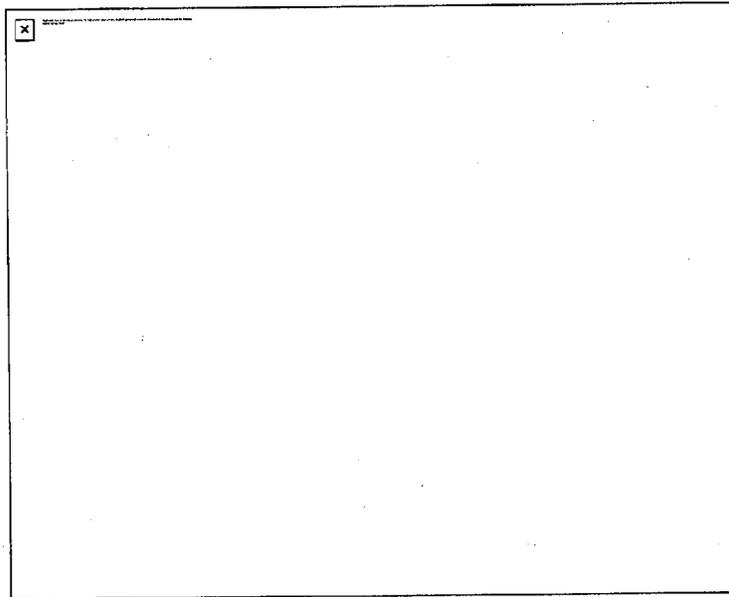
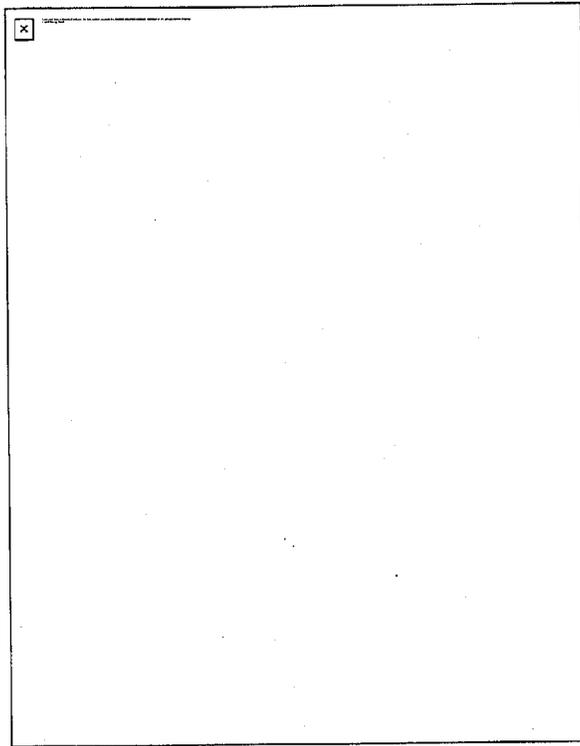
The Capital Garage was built in 1926 at the corner of New York Avenue and H Street (1320 New York Avenue). When it was built, it was the largest parking garage in the country. It was torn down in 1974. The same location is now occupied by the largely nondescript Daon Building.

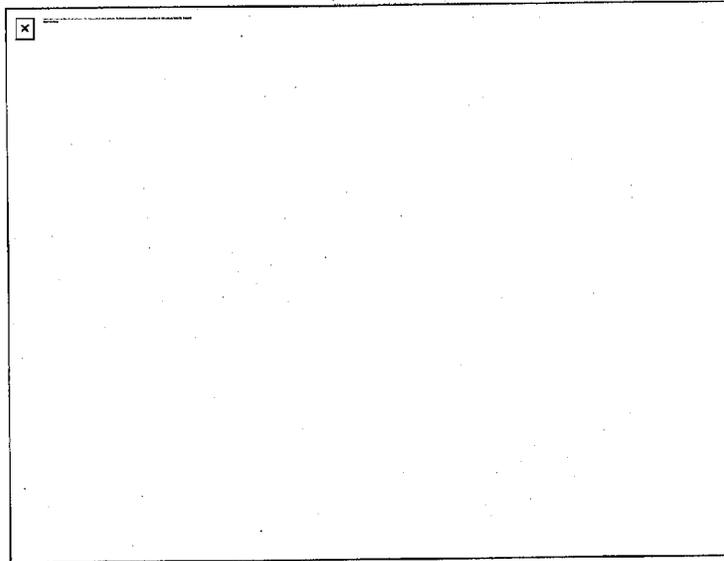




More photos below.







(4 comments · share or email)

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Lost Washington: Washington City Orphan Asylum (Aug 4, 2009)

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Lost Washington: Harvey's Restaurant (Jun 23, 2009)

Lost Washington: Stoneleigh Court Apartments (Jun 18, 2009)

Lost Washington: Loew's Palace Theater (Apr 30, 2009)

Washington's rails, part 3: Maryland's wish list

Posted: 03 Sep 2009 10:32 AM PDT



Amtrak AEM7 at Bowie, MD.

By Matt Johnson

Last week, the State of Maryland submitted a request for \$360 million in stimulus funding for rail improvements to the Northeast Corridor (MDOT press release). Of course, Maryland is not the only applicant, so it is likely that some of these projects will not be funded. However, the list includes seven important projects which will improve the travel of commuters, inter-city (Amtrak) passengers, and freight through the region.

Funding was requested for the following projects:

- **BWI Station & Track Improvements:** Maryland is requesting \$10 million for engineering work and studies which would reconfigure the BWI Airport MARC/Amtrak station (pic). The project would finance the study of constructing a new station building, platforms for all four tracks, and the construction of a fourth track along 9 miles of the Northeast Corridor from Grove Interlocking (north of Odenton) to Wynans Interlocking (south of Halethorpe).
- **Northern Maryland Bridge Replacement:** Another \$200 million would go to engineering studies for the replacement of the two-track bridges over the Gunpowder, Bush, and Susquehanna Rivers with three-track bridges. This would speed trains between Baltimore and Wilmington. It is noteworthy to mention that the narrowing of the Northeast Corridor from three tracks to two tracks at the two-track Gunpowder River Bridge contributed to the fatal Chase, Maryland rail crash on 4 January 1987.
- **Washington Wedge Yard:** This request for \$36 million would fund final design and construction of a six-track train storage yard at Washington Terminal (Union Station). During the day, MARC trains would be stored here.

Currently, MARC runs trains to Baltimore during the day for storage. At night, Amtrak trains would be stored in the wedge yard.

- **Chesapeake Connector:** This project provides \$25 million in funds for engineering for a third track to be constructed along 6.3 miles of the Northeast Corridor, from Prince Interlocking north of Perryville to Bacon Interlocking north of Northeast, Maryland. The project will improve freight rail access to the Delmarva Peninsula and the Port of Baltimore. Additionally, this two-track section is one major obstacle to extending commuter rail service to Newark, Delaware on the Northeast Corridor. Delaware is a cosponsor.
- **Positive Train Control:** \$10 million in funding for this project is requested. The money would provide for the implementation of a GPS-based train location system for MARC trains operating on the Penn and Brunswick Lines.
- **Brunswick Line Signaling Improvements:** This \$18.3 million request would provide for the updating of signals on CSX's Metropolitan Subdivision from Silver Spring to Brunswick. It would improve reliability for freight, MARC trains, and Amtrak's Capital Limited.

Engineering Study, B&P Tunnel Replacement: \$60 million request. See below.

Replacement of the B&P Tunnel

One of the most important rail projects in the Mid-Atlantic and Northeast is replacing the B&P Tunnel in Baltimore. To emphasize its importance, a report (PDF) by the Federal Railroad Administration in 2005 showed that fully one-fifth (20%) of Amtrak passenger-trips pass through at least one of Baltimore's two Northeast Corridor (NEC) tunnels.

In Baltimore, the Amtrak Northeast Corridor approaches from the south and turns east to enter the B&P Tunnel (pic). At the eastern end of the B&P Tunnel, trains stop at Penn Station. Continuing east, trains pass through the Union Tunnels (pic).

A study to replace the aging tunnel is among the funding requested by Maryland. The requested \$60 million will fund engineering and feasibility studies, not the actual replacement of the tunnel. A 2005 Federal Railroad Administration study estimated that the cost of replacing the B&P Tunnel would be around \$550 million.

The current two-track, single-bore tube is almost 8,000 feet long and has two sharp curves. Because of the curve near the western end of the tunnel, the entire tunnel has a speed limit of 30 miles per hour. It presents a significant bottleneck for Northeast Corridor traffic, including MARC and Amtrak trains. For the Norfolk Southern freight traffic using the NEC at night, the tunnel profile presents an impediment to wide and tall cargoes. In addition, studies by Amtrak suggest that the tunnel needs to be replaced within two decades because of increasing maintenance issues.

A Federal Railroad Administration study from 2005 looked at potential alternatives for replacing the B&P Tunnel. The 2005 study was not the engineering-type study which Maryland hopes to fund with the stimulus grant. However, it laid out several options for moving passengers through Baltimore. Most options were eliminated for various reasons, whether cost, track geometry, or practicality.



The tunnel option the report thought most likely was the "Great Circle Passenger Tunnel." The Great Circle route would be bored, so it would not need to follow existing city streets or cause surface disruptions due to digging. There would actually be two passenger tunnels, each with one track. They would split from the existing NEC just west of the mouth of the B&P Tunnel, heading north from Fulton Junction. It would slowly arc back toward the southeast, emerging just south of the Baltimore Light Rail Storage and Maintenance Yard. From there on, the surface tracks would enter Penn Station and follow the NEC's current routing through East Baltimore.

An alternative includes using Presstman Street Alignment for which right-of-way was purchased by the Pennsylvania Railroad in 1931 for a replacement route. However, the FRA report discounts this route because it would have many of the same drawbacks as the B&P Tunnel, including a low speed limit due to curves. Additionally, it would require cut-and-cover tunneling, something which would be extremely disruptive in Baltimore's dense urban neighborhoods.

The most expensive option would be a new alignment roughly following the Route 40 east-west corridor through the city. It would allow for an underground inter-city rail terminal closer to downtown. However, this alternative is likely to be prohibitively expensive.

MARC Investment Plan

Almost two years ago, in September 2007, the Maryland Mass Transit Administration released a plan for investment in the

MARC Commuter Rail system. This plan called for pouring funds into the system to help keep service levels catch up to ridership increases. Unfortunately, the recession put those plans on hold. In fact, instead of increasing service and preparing capital projects, MTA has cut MARC service since the release of this report.

The MTA still intends to make MARC improvements, but it needs resources first. It hopes to find some of those resources with the stimulus. Of the seven projects mentioned above, most are in the investment plan.

The BWI improvements, including a fourth track from Grove to Wynans interlockings, are mentioned in the plan as being completed by 2015. MTA Hopes to have a new four-track bridge over the Gunpowder River by 2020. Sometime beyond 2020 it hopes to have four tracks spanning the Bush and Susquhanna Rivers. The current funding request will fund engineering for three-track bridges across each river. Another aspect of their long-range plan calls for the Chesapeake Connection sometime after 2020, for which engineering funds have been requested. Replacement of the B&P Tunnel and its subsequent rehabilitation for use should happen by 2020 according to MTA.

Significant expansion of MARC, VRE, and other passenger rail services in the region depend on major improvements to our rail infrastructure. Baltimore and Washington sit at a strategic point on our East Coast rail networks, and expansion of passenger service competes with valuable slots for freight movement. Without significant capital investment, we won't be able to continue to add more passenger trains.

The stimulus funding would present an excellent start. However, Maryland's MARC plan calls for \$3.9 billion in capital costs alone by 2035 on all three lines. That would allow commuter trains to run to Newark, Delaware in the north, and Alexandria, Virginia in the south. It would also allow for weekend, mid-day, and reverse commute services on all lines. Under the plan, new stations would be constructed, parking would be added, and maintenance facilities would improve the efficiency of MARC.

The need for rail investment is clear to everyone. We can hope that the stimulus' emphasis on improving rail transportation is an indicator of where the transportation reauthorization is headed. Regardless, the Mid-Atlantic states are aware of the funds they need to spend. Unfortunately, the economy has siphoned many of those funds away.

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Bus driver hits jogger, maybe while turning

Posted: 03 Sep 2009 09:07 AM PDT

A jogger suffered "life-threatening injuries" when a bus driver drove into her at Connecticut and Florida this morning. The driver was heading back to the bus garage after finishing the service run.

Jazzy wrote:

WTOP mentions that the pedestrian jogger was wearing "earbuds" I might guess that the bus driver had the sun in his/her eyes and was visually impaired momentarily for that reason, or at least somewhat disoriented. I arrived on the scene about 5 minutes after it happened and everything had been cleared out by that time except for the bus.

According to commenter CP, the driver was making a right turn on a red light without slowing down:

From a friend who saw the bus run a red and hit that girl this morning: "I just witnessed a chick get hit by a metro bus who made a right turn through a red-light. It was not a pleasant sight or sound. Kind of sounded like the bus hit a plastic trash can full of water."

Horrible. He said the girl had the light and the bus driver made a right on the red without even slowing down.

But Jazzy says:

Ok, so we have conflicting accounts here. My friend says the driver was on Florida Avenue roaring through Connecticut, not that the driver was making a right turn.

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[Pedestrian killed on Connecticut Avenue \(Oct 2, 2008\)](#)

Gaylord workers decry NH-1 reroute

Posted: 03 Sep 2009 08:34 AM PDT



Photo by thisisbossi.

About 30 workers from the Gaylord Resort at National Harbor attended last night's Metro Riders' Advisory Council meeting last night to talk about the huge burdens from Metro's rerouting the NH1 bus to National Harbor. In August, Metro changed the route to travel from Branch Avenue Metro along I-495 to the resort instead of its previous route from Southern Avenue. The Southern Avenue route served many neighborhoods in Prince George's County and southeast DC, which include many of the workers at Gaylord, while the new route forces them to take multiple buses and rail trips, taking far more time and at much higher cost.

According to John Boardman, the Executive Secretary-Treasurer of UNITE HERE Local 25, which represents hotel and restaurant workers at Gaylord, the average commute time to work has risen from 55 minutes to 94 minutes, and employees now have to pay an average of \$8.30 round-trip instead of \$5.12 previously. That's because, for residents of neighborhoods like those around Indian Head Highway, they must take other buses to Southern Avenue (where many bus lines meet), then ride the Green Line to Branch Avenue to get to Gaylord, explained Local 25's Linda Martin.

Or they walk, as employee Louis Marshall does. Instead of boarding the bus on Audrey Lane in Oxon Hill, as he could before, he now has to walk an hour and 45 minutes along Indian Head Highway. If the weather doesn't permit that, he has an equally long transit trip, taking the D14 to Southern Avenue, then the Green Line to Branch Avenue, and finally the NH1 to work. Francis Silo of Silver Spring has to spend about \$200 a month for his combination bus and rail trip instead of \$30 a month before. Stephanie Winfield often can't afford the train, and must then take the W4 to the 34 to the C12 to the NH1. Not surprisingly, Gaylord offers no transit benefit to the workers.

Furthermore, the bus no longer runs early enough on weekends for many employees to get to work in time. Before the change, the first Saturday bus arrived at National Harbor at 6:21 am. Now, it's 8:15 am, and many shifts begin at 8. On Sundays, 8:43 is the first arrival compared to 6:46 before the change.

Why the change? According to union organized Jen Shykula, the hotel asked for the change. They've only given two reasons: it's more convenient, and safer. Neither seems true, at least from the workers' point of view. Skipping neighborhoods along the route isn't more convenient, and more bus lines serve Southern Avenue. In addition, Shykula explained, the Branch Avenue station is much more desolate, as it's a large park-and-ride instead of being surrounded by neighborhoods as at Southern Avenue.

Some people might feel safer at Branch Avenue than Southern Avenue — tourists. And while there's no evidence of this, it certainly appears that Gaylord wanted to change the bus to accommodate its visitors, many of whom arrive at a convention billed as "in Washington DC" only to find it 12 miles from downtown without convenient transit. At the Hyattsville hearing on this year's bus cuts, one speaker alleged that Gaylord's motivation was essentially to let its visitors avoid riding the bus with black people, or as that speaker put it, "to ride the Metrobus with people who had superior etiquette skills."

The change also likely saved some money, but how much of the savings came from the reroute as opposed to the schedule cut? Workers would probably have preferred a less frequent bus with the same hours and route instead of a much less usable bus.

Plus, Maryland is putting resources into this bus. The NH1 mysteriously appeared at the top of the priority corridor plan, and when asked during a previous RAC presentation, WMATA bus planner Jim Hamre said that this happened at the behest of the State of Maryland.

Prince George's County considers the National Harbor project an important economic development initiative for the County. The project's design already turns its back on Oxon Hill, isolating it into an island unto itself instead of linking up with the surrounding neighborhoods. It's not right for the revenue to also come at the expense of existing residents, forcing employees to spend more of their already-small salaries to get to work so that the state can save money and the resort can keep its visitors from interacting with other socioeconomic classes.

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[Metro considering limited-stop 16th Street bus](#) (Feb 11, 2009)

[Oops, we forgot the transit](#) (Jun 4, 2008)

Breakfast links: Not easy being green

Posted: 03 Sep 2009 06:36 AM PDT



Photo by Editor B.

More soccer please: Pick-up soccer games are getting squeezed out as vacant lots become developed, DC tightens permit requirements for athletic fields, and NPS fences off more spaces. The Urban Soccer Initiative is pushing for more spaces for soccer, particularly for the city's Latino communities where pick-up soccer is common and usually informal, unlike organized softball leagues. (Post, Gavin Baker)

Latest delinquent landlord in Shaw: NPS: The National Park Service is neglecting several properties in Shaw, which have become "magnets for vagrancy, trash, and criminal activity." NPS says that they have to take their time to develop detailed management plans before they can do anything, and may start doing something in 2012. (City Desk)

Another suburban office building is "greenest": It's right off I-270, nowhere near Metro, in an auto-dependent area. It's set far back from the street with a large, blank wall. It's Maryland's greenest office building, thanks to its recycled denim insulation, use of wind energy, and more. It's just another example of how the LEED green building rating system rewards energy-saving practices but doesn't encompass all of the environmental impacts of buildings. (Post)

Even energy-saving features sometimes don't: The huge windows of many new buildings bring in a lot of light, but aren't that energy-efficient. And many LEED-rated buildings turn out not to save as much energy as the designs predict. (Times, BeatusEst)

USPS assumes customers drive: The US Postal Service decided not to close the Derwood post office because the nearest station was too far away. But it still wants to close post offices in Friendship Heights and downtown Silver Spring, which have no alternatives easily accessible without a car. (Post)

Walking is Green(belt): The Gazette profiles Greenbelt through a Walk Score lens, finding that some parts of Greenbelt are very walkable while others are not at all. The town's core was designed to be walkable, with separated walkways and underpasses and stores located close to homes.

Yellow over Green: A group of Baltimore leaders wants to raise the priority of a Yellow Line extension to Columbia, moving it ahead of a Metro subway (Green Line) extension east of Johns Hopkins Hospital. For more on these and other Baltimore transit plans, check out our [Greater Baltimore & Washington Transit Future Version 2](#). (Baltimore Sun)

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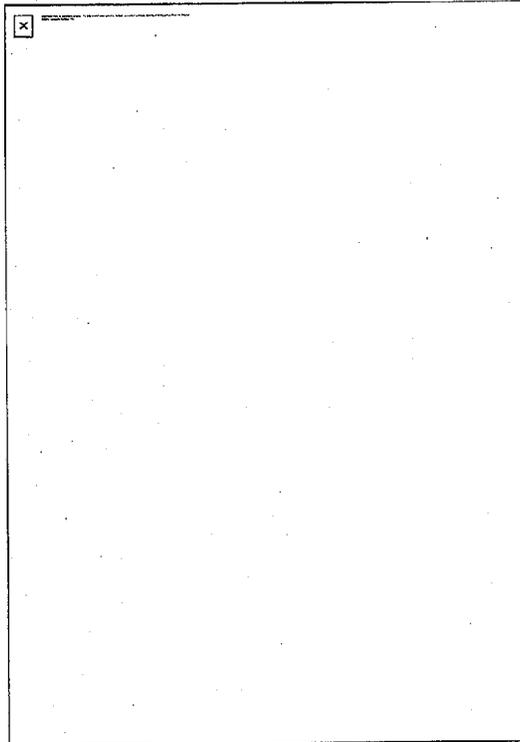


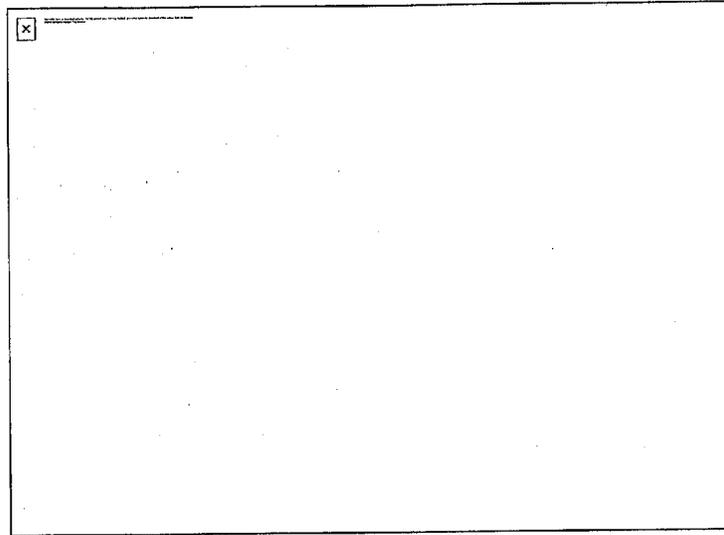
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Lost Washington: Engine Company No. 2

Posted: 02 Sep 2009 01:26 PM PDT

By [Kent Boese](#)





Once located at 719 12th Street, NW, the Italian Renaissance firehouse that became the home of Engine Company No. 2 in 1910 was designed at a cost of \$1,200 by architect Leon E. Dessez. A third floor behind the frieze housed a gymnasium. The original plans called for twin towers on the size of the building, but could not be built and still have the structure remain in its \$40,000 budget.

Metro construction severely damaged the foundation in 1975. As a result, the building was razed in 1986.

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Howard Town Center racing to hit the low bar

Posted: 02 Sep 2009 11:57 AM PDT



Conceptual floor plans. Images from the developer.

By Stephen Miller

On Monday evening, **CastleRock Partners**, the development team selected by Howard University **after a decades-long back-story** for its Howard Town Center project on Georgia Avenue at V Street, presented its concept for the site at a meeting hosted by the Pleasant Plains Civic Association. As part of its long-term ground lease agreement with the university, which the developers said should be signed within a week, the project must include a grocery store and the developers were looking to include approximately 450 apartment units. Otherwise, the developers stressed that their proposal was in its initial phases and things like design and potential tenants were subject to change.

That's good, because the Howard Town Center proposal as it stands needs some work. Here are the areas of contention:



Duke plan proposal for W Street.

Connecting W Street: In 2005, the City Council adopted the **Duke plan**, a small area plan for Shaw and U Street. One of the

key components of the Duke plan was guidance for public realm improvements in the neighborhood, including knitting together the superblocks into a better grid. Tim Kissler of CastleRock told the at-capacity room Monday evening that "what we have is basically what's drawn in [the Duke] plan." Except it's not. The Duke plan connects W Street between Georgia and Florida Avenues. This project as proposed would prevent that from happening, instead using that area as an underground parking ramp.

Howard University needs to better connect with surrounding neighborhoods. There are few better ways to do that than to stitch together the missing street grid that separates the university from the neighborhoods to the west. As it stands, this proposal fails to achieve this community goal. The Town Center proposal includes a mid-block pedestrian cut-through, but it's located closer to V Street. Perhaps it would be more effective closer to W Street, where the connection is actually missing.

Parking: Since the exact amount of retail is not yet determined (the number floated Monday was up to 125,000 square feet, including the grocery store), the developers wouldn't put a number to the amount of parking they plan to include. They acknowledged the forces competing over parking, with the DC Office of Planning pushing for fewer spaces than required and potential retail tenants (on whom project financing depends) interested in more suburban amounts of parking. It looks like OP has learned the lesson of DC USA, even if retailers have not. When a neighbor raised the issue of the water table hampering underground construction, Tim Kissler told her that it just costs a lot of money to build deep. Since all of this project's parking will be underground, there is a big opportunity cost to building as much parking as retailers demand. That money could be used for a lot of other things that actually make the project better.

Affordable housing: The project is participating in DC's **Inclusionary Zoning** program, but the developers are only meeting the IZ minimums, proposing that 8 percent of the residential units be priced below market value. This was a big concern for many residents at the meeting, who were dissatisfied with such a low number.

Sidewalks: A DDOT representative at the meeting noted that Georgia Avenue's sidewalks are their narrowest at this project's location. Despite the high-traffic retail proposed for this project, the developer didn't provide for wider sidewalks in this draft plan and seemed reluctant to do so when asked about it by a neighbor. DDOT's representative said that this is something DDOT will be negotiating with the developer. This project is also within Georgia Avenue's **Great Streets** plan, and the timeline for streetscape improvements on lower Georgia Avenue coincides with the construction timeline for this project.

8th Street streetscape: One neighbor raised her concern that 8th Street, NW would become a de facto alley for this project, with loading docks and insensitive design not unlike **DC USA's treatment of Hiatt Place**. While there will be loading docks, residential units will also be located on the upper floors of the project along 8th Street. The devil will be in the details for 8th Street - loading docks may move or become larger or smaller, drastically affecting the quality of the streetscape.



Conceptual rendering of Howard Town Center. Photo from the developers.

Although the developers stressed that their \$150 million proposal shown Monday was preliminary, they also laid out an aggressive timeline for development despite the sluggish economy, with groundbreaking in one year and another 18 months until the project's completion. The developers said that they decided not to go through the **Planned Unit Development** process because it would have taken too much time, and the project is not seeking any zoning variances. PUDs give the public, through the Zoning Commission, an opportunity to improve the design and push for benefits for the community.

While an improvement for Georgia Avenue, the project as it stands barely meets the minimums for responsible development. Because the developer isn't planning a PUD, citizens will need to work hard to ensure the developer improves the product.

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The highway isn't the only way

Posted: 02 Sep 2009 10:28 AM PDT



Image by Neil Flanagan.

In the 1950s, repeated freeway building and widening appeared to be the obvious, logical direction for public policy. Planners, elected officials, and newspaper editorial writers were united around the goal of pushing the population into ever-newer, ever-more distant subdivisions while older small towns were bypassed or razed and inner cities crumbled. Zoning laws and parking requirements ensured that newly settled areas looked like the prototypical suburban development. It was an era when "progress" meant replacing all that was old with something new. Energy was virtually free, land seemingly limitless, and there was no problem engineers couldn't solve within a decade.

Now, after we almost irrevocably damaged our planet, read Jane Jacobs, and witnessed mounting obesity, most people realize that GM's Futurama isn't the right vision for all of our new communities. Low-density suburbs have their place, but aren't the only place. Empty nesters and young people want to live in walkable places, either in condos in denser districts or in houses close to centers with transit, as in Arlington. Two-hour commutes are common, and families where both parents work, often in places many tens of miles apart, are fed up with all the driving. The more freeways we build, the worse traffic becomes. Transit, transit-oriented development, and Smart Growth have become phrases that almost every planner and politician utters, no matter what their plan.

There are people, however, who spent decades lobbying for the endless extension of 1950s suburbia, who simply don't recognize that there can be any other way. To them, economic prosperity means more of the same. Rich Parsons is one of these people. He used to head the Montgomery County Chamber of Commerce, and headed government relations for the Greater Washington Board of Trade. He's now lobbying hard for the \$4 billion "Sprawlway" project to widen I-270, and wrote to **Montgomery County state Senators**, trying to stop them from signing on to Brian Frosh's letter recommending Maryland study a transit alternative. From his exasperated letters, it's apparent that he just can't conceive why anyone wouldn't want more roads leading to more distant houses and more strip malls covering more of the state of Maryland. Further, he apparently can't believe that economic vitality could actually come from a different pattern of growth.

Parsons' central argument boils down to this: Since we've always grown by highways and sprawl, we have no choice but to continue. Most people drive today in the area; therefore, we need to keep developing so that new people drive.

[Frosh] is incorrect in asserting that the expansion of I-270 is anything new in this corridor study. ... In fact, widening I-270 north of Shady Grove Road is already part of Montgomery County's officially adopted 10-year transportation plan (and has been for many years, since around 2002, I believe). ... Besides, last time I looked at the current MARC ridership, it was underperforming estimates and the current rush hour service was underutilized.

He's saying that Maryland should build the project because it's on some map from a long time ago. Since planners a decade ago were thinking about freeways, so must we. And since not many people use MARC, we shouldn't fix it. Actually, not many people take MARC because it's not very good. Trains don't run often, and only one way in the peak direction. That's a good reason to improve it, but Parsons uses this as an argument to build more freeway lanes instead.

What about the freight rail that shares tracks with passenger rail?

There continue to be significant issues with competing freight traffic on the CSX lines (which may require adding a third track through a big part of the County, taking out homes and businesses in places like Kensington, Garrett Park Silver Spring, Rockville and Gaithersburg). ... Adding managed toll lanes between lower I-270 and the Western end of the Beltway at the American Legion Bridge (to connect with Virginia's HOT lanes already in construction) ... ought to be among your top priorities over the next decade.

This is another odd combination of opinions. We can't widen railroad rights-of-way, but it's absolutely essential to widen freeway rights-of-way? MARC, by the way, believes they can improve service while coexisting with the freight railroads. They have a plan for expansion that's only waiting for funds, not tracks. Plus, because trains run fewer vehicles that carry more people than cars, more capacity could come from adding passing tracks in key areas instead of the whole way. On the other hand, the Montgomery Planning Board's recommended Sprawlway alternative would **displace 251 families**, and adding more lanes from Rockville down to the Beltway and over to the American Legion Bridge would surely condemn many more.

Parsons' letter also contains some assertions which are either false, or based on information which nobody possesses except him. For example,

The highway portion of this project is likely to be paid for largely with the added toll revenues that the new managed toll lanes will generate. This is "new money" that would not be there if the lanes are not added. In the

case of the ICC, tolls provided well more than half the total project cost and 270 could be even more.

The SHA's analysis doesn't bear out Parsons' claims. Based on the data so far, the toll lanes won't move appreciably faster than the non-toll lanes, meaning the toll will have to be very low to entice anyone into the toll lanes. Ben Ross argued that the tolls won't even recoup the cost of collecting the tolls. Perhaps ACT's data is wrong. If so, SHA needs to release some actual revenue estimates. The Montgomery County Council sent them a letter before the recess asking for this information, along with other questions. When SHA responds, we can better judge whether this project will actually pay for itself as Parsons claims.

The cost alone should not be any reason to kill this project. The dramatic traffic relief it provides -- 61% reduction in congestion, 60% reduction in travel times, and up to 84% improvement in peak-hour speeds ... are among the other reasons we cannot afford to kill it.

Parsons must not have read the 1999 article in the Washington Post, which pointed out the effects of the last I-270 widening. People said the same about congestion then, and the road filled right up with new drivers from new developments in Germantown, Clarksburg, and Frederick County.

This project isn't for the existing residents, or the existing truck traffic to Ohio which Parsons argues is so important. No, this project is for the new residents, the ones who will fill up the lanes after they're built. The question is not what existing people need, because new infrastructure won't generate more economic growth from them or relieve their congestion. New infrastructure will bring in new residents and new jobs. The only question is where those residents and jobs should be. Parsons doesn't give any good reason why they should live on I-270 in Frederick County and drive through Montgomery to DC, except that it's the logical extension of the public policy of the past. That's not a good reason.

There's a lot of room around Shady Grove and Glenmont Metro stations. Montgomery County wants to create a dense urban neighborhood at White Flint. Silver Spring still has numerous lots still undeveloped, and coffee-shop owners dying for the new residents and businesses to patronize them. There's a big bioscience research facility at White Oak with plenty of room for more jobs, and the County has already looked into a Purple Line spur to reach it.

And none of this considers Prince George's County, with its many underutilized Metro stations, Baltimore, or the rest of the state. Maryland Politics Watch has been hammering at the idea that Montgomery County, and the I-270 corridor in particular, is the economic engine of the state. But this also reflects the past infrastructure investment decisions. There are more jobs on 270 because East County fought new jobs for many years. There is more housing than jobs on the east side; if Maryland put some investment into that area, it could become more of an economic engine. So could Prince George's County and Baltimore.

This project definitely would detract from infrastructure investment and job growth in other areas. Parsons even reveals that he'd like the state to dump multiple years' worth of transportation funding into this project. He writes, "I would expect the project would be broken up into smaller segments that would be manageable within any given capital budget cycle for whatever public funding may be needed." To him, that's actually an argument for the project. It's not too expensive to build, as long as the state dedicates a period of time -- say, a decade -- during which they don't do anything else.

Parsons further argues that it's not appropriate for elected officials to weigh in on the best ways to spend \$4 billion of public money. Doing so would be "blatant political interference in the study process," as happened with the ICC, delaying it 20 years. That assumes, of course, that the ICC was appropriate to build. Parsons thinks so, we know, but most of the Maryland state legislature now wishes there had been a little more political interference.

Why take so much ink to rebut Parsons' letters? Because changing the way we look at public policy is hard and takes time. Just look at President Obama's major initiatives, which are slogging through a very difficult process in Congress. We've thought about energy and health care in a particular way for decades if not longer, and there are many people committed to the status quo. Likewise, once-influential business leaders come out of the woodwork to fight for more sprawl because they see it as the only way, as a choice between more of it or stagnation. That's a false choice. Senators Jennie Forehand, Rob Garagiola, Nancy King, Rona Kramer, Mike Lennett, Richard Madaleno, and Jamie Raskin are smart enough to see through Parsons' "the only way is the highway" rhetoric that is more appropriate to 1939 GM executives than Maryland's leaders of 2009.

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Gaithersbungle, part 2: Old, tired formulas generate old, disastrous solutions (Jul 1, 2009)

Washington's rails, part 2: CSX's "National Gateway" for freight

Posted: 02 Sep 2009 07:52 AM PDT



Photo by the author.

By Matt Johnson

In the last installment, I described the Washington and Baltimore rail networks and their limitations. CSX hopes to surmount some of those limitations with their "National Gateway" initiative, which would upgrade freight rail infrastructure to accommodate double-stack container cars.

In May 2008, CSX announced a new initiative to improve the efficiency of America's freight network. Their project, known as the "National Gateway" purports to decrease truck traffic on our crowded Interstates, create new jobs, and increase capacity for carrying freight between Mid-Atlantic Ports and the Midwest.

With an ever-increasing reliance on international shipping, standard shipping containers have become more commonplace. These containers can easily be placed on ships, trucks, and trains for transportation. Intermodal containers greatly improve the flexibility of our rail network and improve efficiency in the transportation system as a whole.

In 1984, the well car was introduced to American railroading. These cars allow for double-stacked shipping containers, increasing the amount of goods a train can haul. However on the east coast, double-stack intermodal trains are much rarer. The railroad infrastructure here is America's oldest, and tunnels and bridges are not high enough to permit double-stack trains to connect ports like Baltimore and Hampton Roads with markets in the Midwest.



A CN Double-Stack near Kamloops, BC.

CSX's main competitor is Norfolk Southern (NS). In 2006, NS embarked on its own double-stack proposal, known as the "Heartland Corridor." This route is currently being improved to handle the taller trains, and will link the ports in the Hampton Roads area of Virginia to the Midwest. The Heartland Corridor, when complete, will shave 200 miles and a half-day off of the current route for NS double-stacks.

The Heartland Corridor, like the National Gateway, will involve raising the roofs of tunnels – even blasting them off entirely, if necessary – along with replacing bridges. But also important to enabling increased capacity for double-stack trains is the construction of new facilities to transfer shipping containers between ships and trains and between trains and trucks.

Norfolk Southern's Heartland Corridor got a helping hand from state governments and the US Department of Transportation. Of the estimated \$151 million cost of the main line between Norfolk and Chicago, US DOT paid \$95 million in addition to Virginia's \$9.75 million and Ohio's \$800 thousand. Overall, the project's cost was \$311 million, including projects in several places to build or improve intermodal terminals.

In order to keep competing, CSX is working on getting public funding for the National Gateway. This proposal will involve raising the clearance of 61 bridges and tunnels in six states and the District of Columbia. The National Gateway proposal also calls for six new or improved intermodal terminals along the way, including one near Baltimore.

To fund this public-private partnership, CSX is calling for \$194 million (25%) from the federal government and \$193 million (25%) from the states involved to add to their own commitment of \$387 million (50%). CSX claims that the benefits will be manifold, including adding jobs through the construction and operation of the new terminals, a reduction in highway congestion and accidents, a savings of more than \$500 million in highway maintenance costs, and a reduction in greenhouse gas emissions.

And commuters on other modes have much to gain as well. By eliminating track bottlenecks like the Virginia Avenue tunnel in Southeast DC, commuters on MARC's Camden and Brunswick Lines will experience less freight congestion.

The route for freight trains from the Mid-Atlantic to the Midwest passes through Washington. In order to allow for double-stack trains, a clearance of 21 feet is needed. In order to achieve that, CSX needs to conduct 13 clearance projects in the region. Of these, six are in Maryland, one is in Virginia, and six are in the District of Columbia.



Left: CSX trains rumbling under the L'Enfant Promenade.
Right: 12th Street ramp and 10th Street from the front of a VRE train.

Last Month, the Metropolitan Washington Council of Governments introduced a draft letter confirming their support of the National Gateway project to CSX. Because these projects fall within the jurisdiction of MWCOG, their support is vital, as is the support of Maryland and Virginia's governors, both of whom have already pledged their support.

Here are the Washington area projects in the National Gateway. Click on each link for an image of the project area:

- Germantown: Replace Germantown Road bridge
- Washington Grove: Replace Deer Park Drive bridge
- Bladensburg: Lower track under Baltimore-Washington Parkway
- Bladensburg: Lower track under Kenilworth Avenue
- Catoclin: Improve Catoclin Tunnel
- Point of Rocks: Improve Point of Rocks Tunnel
- Woodbridge: Replace Railroad Avenue bridge
- District of Columbia: Double track and raise roof of Virginia Avenue Tunnel
- District of Columbia: Lower track under New Jersey Avenue
- District of Columbia: Lower track under the L'Enfant Promenade
- District of Columbia: Lower track under ramp from I-395 to/from 12th Street
- District of Columbia: Lower track under 12th Street
- District of Columbia: Modify Long Bridge swing span

All photos by Matt Johnson

(26 comments · share or email)

Related posts:

[Washington's rails, part 1: The network \(Sep 1, 2009\)](#)

[Lost Washington: Steamer District of Columbia \(Aug 25, 2009\)](#)

[Lost Washington: The Southland \(Jul 14, 2009\)](#)

[Greater Baltimore & Washington Transit Future version 2 \(Feb 25, 2008\)](#)

[Greater Washington Transit Future: a multimodal fantasy map \(Feb 21, 2008\)](#)

Breakfast links: Arlington to Canada to Japan

Posted: 02 Sep 2009 05:18 AM PDT



Photo by purprin.

Metro down (this weekend): Metro is closing National Airport, Crystal City, and Pentagon City stations over Labor Day.

They needed three days for the track work, and it's better than closing during the week, despite inconveniencing flyers.

However, while the work was "long-planned," Metro doesn't seem to have announced it until today. (Post, Bianchi)

Recycling, bike racks up: The latest issue of Arlington County's newsletter, the Arlington Citizen, mentions that recycling has increased about 13% over 2008 levels, which it attributes to a switch to single-stream recycling and new wheeled carts. Also,

BikeArlington is installing 60 U racks in the Rosslyn-Ballston corridor, as well as new and replacement racks along Stuart Street near the Ballston Metro. That issue is **not posted online yet**. (Gavin Baker)

Counting coming: Arlington is getting ready for another round of bike and pedestrian counting, on Thursday, September 10 and Saturday, September 12. If you can help, email bikepedcounts@arlingtonva.us. There's also a kickoff party on September 9th, 6 pm at 2100 Clarendon Blvd. (Michael P)

Why "pedestrians"?: Tom Vanderbilt asks an interesting question: Why do we call someone a "pedestrian" when they're on the street, but not if they're walking down a hallway in the office or hiking in the woods? Also, does Costco intentionally underbuild parking to encourage people to make fewer trips but buy more each time? (How We Drive)

Photos okay at USDOT, assuming guards get the memo: Security guards at the US Department of Transportation have been hassling photographers, including Stephen Miller who try to take pictures of their architecture or public art After three months, they responded to the ACLU's letter questioning this practice. They agree photography is legal, but don't say anything about reminding guards of the law, and mention a Federal Protective Service memo that urges agency security to question photographers despite no evidence that any terrorists have ever taken photos for reconnaissance. (Erin, Flickr)

Transit smart cards, improved: Tokyo's transit smart card, the Suica also lets users pay for goods in vending machines and stores. Users can also swipe near poster advertisements to get more details emailed to them, and can connect to Web services to download or visualize their movements. Some of these uses and the agency's ability to use the data raise privacy concerns. (ReadWriteWeb, Rob P) ... Transport Canada highlights the **huge gains in transit ridership** that resulted from joint student IDs and transit smart cards at three universities.

Not so bike friendly: Michael James Bryant, Ontario's former attorney general, killed a cyclist in what appears to be a road rage incident. After some sort of "altercation," according to witnesses, Bryant was driving down the street with the cyclist holding on to the side of the car, and Bryant brushing against trees and mailboxes to knock the cyclist off. Police are still investigating. (CBC, Kevin)

Have a tip for the links? [Submit it here](#).

(30 comments · [share or email](#))

Related posts:

[Inauguration every day? Metro studying bike/ped access](#) (Aug 11, 2009)

[A greater city is unafraid of citizens with point-and-shoot cameras](#) (Jun 11, 2009)

[US DOT HQ security: No photos allowed, because I said so](#) (Apr 16, 2009)

[Metro "punts": Will release transit schedule data for Google and others](#) (Mar 11, 2009)

[Union Station latest photo flashpoint](#) (Jun 3, 2008)

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Doggett, Rosalyn

From: Wyner, Jonathan S.
Sent: Wednesday, September 02, 2009 3:52 PM
To: Wyner, Jonathan S.; Malasky, Gary; Doggett, Rosalyn; Burns, Bob; McElhenny-Smith, Robin; Goldin, Steven; Mohsberg, Sid
Cc: Meister, Mark K.; Bottigheimer, Nat
Subject: RE: TOD Web Page...Today's meeting
Attachments: ACTIVE JD Assignments 8-27 incl COUNAB.docx

Importance: High

Attached is a copy of the Active projects for which we need write-ups for the first phase of the web page.

We will need to develop a schedule/time-table for the write-ups for those projects.

Please review the chart for accuracy and develop a timetable for your write-ups, Sid will review them as you complete them.

We will need to gather the appropriate photos and demographics for each property. I have access to extensive demographic information for these properties – please provide me with an address and I can obtain the information. – I can also tailor the request and alter the shape or radius of the demographic search.

Of course, any comments, corrections and/or additions would be appreciated.

I will set up a meeting for next week.

Much thanks,

jonathan

Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development
600 Fifth Street, NW
Washington, DC 20001
202/962-1577

Doggett, Rosalyn

From: Yohance (EOM) Fuller [yohance.fuller@dc.gov]
Sent: Wednesday, September 02, 2009 2:44 PM
To: Doggett, Rosalyn; Meister, Mark K.
Cc: Moneme, Emeka; Marshall, Malcolm; Bottigheimer, Nat
Subject: RE: Jazz @ Florida Avenue Appraisal

Malcolm et al..

What's the ETA on the appraisal figures?

Yohance

From: Doggett, Rosalyn [mailto:RDoggett@wmata.com]
Sent: Tuesday, September 01, 2009 3:59 PM
To: Fuller, Yohance (EOM); Meister, Mark K.
Cc: Moneme, Emeka; Marshall, Malcolm; Bottigheimer, Nat
Subject: RE: Jazz @ Florida Avenue Appraisal

Yohance, please see the attachment.

From: Yohance (EOM) Fuller [mailto:yohance.fuller@dc.gov]
Sent: Tuesday, September 01, 2009 3:02 PM
To: Doggett, Rosalyn; Meister, Mark K.
Cc: Moneme, Emeka; Marshall, Malcolm; Bottigheimer, Nat
Subject: RE: Jazz @ Florida Avenue Appraisal

Mark/Roz --

When today can I expect to receive the email, detailing the items that you're still awaiting from Baneker Ventures? Please advise.

Thanks In Advance,

Yohance

From: Bottigheimer, Nat [mailto:NBottigheimer@wmata.com]
Sent: Tuesday, September 01, 2009 11:10 AM
To: Meister, Mark K.; Doggett, Rosalyn
Cc: Moneme, Emeka; Fuller, Yohance (EOM); Marshall, Malcolm
Subject: FW: Jazz @ Florida Avenue Appraisal

Mark and Roz --

I've made arrangements for Yohance to visit with Malcolm tomorrow morning at 10 to be walked through the most current appraisal information we have about the Florida Avenue project. Yohance needs this information so he can brief Neil.

Yohance also asked for a list of information we need from Omar so we can make quicker progress towards finalizing the terms sheet and JDA. I mentioned the information about sources and funds, but I believe there are other items as well. Roz and Mark, could you prepare an email for me that I can forward to Yohance today about what items Omar needs to deliver so we can get to the next level of detail?

I have explained that we are trying to accomplish terms sheet and JDA in December, not just the terms sheet. We could conceivably be done with a terms sheet in October, but with the two tracking so closely together it didn't make sense to me from Board agenda and Board agenda process points of view to have a terms sheet Board item in October and a JDA item in December -- I thought it would be more efficient to do them together. Neil may still want this item in October, though, but it would have to be a terms sheet and we'd have to have information from Omar sufficient for that.

Yohance, for your meeting tomorrow morning, Malcolm's direct number is 962-1584. Mark Meister's is 962-1589.

Thanks very much,

Nat

From: Meister, Mark K.
Sent: Tuesday, September 01, 2009 9:42 AM
To: Wallace, Maria A; Bottigheimer, Nat
Subject: RE: Jazz @ Florida Avenue Appraisal

We expect receipt of the final appraisal report this week. The appraisal was scheduled to be delivered on or about August 15th, but we had some concerns with the appraiser's architectural consultant's estimate of the cost to build over the WMATA tunnel. We have obtained what we believe to be a more realistic estimate from our in-house estimator.

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Tuesday, September 01, 2009 3:45 PM
To: Doggett, Rosalyn; Bottigheimer, Nat
Cc: Montague, Joshua W.
Subject: RE: Jazz @ Florida Avenue Appraisal

Roz,

Please revise your earlier list to include Josh's comments and forward to Yohance. Thanks.

Mark

From: Doggett, Rosalyn
Sent: Tuesday, September 01, 2009 3:32 PM
To: Bottigheimer, Nat
Cc: Montague, Joshua W.; Meister, Mark K.
Subject: FW: Jazz @ Florida Avenue Appraisal

In case I did not do full justice to Josh's remarks in my message to you a few minutes ago, please see below

From: Montague, Joshua W.
Sent: Tuesday, September 01, 2009 1:06 PM
To: Doggett, Rosalyn
Subject: RE: Jazz @ Florida Avenue Appraisal

Hi Roz,

What do you mean by firm evidence of site control?

If you need me, I am free to come up and discuss at any time today. Here is a list off the top of my head. Feel free to amend in any way.

1. A response to the WMATA drafts. It is impossible to say how far apart we are until we get any response from the Development team on the JDA/Lease/Exhibits drafts sent to Developer.
2. Terms of the adjacent parcel plan. This should include:
 - a. Terms of Default situations where WMATA would have the right to terminate the lease. Why is this acceptable to WMATA? How does WMATA terminate on ½ of a building? To give an idea of concerns, potential defaults include:
 - i. Failure to pay Rent (which they may try to capitalize – making it a non-issue during the term of the lease),
 - ii. Failure to pay "Additional" Rent (which cannot by its nature be capitalized),
 - iii. Violations of the terms of our lease (e.g., failure to maintain the proper insurance, failure to report a capital event, failure to indemnify WMATA, etc.), and
 - iv. Failure to protect the WMATA tunnel and our rights associated thereto.
 - b. Protections for WMATA to ensure:
 - i. Benefits of capital events are adequately appropriated to WMATA and non-WMATA parcels;
 - ii. Costs of construction/operations/capital events are adequately appropriated to WMATA and non-WMATA parcels; and
 - iii. Affordable housing is adequately appropriated to WMATA and non-WMATA parcels.
 - c. What additional consideration is developer offering WMATA for the additional benefits involved.
3. Terms of Developer's financing, including the Federally-insured financing terms that are supposed to be included in the Lease. There may be terms that are unacceptable to WMATA and so we may have to get HUD/FHA/Etc. to waive some terms.
4. Proof of adequacy of guarantor.

From: Doggett, Rosalyn
Sent: Tuesday, September 01, 2009 12:11 PM
To: Montague, Joshua W.
Subject: FW: Jazz @ Florida Avenue Appraisal

I have no idea who Yohance is. I forget and was unable to check because I was at a PGP meeting this am, do we have firm evidence of site control.

Please give me your list.

From: Bottigheimer, Nat
Sent: Tuesday, September 01, 2009 11:10 AM
To: Meister, Mark K.; Doggett, Rosalyn
Cc: Moneme, Emeka; Yohance S. Fuller; Marshall, Malcolm
Subject: FW: Jazz @ Florida Avenue Appraisal

Mark and Roz –

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Thanks very much,

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Cc: Moneme, Emeka; Marshall, Malcolm; Bottigheimer, Nat
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Doggett, Rosalyn

From: Yohance (EOM) Fuller [yohance.fuller@dc.gov]
Sent: Tuesday, September 01, 2009 11:55 AM
To: Doggett, Rosalyn; Meister, Mark K.; Bottigheimer, Nat
Cc: Neil.Albert@dc.gov; Moneme, Emeka; Marshall, Malcolm
Subject: RE: Jazz @ Florida Avenue Appraisal

Nat --

Thanks for your attention to this matter. I look forward to walking through these items with your team tomorrow. And will look out for the email explaining what issues need to be resolved in time to get this matter on the agenda for October.

Regards,

Yohance

From: Bottigheimer, Nat [mailto:NBottigheimer@wmata.com]
Sent: Tuesday, September 01, 2009 11:10 AM
To: Meister, Mark K.; Doggett, Rosalyn
Cc: Moneme, Emeka; Fuller, Yohance (EOM); Marshall, Malcolm
Subject: FW: Jazz @ Florida Avenue Appraisal

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Doggett, Rosalyn

From: Marshall, Malcolm
Sent: Tuesday, September 01, 2009 9:43 AM
To: Doggett, Rosalyn; Meister, Mark K.
Subject: RE: Jazz @ Florida Avenue Appraisal

Talked to Rick & he expects to get us the figures sometime this afternoon.

From: Doggett, Rosalyn
Sent: Tuesday, September 01, 2009 9:21 AM
To: Meister, Mark K.; Marshall, Malcolm
Subject: RE: Jazz @ Florida Avenue Appraisal

As I understand it, Malcolm correct me if I am wrong, we are waiting for his final valuation number as well as his opinion on what an annual rent should be.

From: Meister, Mark K.
Sent: Tuesday, September 01, 2009 9:13 AM
To: Doggett, Rosalyn; Marshall, Malcolm
Subject: RE: Jazz @ Florida Avenue Appraisal

Thanks Roz. For purposes of updating Emeka, please tell me exactly what it is that we're waiting for from Rick and when we expect to have it.

From: Doggett, Rosalyn
Sent: Tuesday, September 01, 2009 9:04 AM
To: Meister, Mark K.; Marshall, Malcolm
Subject: RE: Jazz @ Florida Avenue Appraisal

Malcolm has called Rick Harps a couple of times with no return call. Yesterday we agreed he was going to call Rick first thing this morning.

From: Meister, Mark K.
Sent: Tuesday, September 01, 2009 8:43 AM
To: Doggett, Rosalyn; Marshall, Malcolm
Subject: FW: Jazz @ Florida Avenue Appraisal

Roz, Malcolm:

Where are we at with Harps and the appraisal?

Mark

From: Wallace, Maria A
Sent: Monday, August 31, 2009 6:05 PM
To: Bottigheimer, Nat; Meister, Mark K.
Subject: Jazz @ Florida Avenue Appraisal

Good evening,

Emeka just called and would like the above subject-referenced information as soon as possible tomorrow morning. Thank you.

Maria Wallace
Planning & Joint Development
Washington Metropolitan Area Transit Authority
202-962-2330
mawallace@wmata.com

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Tuesday, September 01, 2009 9:13 AM
To: Doggett, Rosalyn; Marshall, Malcolm
Subject: RE: Jazz @ Florida Avenue Appraisal

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Subject: FW: Jazz @ Florida Avenue Appraisal

Roz, Malcolm:

Where are we at with Harps and the appraisal?

Mark

From: Wallace, Maria A
Sent: Monday, August 31, 2009 6:05 PM
To: Bottigheimer, Nat; Meister, Mark K.
Subject: Jazz @ Florida Avenue Appraisal

Good evening,

Emeka just called and would like the above subject-referenced information as soon as possible tomorrow morning. Thank you.

Maria Wallace
Planning & Joint Development
Washington Metropolitan Area Transit Authority
202-962-2330
mawallace@wmata.com

Doggett, Rosalyn

From: Capital Fringe [capital@capfringe.ccsend.com] on behalf of Capital Fringe [info@capfringe.org]
Sent: Tuesday, September 01, 2009 9:08 AM
To: Doggett, Rosalyn
Subject: Capital Fringe September News & Button Discounts



607 New York Ave., NW, WDC 20001
202.737.7230 +info@capitalfringe.org

WELCOME TO SEPTEMBER

We have closed the books on the 09 Festival.

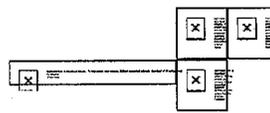
Here is a recap of our numbers:

Total Number of Productions **124**
Total Number of Shows **744**
Total Number of Sold out Shows **74**
Total Number of Tickets **25,100**
Total Number of Volunteers **153**
Total Number of Volunteer Shifts **622**
Total Attendance **11,171** individuals
We continued to give 70% of the ticket revenue to the artist to the tune of...188,000.

We cannot thank this year's brave Fringe artists and our adventurous audiences enough for creating and attending this years festival.

Thank You!!

Fringe Staff & Volunteers

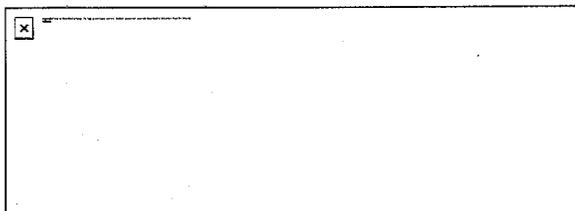


WE NEED YOUR INPUT.

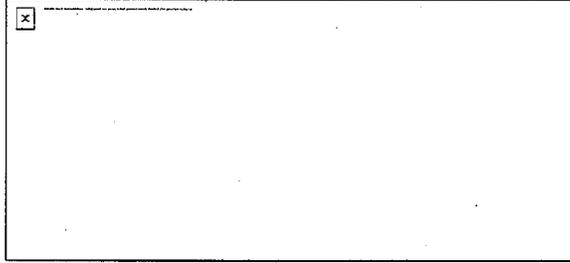
If you attended the 09' Festival please take time to fill out our Patron Survey. It really does help us if you take the time to do this.

Please fill out 09 Patron Survey [HERE](#)

Applications to the 2010 Fringe Festival - our 5th Anniversary - July 8 - 25 Will be available in late October. Early-bird discounts will apply.



SATURDAY, OCTOBER 31, 2009 8pm - 2am 1013 7th Street, NW



You have watched our Fringe flame flicker and grow over the last five years. Our flame has been fueled by artists' stories, hopes, dreams and by our community's willingness to explore and be adventurous. As we enter into our 5th Anniversary year, we need our community to not just watch our flame flicker...we need your help to fuel the DC Fringe flame. Help us continue to present a yearly festival of local, national and international Fringe artists and community. We need you...we know everyone says that - but in our case it takes the whole community and the whole year to program our yearly festival. Please show your support by coming and playing with us and celebrating Fringe Folly on Halloween night.

- + Live Music
 - Dancing
- + DJ's
- + Open Bar 8pm - 10pm
- + Games to get you high on the fun of life (*prepare to play with abandon!*)
- + Surprises for you
- + Best Costume Prize
- + Magic
- + Costumes are not required - **they are encouraged** - after all we are celebrating the folly.

GET YOUR FOLLY TICKETS:

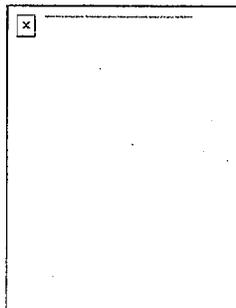
FULL PRICE \$50

FRINGE BUTTON DISCOUNT \$45

ARTIST TICKET \$25



Each month we interview one Fringe Artist from our Festival. We want to give you a picture (whether you're an artist or patron) as to what it takes to be a self-producing artist and to connect you to our Fringe community of artists.



This month we interview Sabrina Mandell, of [Happenstance Theatre Company](#). From sailing tall ships to painting in oils Sabrina has played many roles. You probably recognize Sabrina from Happenstance's Fringe hit such as *Prufbox*, *Manifesto!* and this years Audience Choice for Best Comedy - *Cabaret CooCoo*.

Q.

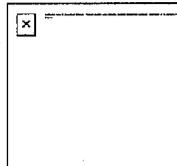
Why do you do the Capital Fringe Festival?

A.

I do the Capital Fringe Festival because it is a glorious, if not adventurous and challenging, chance to affordably produce and introduce new work to a huge concentration of people right in our back yard. This often leads to further production opportunities and connections with new audiences. It's also a deadline. Knowing that there is a time line concentrates the creative process into a funnel of productivity. I love having that every year to goose me.

[READ THE REST OF SABRINA'S INTERVIEW HERE](#)

Fringe Button Discount for September



Still need a Fringe Button? [Click Here](#)

September is a great month to get out and enjoy local art and street festivals, museums & shop at local shops. Don't forget to take the time too enjoy your community!

Don't miss these three great local arts festivals this month:



Located 7th and F Street, in Penn Quarter.
It is free!

Arts Market: Thurs. & Fri Sept., 10 & 11 11am - 7pm
Festival: Sat., Sep. 12, 11am - 5pm
artsonfoot.org



DC's longest running street Festival!

Located 18th Street NW between Columbia Rd and Florida Ave NW
It is free!

Sunday, Sept. 13, 12pm - 7pm
adamsmorgandayfestival.org



DC SHORTS FILM FESTIVAL

Button discount good through Sept. 10-12
Presented by the DC Film Alliance
Now in its 6th year, the 2009 DC Shorts Film Festival has been named by MovieMaker Magazine as "one of the nation's leading short film festivals." During the film competition weekend (September 10-12), we will screen 100 films in 10 rotating showcases. We have many local films, as well as movies from 16 different countries!
September 10 - 17, US Navy Memorial, 701 Pennsylvania Avenue NW, Suite 123, Washington DC 20004

Show your Fringe button at the US Navy Memorial box office from September 10 - 12 for \$10 tickets at that venue. That is a \$2 savings. Complete schedule online at dcshorts.com

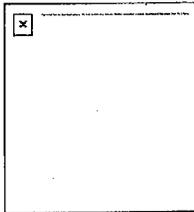


MISS PIXIES furnishings & whatnot

Button Discount good through September 13
1626 14th Street, NW, WDC 20009
Open: Wednesday through Sunday - noon til 7pm

Miss Pixie's Furnishings & Whatnots offers vintage and antique furnishings and accessories in the tradition of Hollywood Regency style, Art Deco, Mid-Century Modern, Shabby Chic and more ... Affordable eclectic treasures abound for city dwellers to find funky home accessories. With everything from farm tables to chandeliers, every wish in decorating is possible at Miss Pixie's. Delivery available. **Fringe Button Discount with Miss Pixie's through to September 13 is 10%.**

misspixies.com

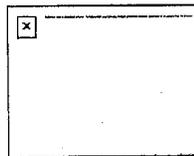


MOONLIGHT by Harold Pinter

Button Discount good through Sept. 11
The Studio Theatre

directed by Joy Zinoman. Featuring
Ted van Griethuysen with Catherine Flye, Sybil Lines, James Slaughter,
Tom Story, Libby Woodbridge & Anatol Yusef
"There is no playwright his equal... This is classical playwriting, make no
mistake about it. - The New York Post

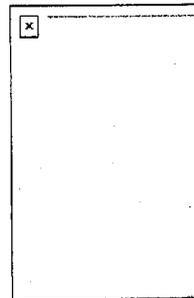
Both comic and melancholy, *Moonlight* hovers in the space between life and death, family and isolation. **Discount Available on: Wednesday 9/9 8pm, Thursday 9/10 8pm & Friday 9/11 8pm. Call 202.332.3300 today! Mention source code BUTN when ordering to receive your discount.** *Discount not valid for any other dates and may not be combined with any other offer. Discount not valid on previously purchased tickets. All sales final: no cancellations, no refunds and no exchanges. Subject to availability.



PAINT MADE FLESH

Button discount good through Sept. 13
Presented by The Phillips Collection

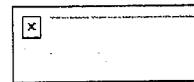
Paint Made Flesh gathers the work of 33 internationally renowned modern artists rarely seen together, including Pablo Picasso, Francis Bacon, Willem de Kooning, Alice Neel, and Lucian Freud, who employ the sensuality of paint to portray the human body not as a thing of beauty, but to lay bare the soul with taut muscle or wrinkled skin. 1600 21st Street NW (21st at Q Street), Tues-Sat: 10 am-5 pm, Thurs: 10 am-8:30 pm, Sun: 11 am-6 pm, Mon: Closed. \$2-off admission to Paint Made Flesh OR 20% off an Individual, Dual/Family, or Associate level membership during the run of Paint Made Flesh. Terms: one discount per button holder. phillipscollection.org



LUCIDO/LUCID

Button Discount good through Sept.18 to October 11
Present By Gala Hispanic Theatre

Escaping reality through dreams, a young man navigates his dysfunctional family reunions with humor and bite. Argentine playwright Rafael Spregelburd takes us to the most absurd places as if they were the most natural. **\$20 tickets (that is a \$12 - \$16 savings depending on when you attend!)** Patrons can buy tickets by phone or in person but they have to show the Fringe Button to retrieve tickets at the Box Office. Not valid on Noche de GALA Saturday, September 19. galatheatre.org



FROZEN YOGURT

10% Discount for the month of Sept.

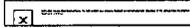
Mr. Yogato is the FUNNEST yogurt experience you'll ever have. Their frozen yogurt is healthy and delicious, they have more than 40 fresh fruit and dry toppings, and their games are... ridiculous! Go and see for yourself! Further discounts are available by getting a stamp on your forehead, reciting the Braveheart speech, performing the physical challenge of the day, and more. Sun - Thurs: noon - 11pm; Fri - Sat: noon - 1am at Mr. Yogato, 1515 17th Street NW WDC 20036
10% discount when you present your Fringe Button during the entire month of Sept.
mryogato.com

Interested in being a button discount for October email info@capitalfringe.org



Featured in the Catalogue for Philanthropy 09-10
Support Fringe - Become a member of the Fringe Family of Donors!

© 2009 Capital Fringe. We are generously supported by: Downtown DC BID, PNC Bank, Pepco Energy, Douglas Development, TheaterMania, The Onion, The Decider, Washington City Paper, WHUT, WAMU, The Washington Post Company, Council of the District of Columbia, DC Commission on the Arts and Humanities, Charlie & Jane Fink Foundation, The Max and Victoria Dreyfus Foundation, Meyer Foundation, Morris & Gwendolyn Cafritz Foundation, MARPAT Foundation, Philip L. Graham Fund, and the Fringe Family of Donors - *if that is you thanks!*



Forward email



This email was sent to rdoggett@wmata.com by info@capfringe.org.
[Update Profile/Email Address](#) | [Instant removal with SafeUnsubscribe™](#) | [Privacy Policy](#).
Capital Fringe | PO BOX 50659 | Washington | DC | 20091

Email Marketing by



Doggett, Rosalyn

From: Meister, Mark K.
Sent: Tuesday, September 01, 2009 8:43 AM
To: Doggett, Rosalyn; Marshall, Malcolm
Subject: FW: Jazz @ Florida Avenue Appraisal

Roz, Malcolm:

Where are we at with Harps and the appraisal?

Mark

From: Wallace, Maria A
Sent: Monday, August 31, 2009 6:05 PM
To: Bottigheimer, Nat; Meister, Mark K.
Subject: Jazz @ Florida Avenue Appraisal

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Washington Metropolitan Area Transit Authority
202-962-2330
mawallace@wmata.com

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Monday, August 31, 2009 9:52 AM
To: Doggett, Rosalyn
Subject: RE:

Thanks.

From: Doggett, Rosalyn
Sent: Monday, August 31, 2009 9:48 AM
To: Meister, Mark K.
Subject: FW:

This is what I sent on Friday.

From: Doggett, Rosalyn
Sent: Monday, August 31, 2009 9:00 AM
To: 'Omar A. Karim'
Subject: FW:

From: Doggett, Rosalyn
Sent: Friday, August 28, 2009 4:52 PM
To: 'Omar A. Karim'
Cc: 'Tiwana Hicks'; eric.smart@bolansmart.com
Subject: RE:

Thanks for the response, Omar. It is helpful though not complete. The last pro forma I have is from March and shows an annual lease payment of \$300,000 per year, which is not, I believe, what you are currently proposing. So, I reiterate that we need an updated pro forma that reflects the current offer. We also need project funding amounts by sources and uses of funds as previously requested even though some may change upon review by the various lenders/grantors.

The third question had to do with BACDC and Maurice is addressing it.

With regard to schedule, this project is on the agenda for Board action at its 12/17 meeting. The Planning, Development and Real Estate (PD&RE) Committee meeting, 12/3, is the precursor meeting to the Board meeting. Materials for that meeting need to be prepared, be complete and circulating within the agency as of 10/21. As I've stated in prior meetings, the process to get to a Board decision generally takes two months. We need to have a completely sewn up and agreed-upon deal and documents (except for *minor* lease and jda exhibits) by the middle of the second month before a Board decision.

That makes an October Board action impossible as materials would have had to be in circulation starting earlier this week for executive reviews that start next week. It also makes a November Board action highly unlikely since materials would need to be circulating within the agency at the beginning of the last full week of September in order to meet the schedule of executive reviews for an 11/5 PD&RE Committee meeting and 11/19 Board meeting. Your schedule, below, does not allow for the time to respond to and resolve issues though, for my part, I can certainly commit to your schedule to review and have comments on your markup that will arrive here Sept 3 (I will not be here on the 4th). Josh is not here this afternoon so I have not been able to contact him but can let you know on Monday.

I recognize that you have had some more input that has delayed your transmittal of the jda/lease markup. The same as occurred for the appraisal, which we hope will be completed next week around the same time as your markup.

Our surveyor is checking on the Square 416 parcels.

Please call or e-mail if further questions.

Regards,
Rosalyn

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Thursday, August 27, 2009 6:00 PM
To: Doggett, Rosalyn
Cc: 'Tiwana Hicks'; eric.smart@bolansmart.com
Subject: RE:
Importance: High

Ms. Hicks,

Thanks for your email. Eric and I had a great conversation yesterday. Below please find answers to your questions:

1. 157,000 sf. 132 units, 20% of which are affordable. 79% of the projected is allocated to WMATA property and the balance to the adjacent properties that we control, which is the % of land that WMATA and BV/BoA controls.
2. Project costs is \$41.5M. Sources include HUD-insured loan, TIF which is allocated 100% to non-residential uses (dollar amount TBD as the note is still being underwritten), tax credits, which is being allocated to the affordable housing units only (dollar amount TBD as the project is still being underwritten by DHCD) and developer equity, exact dollar amount to be determined once our TIF and tax credits are finalized. Regardless of the uncertainty of the exact amount of any public subsidies we may receive, we remain committed to moving forward with this project in an expeditious manner and break ground by the schedule that we promised from the date of JDA/Lease approval.
3. Not sure what your question is here. The sources of equity will come from Banneker and BoA CDC.
4. We expect to send you comments by next week. Since we were trying to figure out a way to address WMATA's concerns about the adjacent parcels, this took some time to figure out how it would be done in the documents. Our solution is to capitalize our lease payments (which Eric and I discussed briefly on Tuesday and more in depth on Wednesday). We hope that we could all agree to have the Staff recommend the JDA and Lease be approved by the Committee and Board at the October 2009 meeting. In order to get there, we believe that we would have to follow a schedule that looks something like the following:
 - BV/BoA sends you our comments to the JDA and Lease by 9/3;
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 - Take 9/28 and 9/29 to clean up any final edits
 - 9/29, WMATA staff sends to senior staff its recommendations for the Florida Avenue JDA and Lease be approved by the Committee and Board at the October Board meeting.

Please let me know if this is acceptable to you.

Btw, in one of your previous emails, you mentioned that you all would be forwarding the results of the appraisal. Can we still expect to receive it? If so, when do you think this will occur?

Thank you for all of your working in moving this project along. I know that it has taken up a great deal of your time and we appreciate it.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

From: Doggett, Rosalyn [mailto:RDoggett@wmata.com]
Sent: Thursday, August 27, 2009 10:04 AM
To: 'Omar A. Karim'
Cc: eric.smart@bolansmart.com
Subject:

Omar,

I understand that you have now been in discussions with Eric Smart. In anticipation of receiving your most recent JDA comments it would be helpful if you would confirm via e-mail the following:

- 1) The current size, FAR, unit count, and percent affordable units for a) the entire project and b) that portion proposed for WMATA property
- 2) The sources, amounts and uses of funds, especially public funding assistance or other subsidies you have or for which you expect to apply
- 3) When we can expect to have the finalized information needed of your partners and financial sources
- 4) When you expect to submit your JDA comments and the needed updated pro forma; though we need both, our current expectation is to have the JDA this Friday based on your earlier stated schedule.

Please let me know as soon as convenient.
Thanks, Rosalyn

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Friday, August 28, 2009 9:05 AM
To: Doggett, Rosalyn
Subject: RE:

Thanks Roz. There's no way we can make the October PD&RE Committee.

From: Doggett, Rosalyn
Sent: Friday, August 28, 2009 8:57 AM
To: Meister, Mark K.
Subject: FW:
Importance: High

FYI, I have to read

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Thursday, August 27, 2009 6:00 PM
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Cc: 'Tiwana Hicks'; eric.smart@bolansmart.com
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Thanks, Rosalyn

Rosalyn P. Doggett
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202-962-2396 fax

Doggett, Rosalyn

From: lgreen3001@aol.com
Sent: Thursday, August 27, 2009 11:13 AM
To: hsewell@dchfa.org
Cc: rcooper@cocrlaw.com; michael_wheet@ml.com; Doggett, Rosalyn; hamilton@windsor-inc.com
Subject: Re: Rating Upgrade

Very good news. Congratulations. I expect no less from you. Michael and you and the staff and board are a great team. On to even greater accomplishments!

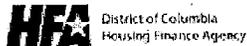
In a message dated 8/27/2009 9:10:31 A.M. Eastern Daylight Time, hsewell@dchfa.org writes:

Good Morning:

Michael Wheet wanted me to share the good news that DCHFA has received an upgrade to its Issuer Credit Rating from Standard & Poors to A-. This move up of two notches from BBB is, in part, due to your good stewardship during your tenure on the Board.

I want to personally thank each of you for giving me the opportunity to lead this organization and I look forward to even greater accomplishments ahead.

H



Harry D. Sewell | Executive Director |
815 Florida Avenue, NW | Washington, DC 20001 |
Phone: 202-777-1601 | Fax: 202-986-6736 | www.dchfa.org |

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Doggett, Rosalyn

From: Harry D. Sewell [hsewell@dchfa.org]
Sent: Thursday, August 27, 2009 9:11 AM
To: lgreen3001@aol.com; Doggett, Rosalyn; LLC Everett Hamilton-Octane
Cc: Michael Wheat
Subject: Rating Upgrade
Attachments: District of Columbia ICR.pdf

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 **HFA** District of Columbia
Housing Finance Agency
Harry D. Sewell | Executive Director |
815 Florida Avenue, NW | Washington, DC 20001 |
Phone: 202-777-1601 | Fax: 202-988-6736 | www.dchfa.org |

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Doggett, Rosalyn

From: noreply+feedproxy@google.com on behalf of Greater Greater Washington [alpert@gmail.com]
Sent: Thursday, August 27, 2009 5:07 AM
To: Doggett, Rosalyn
Subject: Greater Greater Washington

Greater Greater Washington



- [Metro motifs, part 2: Above-ground stations](#)
- [The shiny future, through the eyes of the past](#)
- [Live chat with Ron Carlee](#)
- [The waiting game: Two intersections now safer for pedestrians](#)
- [Breakfast links: Hot trains, hot tempers](#)

Metro motifs, part 2: Above-ground stations

Posted: 26 Aug 2009 01:00 PM PDT

By [Matt Johnson](#)

Monday, we looked at the designs of Metro's underground stations and their signature vaults. The above-ground stations cannot have vaults, but Metro's designers took steps to maintain architectural continuity.

Gull Wing I: In order to maintain the connectivity of the architectural elements of the system, the surface and elevated stations had a roof consisting of sweeping concrete 'wings.' I refer to this design as the Gull Wing I design. It is characteristic of the older outdoor

The first Gull Wing I station opened on opening day in 1976, Rhode Island Avenue. The most recent station to receive this motif was the level of Fort Totten, which was not constructed at the same time as the Red Level, but in 1993, with the opening of the Line to Greenbelt.

All but two Gull Wing I stations have island platforms (platform is between the tracks). National Airport actually has two island Gull Wing I canopies separated by a center track. Cheverly and Eisenhower Avenue have side platforms, but still have the Gull Wing I roofs in a traditional design. At National Airport, a canopy extension in the early 2000s did not keep the same style, so the station also features a unique canopy design.

Gull Wing I designs can be found at 15 stations:

- 1976 - Rhode Island Avenue
- 1977 - National Airport* - (canopy extension installed in early 2000s does not match)
- 1978 - Brookland, Fort Totten (upper level), Takoma, Silver Spring, Minnesota Avenue, Deanwood, Cheverly, Landover, New River
- 1983 - Eisenhower Avenue
- 1984 - Twinbrook, Shady Grove
- 1991 - Van Dorn Street
- 1993 - Fort Totten (lower level, partial coverage)



Eisenhower Avenue

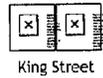


Rhode Island Ave

Peaked Roof I: The next design, Peaked Roof I, is found at 2 stations only: Braddock Road and King Street in Alexandria, on the Blue Line. The Peaked Roof I design consists of a steeply sloped roof with skylights in the center.

Peaked Roof I appeared in 1983 with the opening of the Yellow Line extension to Alexandria. It's interesting to note that when King Street canopy was extended a few years ago, the same architectural style was maintained, but a gap was left above King Street itself so as

impede the view of the George Washington Masonic Tower.



Peaked Roof II: A more common design, Peaked Roof II can be found at many surface stations. It consists of a flat roof over the platform section of clear skylights forming a peak in the center (along a line parallel to the tracks).

This style was introduced with Grosvenor in 1984. Except for Van Dorn Street and the lower level of Fort Totten, it was the style of the remainder of the Adopted Regional (103 mile) System, completed in 2001 with the extension to Branch Avenue.

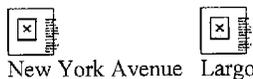
Unlike Gull Wing I, there are no side platform stations with a Peaked II roof. West Falls Church has a modified design because of the peak in the center of the station. However, unlike National Airport, it does not have separate canopies, instead having one canopy stretch over all three tracks. The peaked Plexiglas panels run parallel to the tracks over both platforms.

Peaked Roof II can be found at 15 stations:

- 1980 - Addison Road
- 1984 - Grosvenor, White Flint, Rockville
- 1986 - East Falls Church, West Falls Church*, Dunn Loring, Vienna
- 1993 - College Park, Greenbelt
- 1997 - Franconia-Springfield
- 2001 - Southern Avenue, Naylor Road, Suitland, Branch Avenue

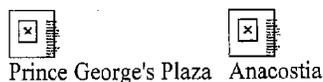


Gull Wing II: The newest design for the Metro returns to the gull-wing style, but differs greatly in many aspects from earlier designs. Notable differences in color, materials, and motif elements. These stations are all of those constructed beyond the original system (and completed in January of 2001). This design can be found at only 3 stations: New York Avenue on the Red Line and Morgan Boulevard and Town Center on the Blue Line. All three of these stations opened in 2004.



Unique Designs: Several stations differ from these basic designs. They are worthy of mention because of their nonconformity. There are 10 unique stations in the system out of 86 stations total.

- 1977 - Arlington Cemetery (Blue)
- 1983 - Huntington (Yellow)
- 1991 - Anacostia (Green)
- 1993 - West Hyattsville, Prince George's Plaza (Green)



Future Stations: The Silver Line, which will run from Stadium-Armory to Wiehle Avenue in Reston, will add at least one new architectural motif to the system.

Next: Metro's design motifs include more than just the roofs over each station. Pylons, tiles, canopies and more round out Metro's design motifs.

appearance.

(9 comments · share or email)

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[Tweaked Rosslyn station on Metro 2030 map \(Apr 28, 2008\)](#)

[Alexandria wants new Metro stations \(Feb 5, 2008\)](#)

The shiny future, through the eyes of the past

Posted: 26 Aug 2009 10:59 AM PDT

In the 1950s, many center cities were in decline, crime-ridden, smelly, and crowded. Meanwhile, suburbs were new, shiny, and full of cars. Civic leaders very seriously believed that ripping out most of the old downtowns and replacing them with tall towers surrounding by parking would actually improve the quality of life in the city. This 1955 video from Pittsburgh extols leaders' wisdom in knocking down most of the warehouse district, putting up giant freeway interchanges and some office towers in its place.

Tom Vanderbilt writes,

The irony of this video (and, I must say, the supposed congestion horror depicted here looks pretty tame) is that just about everything that's proposed here is the sort of thing that, half a century later, would be seen as a nightmare from which cities we are trying to awake. ...

It's hard not to see Le Corbusier's Broadacre City all over that image of the tall tower, surrounded by acres of parking — my initial thought was, where would you go for lunch? It's the sort of mundane question the motopians never paused much to consider as they drafted their gleaming tomorrows.

This article summarizes the successes and failures of Pittsburgh's far-reaching mid-century urban renewal program. At the Point, the clearing did bring some immediate benefits, drawing more jobs into the area than were there before. However, we can see how much more vibrant that district might be today had the warehouses been preserved. Nearby, planners demolished the Lower Hill residential area largely because the immigrant families populating it had less political power to stop it.

The population of the Lower Hill dropped from 17,334 in 1950 to 2,459 in 1990. People forced to leave the integrated area moved to other neighborhoods that reflected their own race, thus worsening the city's segregation problem. By 1960, Pittsburgh was one of the most segregated big cities in America. ...

A 1968 editorial in The Pittsburgh Press read, "The men of the Renaissance have been unable to produce anything but a crop of weedy acres of prime public land next to the Civic Arena." The land remains a parking lot today.

Ironically, while today we talk about "human scale" in terms of smaller plazas that work for people, detail on buildings, ground-floor articulation, and other elements of a more walkable urban place, the advocates of urban renewal also used the same phrase. Accordi Post-Gazette, Fortune Magazine said in the 1950s, "Pittsburgh is the test of industrialism everywhere to renew itself, to rebuild upon ruins of the past a society more equitable, more spacious, more in human scale."

At that time, planners thought that auto-dependent freeway cloverleaves were more "human" than historic downtowns.

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Don't play SimCity (Classic) (Jul 23, 2004)

Live chat with Ron Carlee

Posted: 26 Aug 2009 08:45 AM PDT

By Michael Perkins

Welcome to our live chat with Ron Carlee, the outgoing Arlington County Manager.

Greater Greater Washington live chat: Ron Carlee

(08/26/09)

Close

- 11:48 **GreaterGreaterWashington:** Welcome to our live chat with Ron Carlee. Ron has been Arlington County Manager since 2001, but will soon be moving on to a job with ICMA, the association of local government leaders.
- 11:49 **GreaterGreaterWashington:** We will be starting at noon. In the meantime, feel free to settle in and enter questions into the queue for Ron.
- 11:52 **Ron Carlee:** Thank you for letting me join you today. While I've had the honor of being County Manager since 2001, I've been in Arlington since 1980. I've seen it become a great community -- and I look forward to it becoming an even greater community in the next generation. When I started work here in 1980, I lived in Arlington and took the Arlington job only because I need the work. Now it is home and I wouldn't want to be anywhere else.
- 11:54 **David Alpert:** So glad to have you with us, Ron.
- 11:54 **David Alpert:** Michael Perkins is on his way, but told us he might be late as he was just getting out of a meeting. I'll moderate in the meantime.
- 11:55 **David Alpert:** If you're ready, we can get started a few minutes early.
- 11:56 **Ron Carlee:** I'm ready any time. Looks like a lot of good questions coming in.
- 11:57 **David Alpert:** Great. Let's start with something light. Commenter Juanita de Talmas noted that your picture looks a lot like **Grover Norquist's**. Have you ever met Mr. Norquist, and do you look anything alike in person?
- 12:00 **Ron Carlee:** First time this has been suggested. If he is my long lost twin, I got different political genes. Years ago I got a picture of an award winning dog named Carlee. I thought it was a more flattering comparison.
- 12:01 **David Alpert:** Thanks. Now on to actual serious topics.
- 12:01 **Michael Perkins:** I'm here and just got in.
- 12:01 **Michael Perkins:** Go ahead with the next question, David.
- 12:02 **David Alpert:** This morning's breakfast links on Greater Greater Washington had some discussion about the past, most families had boarders and/or more children, meaning our single-family houses contained more people. Today, families are smaller, and in fact zoning rules in many places prohibit renting a room to an unrelated person.
- 12:02 **David Alpert:** David Kinney has a question about that:
- 12:02 [Comment From David Kinney]
Are there any plans to make the Accessory Dwelling Permit (AD Permit) or Family/Caregiver Suite Permit (F/CS Permit) process easier? Looking at Arlington County's own explanation the process seems too restrictive while placing a large burden on the home-owning Arlingtonian. A little less bureaucracy here could go a long way towards helping both current Arlington residents and those people who might want to become residents but are currently priced out of the living in Arlington.
- 12:04 **Ron Carlee:** Last year we adopted a new ordinance that expanded the program after a long community process. There are still a number of restrictions. The tension is around preserving the character of single-family neighborhoods in the city districts. One of the reasons Arlington has been so successful in transforming itself into an urban community has been preserving what people cherish about the single-family neighborhoods.
- 12:05 **David Alpert:** Now that Michael is here, I'll let him take over. In addition to being our regular chat host, welcome to you, Michael.
- 12:05 **Michael Perkins:** That's a point that comes up a lot on GGW, actually. What has Arlington done to help preserve single family neighborhoods?
- 12:05 **Michael Perkins:** Thanks, David.
- 12:07 **Michael Perkins:** Another good question would be, how could the process Arlington uses for community development, etc. be adapted for use in other communities like the District?
- 12:08 **Ron Carlee:** Single family neighborhoods have changed very little over the past quarter century -- except for increased values of single family homes. One of the major principles of the General Land Use Plan has been to

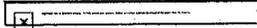
from the beginning to preserve single family and concentrate development on the corridors. This enables Arlington to have a wide range of housing products to attract a diverse population.

- 12:10 **Michael Perkins:** Would you see this aspect of the GLUP changing if Arlington were to become increas "built out" over time? For example, could some of the closer-in single family home neighborhoods becom rowhouses or town houses over time?
- 12:10 **Ron Carlee:** Public process is a double-edged sword. It definitely slows the process and makes developr very complicated. At the same time, when a community is changing as dramatically as Arlington did, the process has been essential in maintaining public support. It's not been perfect and some people miss the (Clarendon. By and large, however, people feel that they've had a strong voice in creating today's Arlingt
- 12:13 **Ron Carlee:** Regarding the GLUP, I don't see single family zones changing much. There remains much redevelopment capacity within the Metro corridors. The Columbia Pike plan, also, offers tremendous opportunities. We're currently re-planning East Falls Church and in the next decade Lee Hwy corridor wi replanning. --All of this can be done without impacting single family neighborhoods and provide more e compact transit oriented development.
- 12:13 **Michael Perkins:** Thanks. I have a question about the various stakeholders in planning
- 12:14 [Comment From Michael Perkins]
Is Arlington's success in urban planning and smart growth attributable to leadership from the board, brig members that understood this trend, working with the community or a combination of these?
- 12:15 **Ron Carlee:** It takes everyone, including patient and enlightened developers. The key is starting the a pl sticking to it over time. Be sure to check out our Smart Growth video, accessble on our web site for a go history of what was done in the 1960's to create the vision.
- 12:16 **Michael Perkins:** Here's a question about the pace of development. Obviously it's a bad time for the eco
- 12:17 **Michael Perkins:** Right now the client is frozen, but the gist is what can we do to speed up the pace of development in Arlington?
- 12:17 **Michael Perkins:** From Gavin Baker: "What, if anything, can be done to speed up the pace of dense, wa development in Arlington? I live between Rosslyn and Courthouse, near a big empty field (a planned mi condo building, scheduled for delivery in "2011+"). It's across the street from another empty field, which a mid-rise office/retail and road extension. I'm sure it'll be nice when it's all done, but that will take sever years, and in the meantime it's not very lively. How do we speed things along? How can we make vacant more inviting while they're awaiting redevelopment?"
- 12:19 **Ron Carlee:** It's actually ok that we've had a chance to catch our breath. During the boom, we virtually b Clarendon, Shirlington, and Potomac Yard all at the same time We already have a number of site plans a and ready for implementation when the market improves. Furthermore, other site plans are in the queue f approval. Meanwhile, we're working on plan updates in Crystal City, East Falls Church, Four Mile Run, Rosslyn.
- 12:20 **Ron Carlee:** As an addendum, we have projects currently under construction or soon to be in Clarendon Ballston, Columbia Pike, East Falls Church, Potomac Yards, and Shirlington. The crane is still the count
- 12:21 **Michael Perkins:** Alright, HOT Lanes. Let's talk about Arlington's recent lawsuit.
- 12:21 [Comment From David Kinney]
How involved are you in Arlington's recent decision to sue over the proposed HOT lanes? What can you about that issue and why Arlington decided to go forward with the lawsuit now? What is Arlington Cour to accomplish with the lawsuit?
- 12:24 **Ron Carlee:** Background on the suit is on our web site. Basically, the planning has not been adequate an creating more congestion than relieving it. HOTLANES are mostly about moving more single occupancy vehicles, which is the wrong approach. Since the lanes terminate in Arlington, we concluded that we had choice but to go to the courts as a vehicle (no pun intended) to address the impacts.
- 12:25 **Michael Perkins:** How about expanding transit? I had a question about the ART bus service, but it appli Arlington's non-regional Metrobus service as well. . .
- 12:25 [Comment From Michael Perkins]
How is Arlington looking to expand ART service, either in span, frequency or routes?
- 12:27 **Ron Carlee:** We have a three year plan to steady expand ART and are working on a 5 year plan. It has a quickly grown from a small shuttle service to a real transit system. Economic conditions will challenge e plans, so we'll have to invest smartly. What we know for sure is that if we provide it, Arlingtonians will t
- 12:27 **Michael Perkins:** Where is that plan located?
- 12:28 **Michael Perkins:** How can an enthusiastic Arlingtonian get involved with that planning process?
- 12:28 **Ron Carlee:** The three year plan will go to the County Board in September for adoption. It will be poste web as part of the agenda and then be available thereafter.
- 12:30 **Michael Perkins:** Is there a draft available anywhere at this point? These kinds of things usually go thro Transpo. Commission and the Planning Commission, right?

- 12:31 **Ron Carlee:** The guidance was adopted by the County Board as part of the FY 2010 budget. The report is drafted at this time.
- 12:32 **Michael Perkins:** ok. Arlington's working on pieces of a "Master Transportation Plan". What's the purpose of this document?
- 12:33 **Michael Perkins:** Master Transportation Plan:
http://www.arlingtonva.us/Departments/EnvironmentalServices/dot/planning/mplan/mtp/MTP_D
- 12:34 **Ron Carlee:** The MTP is the central policy document on transportation. I urge people interested in the subject to review it on our web site. It also contains the following more detailed elements that have been adopted: I & System Management, Transit, Pedestrian, and Bike. We are working on these additional ones: Parking Space Management, and Street element
- 12:35 **Ron Carlee:** P.S. Note that there is no Car Element.
- 12:35 **Michael Perkins:** These documents will be considered the official policy for Arlington when making decisions going into the future?
- 12:35 **Ron Carlee:** Yes. They are officially adopted by the County Board as part of the Comprehensive Plan.
- 12:36 **Michael Perkins:** So they're more than merely advisory? If, for example the Parking element says that the county will use variable parking pricing on-street, then that's what staff will implement?
- 12:39 **Ron Carlee:** The plans are written with policy flexibility and are advisory. They do not have the same legal control as the zoning ordinance. They provide guidance to be adapted to specific development situations frequently unique in character.
- 12:40 **Michael Perkins:** Ok. Part of the transit element is a primary transit network corridor system.
- 12:40 [Comment From Michael Perkins]
As part of the Master Transportation Plan, Arlington is discussing establishing primary transit network corridors. How will these be implemented?
- 12:43 **Ron Carlee:** We already have primary transit corridors, which is how we've gotten to where we are. Going forward the questions are maximizing the corridors and providing appropriate access into the corridors. Good examples are the plans for street cars on Columbia Pike and through Potomac Yards / Crystal City. The latter is already the most heavily used bus corridor in Virginia, but we're planning to take it to a new level to support the approved redevelopment plan for the Pike.
- 12:44 **Michael Perkins:** What's the next step for the C. Pike street car? When should we expect to see a groundbreaking?
- 12:45 **Michael Perkins:** And an important design question: Is Arlington working with WMATA and DC to make sure the streetcars are compatible with the system DDOT is building? What about the overhead wires issue?
- 12:46 **Ron Carlee:** The next immediate step is indirect: we've petitioned the Commonwealth Transportation Board to take over responsibility of the Pike from VDOT. In March, we approved environmental planning and preliminary design.
- 12:47 **Michael Perkins:** Is this merely a formality or do you expect VDOT to have to study and decide?
- 12:49 **Ron Carlee:** Regarding design, we're still in this phase. I'm not sure that compatibility with DC is important since the main DC links will continue to be Metro. What is critical is that we plan Northern Virginia join the Pike line goes into Fairfax. And our Potomac Yard line goes into Alexandria. There is great potential for an integrated system among our three jurisdictions that we are actively pursuing together.
- 12:50 **Ron Carlee:** Re my earlier response on environmental and preliminary design...we approved the funding and initiation of these components, not the plans themselves. They come next.
- 12:51 **Michael Perkins:** So, rails on the ground in . . . 2012? It's OK to speculate.
- 12:51 **Ron Carlee:** Regarding the CTB request for the Pike, it is not a formality, but we expect it to be approved. Regarding state funding problems, this is a win for VDOT, but will also save us significant funds in the ability to execute Pike projects.
- 12:51 **Ron Carlee:** I've learned not to project construction dates until engineers give me dates written in blood.
- 12:52 **Michael Perkins:** Fair enough.
- 12:52 **Michael Perkins:** David Kinney has a good question about providing more signs for the bike and pedestrian system.
- 12:52 [Comment From David Kinney]
There was a great post a while back here at Greater Greater Washington by Steven Offutt about trail signs in Arlington. Arlington does a very good job of both promoting alternative transportation and maintaining its park system. It seems like Steve's idea could be implemented fairly easily and offer a large benefit to Arlingtonians. What plans are in the works for something like this? When can we expect to see the results? How can we get it done quicker if it is currently on the back burner?
- 12:53 **Michael Perkins:** The signs were to direct people to various trails in the region.
- 12:54 **GreaterGreaterWashington:** (The post basically said that trail signs ought to tell you what trail you are

where to get to other trails, instead of simply saying "Mt. Vernon 29 miles" or something).

- 12:54 **GreaterGreaterWashington:** Which is the way street signs work.
- 12:54 **Michael Perkins:** <http://greatergreaterwashington.org/post.cgi?id=2600>
- 12:56 **Ron Carlee:** We have a comprehensive wayfinding effort in process for streets and trails. It has gone mu slower than I would have liked. Funding will also be a challenge in the current budget climatic...but it wil I'm expecially interested in our trails through the parks. We need to be able to get people to the trails and them know where the trails will take you and what is there. Currently, it's a bit of an adventure -- but one taking on pretty days. Check out our on-line maps to get started. or order the bike map, which is great.
- 12:56 **Michael Perkins:** What about just making sure that all the trail entrances/crossings/exits have a sign say where you are?
- 12:57 **Ron Carlee:** It would be a good start.
- 12:57 **Michael Perkins:** Steve's article was about trying to give a family member directions, so those signs wo big help.
- 12:57 **Ron Carlee:** Agreed.
- 12:57 **Michael Perkins:** We have time for one more question about smart growth.
- 12:57 [Comment From David Alpert]
In the Buckingham area, some residents wanted to preserve the strip-mall look of their commercial area, that's inhospitable to pedestrians. How does Arlington decide what's actually the "historic character"?
- 1:01 **Ron Carlee:** We've just completed pedestrian upgrades at the major intersection of Glebe and Pershing t preserved the character of the shopping, especially the shops on the east side of Glebe. Check it out. I thi combines really good pedestrian design with a traditionally suburban environment. We want to preserve the traditional look of Arlington in order to be distinctive and linked to our history. The development of garden apartments in Arlington, such as Buckingham, signaled the modern era of Arlington and an impo in America.
- 1:02 **Michael Perkins:** That's all the time we have, unfortunately. Thanks for the chat.
- 1:02 **Ron Carlee:** Thanks it was great fun. I look forward to taking what I've learned in Arlington to other communities across the U.S. in my new role at ICMA.
- 1:03 **GreaterGreaterWashington:** Thanks to everyone who contributed questions. Please feel free to contint discussion in the comments. What do you think of what Ron said? Where do you agree or disagree?
- 1:03 [Comment From Love Living in Clarendon]
Thanks, ron, for being on!
- 1:03 **Michael Perkins:** Just a comment from a reader.
- 1:04 **GreaterGreaterWashington:** And stay tuned for our upcoming chats, including one with author Anthor who wrote *Wrestling with Moses*, about Jane Jacobs and Robert Moses.
- 1:04



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Join Greater Greater Washington contributors for a live chat Thursday (Mar 3, 2009)

The waiting game: Two intersections now safer for pedestrians

Posted: 26 Aug 2009 07:05 AM PDT



New bulb-outs at 15th & W, NW.

By Stephen Miller

Delayed implementation of curb extensions at the deadly intersection of 15th and W, NW didn't stop DDOT from finishing strong. The intersection did not receive the quick-curb called for in the draft plan and hastily installed in July to slow drivers like the one that pedestrian in May while turning from 15th onto W. Instead, DDOT has installed more permanent curb, and filled some of the bulb-out asphalt.

While the plan for temporary improvements at this intersection could have gone further to protect vulnerable road users by closing traffic from 15th to W and Florida, DDOT's implementation of the approved plan, though belated, provides a good sign that DDOT is serious about protecting pedestrians.

Still missing from the intersection are signals for pedestrians crossing 15th on the south side of W Street, forcing crosswalk users into dangerous guessing game to cross multiple flows of automobile and bicycle traffic. To fix this problem, DDOT is currently working on engineering design, which it anticipates will take another month. Installation would happen by mid-November, nearly six months after Marie Canales was killed in another of this intersection's crosswalks. The real test, however, will come in the next six months: DDOT is that it will study these temporary improvements and then hire a consultant to completely redesign the intersection.

Another improvement for pedestrians comes at the intersection of 5th Street and Massachusetts Avenue, NW, where DDOT had restricted short sections of I Street to become one-way. That provided more space for crossing pedestrians and reduced the number of locations drivers can make dangerous left turns from Massachusetts Avenue. However, as at 15th and W, drivers easily ignored striped pavement creating a more dangerous situation for pedestrians not expecting drivers to travel against traffic on a one-way street. DDOT has since large "Do Not Enter" sign, along with orange barrels and posts on the striped area. DDOT has an order for more permanent curbing but says when it will be installed.



Temporary improvements at 5th & Mass, NW.

Residents and this blog hassled DDOT for moving slowly to implement promised changes at both intersections. Now, it seems, they have to move more quickly, at least in these cases. While a lengthy planning and engineering process can be valuable for large projects, a style approach to small projects like these can make a quick, targeted difference for the safety of cyclists and pedestrians.

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[Where's the 15th Street contraflow lane? \(Aug 6, 2009\)](#)

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[DDOT's pedestrian safety improvements forget the part that protects pedestrians \(Jul 13, 2009\)](#)

[Improving safety at 15th and W \(Jun 2, 2009\)](#)

Breakfast links: Hot trains, hot tempers

Posted: 26 Aug 2009 05:29 AM PDT



Via BBC News.

HSR looks better when you consider real projects: Ed Glaeser's "back of the envelope calculations" for a silly HSR segment nobody actually considering suggest HSR isn't worth the investment. Yonah Freemark does his own calculation based on a real HSR proposal "Texas T-Bone," and discovers far more benefit. (Infrastructure, architect)

The bike lane made me commit assault: Newspapers sometimes editorialize that cities shouldn't build any bike infrastructure until they obey every law. But then, when a Staten Island driver jumps out of his car and physically shoves a cyclist, the local paper blames him and Mayor Bloomberg's efforts to make the city more bike-friendly. (Streetsblog)

Bye bye boarders: We've discussed in the past how family sizes were larger decades ago, meaning the same size houses held more people they do today. In addition, in 1900, 24% of households had a boarder or lodger, but only 2% do today. BeyondDC notes that's a lot of affordable housing we didn't replace with other affordable housing. (BeyondDC, Matt Yglesias)

It's hot in there: Transport for London created a temperature map of the Tube showing the actual temperature inside stations, which

32°C (90°F). We need a map like this of the DC metro. Tipster J. says we could use such a map here in DC. The Post's Robert Thoms measured some temperatures on some recent, extremely hot days. (The Map Scroll)

Park the festival: Park(ing) Day is September 18th, where people nationwide temporarily take over parking spaces to create actual public space for actual public use. Montgomery's Public Arts Trust is getting into the act, commissioning individuals and artists to "park" a few spaces on Ellsworth Drive in downtown Silver Spring during the Magical Montgo and cultural festival. (RPUS)

And...: Orange County (Virginia, this time) approved a Wal-Mart near a historic Civil War battlefield, on a site preservationists say is the historic battle area (MyFoxDC, WTOP, Froggie) ... Prince George's County will stop giving small children free bus rides (WMATA, Baker) ... Sustainable Savannah argues the urge to keep adding more parking downtown is **destroying the quality** that makes downtown Savannah worth visting. (Michael P)

Have a tip for the links? [Submit it here.](#)

(10 comments · share or email)

Related posts:

[MoCo makes "public-private partnership" with skaters in Kensington \(Mar 20, 2009\)](#)

[Change car parking to bike parking, suggests Georgetown bike shop \(Dec 12, 2008\)](#)

[Council balks at bike lane parking fines \(Jul 16, 2008\)](#)

["I'm all for bike lanes but" not enough room to double park \(Jan 23, 2008\)](#)

[Harvard's Allston plan: wow \(Jun 13, 2005\)](#)

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Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, August 26, 2009 2:31 PM
To: Bellamy, Michelle A.
Cc: Hershorn, Julie G.; Bottigheimer, Nat; Meister, Mark K.; Doggett, Rosalyn
Subject: BAR Update for 12/3/09 PDRE Cmte Mtg

Michelle,

Please add the following three items to the agenda of the 12/3/09 PDRE Committee meeting:

DECEMBER 03

Executive Session

Information Agenda:

Planning, Development and Real Estate Committee

- PLJD Approve term sheet, joint development agreement, and lease for Shaw-Howard/Florida Avenue joint development site (These documents support the development of Metro owned land). (N. Bottigheimer)
- PLJD Approve joint development agreement and lease for Navy Yard chiller joint development site (These documents support the development of Metro owned land). (N. Bottigheimer)
- PLJD Approve amended joint development master leasing agreement and amended retail lease for Prince George's Plaza joint development site (These documents support the development of Metro owned land). (N. Bottigheimer)

Thanks.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Tuesday, August 25, 2009 2:25 PM
To: Doggett, Rosalyn
Subject: RE: board schedule

Have I just been snookered once again into doing SAAM's staff work on which I was then complimented? I do appreciate the second part.

From: Doggett, Rosalyn
Sent: Tuesday, August 25, 2009 2:23 PM
To: Mohsberg, Sid
Subject: RE: board schedule

excellent

From: Mohsberg, Sid
Sent: Tuesday, August 25, 2009 2:22 PM
To: Doggett, Rosalyn
Subject: RE: board schedule

How about for each "These documents support the development of Metro owned land."

From: Doggett, Rosalyn
Sent: Tuesday, August 25, 2009 2:20 PM
To: Mohsberg, Sid
Cc: Meister, Mark K.
Subject: RE: board schedule

They are all PD&RE, executive (then, I guess, to open session), action.
I am hard pressed to think what to say to amplify the first two. They seem pretty self explanatory, so point me in the right direction.

The third involves a change of use for the third phase of the project, revised rental terms for the third phase ground lease, and amended replacement parking terms.

From: Mohsberg, Sid
Sent: Tuesday, August 25, 2009 2:16 PM
To: Doggett, Rosalyn
Subject: RE: board schedule

Roz,

For each, I need to know:

1. Which committee.
2. open or executive session.
3. action or information.
4. one or two sentences amplifying the information provided in the title.

Thanks.

Sid

From: Doggett, Rosalyn
Sent: Tuesday, August 25, 2009 1:03 PM
To: Mohsberg, Sid
Cc: Meister, Mark K.; Montague, Joshua W.; Chu, Mable; Bushnaq, Tariq
Subject: RE: board schedule

I have three items for December:

1. Approve term sheet, joint development agreement, and lease for Shaw-Howard/Florida Avenue jd site.
2. Approve joint development agreement and lease for Navy Yard chiller jd site.
3. Approve amended joint development master leasing agreement and amended retail lease for Prince George's Plaza jd site.

From: Mohsberg, Sid

Sent: Friday, August 21, 2009 5:50 PM

To: Ackerman, Heidi; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Haldeman, Kristin M.; Harrington, Thomas; Hendren, Patricia; Jachles, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Johnston, Kasondra; Jones, Catherine; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Mohsberg, Sid; Peterson, Scott; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S.

Subject:

All,

The latest status is attached.

BAR: http://p590a3.wmata.com:7778/pls/bar/p_bar_public

Please let me know if there are any errors or omissions.

Thanks.

Sid

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Sent: Tuesday, August 25, 2009 2:22 PM
To: Doggett, Rosalyn
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Attachments: Board Items Preparation Milestones - 2009.xls

All,

The latest status is attached.

BAR: http://p590a3.wmata.com:7778/pls/bar/p_bar_public

Please let me know if there are any errors or omissions.

Thanks.

Sid

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Friday, August 21, 2009 3:56 PM
To: Omar A. Karim
Cc: 'Maurice' Perry; 'Tiwana Hicks'; Doggett, Rosalyn; Heppen, Bruce P.
Subject: Florida Ave - CCRs
Attachments: Florida Ave CCR - WMATA Draft 082009.doc

Omar,

Please find attached the draft of the CCRs for the Florida Avenue project.

Please let me know if you have any questions or comments.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

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Doggett, Rosalyn

From: bill.crenshaw@akerman.com
Sent: Friday, August 21, 2009 12:31 PM
To: Chu, Mable
Cc: harveytaylor@earthlink.net; jentdl@earthlink.net; Doggett, Rosalyn; Meister, Mark K.
Subject: RE: Forbearance Agreement
Attachments: DC044133.DOC; Redline.pdf; DC044535.XLS; WMATA First Amendment to Ground Lease Agreement (DC044017-2).DOC

Mable,

In reviewing the Forbearance Agreement, we noticed that I had neglected to change the date to obtain the construction permit for the Teardrop from October 15 to November 1. As you will recall, Jennifer advised Tariq during the meeting that although we would do our best to get the permit as soon as possible, given the number of variables outside of our control, November 1 was a more realistic date.

This should be the final change. I have attached all of the documents in what I believe to be their final form.

Harvey is flying into town Monday morning and will come to my office to sign the agreement when he gets here.

Please let us know if you have anything on your end.

Thanks,

Bill



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From: Crenshaw, William (Sh-DC)
Sent: Friday, August 21, 2009 9:54 AM
To: 'Chu, Mable'
Cc: 'Meister, Mark K.'; 'Doggett, Rosalyn'; 'jentdl@earthlink.net'; 'Harvey Taylor'; Crenshaw, William (Sh-DC)
Subject: RE: Forbearance Agreement

As per the discussion at the project this morning, I have changed the punch list so that 10(J) is no longer required and only one manhole cover is required in 18.

From: Crenshaw, William (Sh-DC)
Sent: Friday, August 21, 2009 8:38 AM
To: Chu, Mable
Cc: Meister, Mark K.; 'Doggett, Rosalyn'; jentdl@earthlink.net; 'Harvey Taylor'; Crenshaw, William (Sh-DC)
Subject: RE: Forbearance Agreement

Mable,

Attached is a revised Forbearance Agreement and redline, as well the revised Punchlist and the Amendment to Ground Lease.

The Forbearance Agreement and Punchlist have been revised consistent with our discussion on Wednesday. Since you will be out today I have taken the liberty of copying Roz and Mark (which you previously had agreed was ok).

Please confirm the changes are acceptable and let's plan on getting everything signed on Monday. I hope your trip and move in goes well.

Bill

William C. Crenshaw
Akerman Senterfitt
801 Pennsylvania Avenue, N.W.
Suite 600
Washington, DC 20004
Phone: 202.824.1716
Fax: 202.824.1795
E-mail: bill.crenshaw@akerman.com

From: Doggett, Rosalyn [<mailto:RDoggett@wmata.com>]
Sent: Thursday, August 20, 2009 3:33 PM
To: Crenshaw, William (Sh-DC); jentdl@earthlink.net
Cc: Meister, Mark K.; Chu, Mable
Subject: Forbearance Agreement

We were expecting a final execution agreement today based on our discussions yesterday. Though the day is not over, it is waning! Please update us.

Thanks.

Rosalyn P. Doggett
Station Area Planning and Asset Management
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

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Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001

rdoggett@wmata.com
202-962-2208 phone
202-962-2396 fax

Doggett, Rosalyn

From: Bellamy, Michelle A.
Sent: Thursday, August 20, 2009 2:44 PM
To: Wyner, Jonathan S.; Doggett, Rosalyn; Mohsberg, Sid; Williams, Ronald; Harrington, Thomas; Mehta, Purnanshu; Thomas, John D.
Cc: Hershorn, Julie G.; Bottigheimer, Nat; Myers, Colin A.
Subject: PDRE 9.10.09 materials
Attachments: Agenda.pdf

Good afternoon everyone,

Thank you all for meeting the deadline for today's pre-brief.

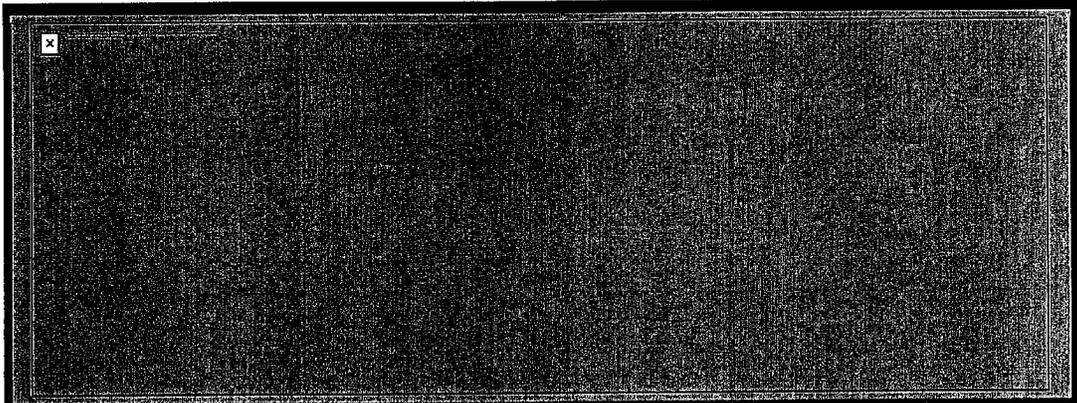
If there were suggested changes from the meeting, please make those changes send electronic copies of the materials to jhershorn@wmata.com and mabellamy@wmata.com by 10am on Monday, August 24th.

Thank you in advance.
Michelle

Michelle A. Bellamy
Budget/Funding Program Assist.
Washington Metropolitan Area Transit Authority
OPRS
600 Fifth St., NW
Washington, DC 20001
202-962-2779
202-962-2410 Fax

Doggett, Rosalyn

From: CareerTrack [CareerTrack@busenetwork.net]
Sent: Thursday, August 20, 2009 3:01 AM
To: Doggett, Rosalyn
Subject: How to Communicate with Tact and Professionalism



Ever wish you could ...

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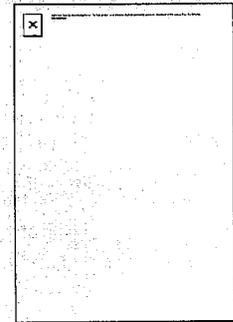
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Event # 88662 8601 BALTIMORE AVE.

WASHINGTON, DC - GALLAUDET UNIVERSITY KELLOGG CONF CENTER
10/15/2009
Event # 88663 800 FLORIDA AVENUE NORTHEAST



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10/19/2009

Event # 88672 2801 PLANK RD.

ANNAPOLIS, MD - COUNTRY INN AND SUITES
10/20/2009

Event # 88666 2600 HOUSLEY RD.

WALDORF, MD - DAMON'S
10/21/2009

Event # 88673 45 ST. PATRICK'S DR.

TOWSON, MD - HOLIDAY INN
10/22/2009

Event # 88667 1100 CROMWELL BRIDGE RD.

FREDERICK, MD - HILTON GARDEN INN
10/28/2009

Event # 88671 7226 CORPORATE COURT

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What makes them so valuable?

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- Do you dread most meetings with your boss or supervisor?
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- Are you thinking about what you're going to say next — when you should be listening instead?
- When you talk, are you often interrupted, cut off, or ignored?
- Have you ever said the wrong thing at the wrong time — and had no idea how to recover?
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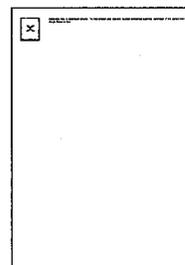
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The Management Conference

The Adobe Photoshop
Conference

Excel 2007: Beyond the Basics

Simple Scripts to Say "NO" Without Guilt

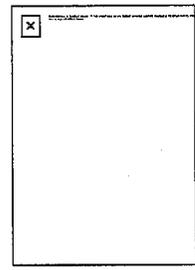


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FREDERICKSBURG, VA - 10/19/2009	FREDERICKSBURG HOSPITALITY HOUSE AND
Event # 88672	2801 PLANK RD.
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Event # 88666	2600 HOUSLEY RD.
WALDORF, MD - 10/21/2009	DAMON'S
Event # 88673	45 ST. PATRICK'S DR.
TOWSON, MD - 10/22/2009	HOLIDAY INN
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Doggett, Rosalyn

From: Moneme, Emeka
Sent: Wednesday, August 19, 2009 12:09 PM
To: Gates, Angela; Doggett, Rosalyn
Cc: Meister, Mark K.
Subject: RE: Media Question

My experience is that whatever information is in the MEAD will be made public. So whatever terms that we include in that document.

Emeka

From: Gates, Angela
Sent: Wednesday, August 19, 2009 12:04 PM
To: Doggett, Rosalyn; Moneme, Emeka
Cc: Meister, Mark K.
Subject: Re: Media Question

Isn't that information public once the Board approves, or is that something they do in Executive Session?

Emeka, do you know?

From: Doggett, Rosalyn
To: Gates, Angela
Cc: Meister, Mark K.
Sent: Wed Aug 19 10:52:40 2009
Subject: RE: Media Question

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Subject: FW: Media Question

Gorinson's query.

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Cc: Farbstein, Lisa
Subject: Media Question

Hi Mark

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Hill Rag
202-246-5927

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Don't know. Check with Sonia Bacchus.

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Doggett, Rosalyn

From: Tiwana Hicks [thicks@bannekerventures.com]
Sent: Wednesday, August 19, 2009 10:35 AM
To: 'Maurice Perry'; okarim@bannekerventures.com; Doggett, Rosalyn; Medina, Ed; Moneme, Emeka; Montague, Joshua W.; Marshall, Malcolm; Meister, Mark K.; Bushnaq, Tariq
Subject: RE: The Jazz - JDA and Lease Items
Attachments: 090610_Jazz_First Floor.pdf; 090610_Jazz_Garage.pdf; 090610_Jazz_Typical Floor.pdf

Ms. Doggett:

Attached please find our updated drawings for The Jazz. Thanks.

Tiwana

Tiwana Z. Hicks
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, D.C. 20005
T: (202) 393-5460
F: (202) 393-5462
C: (202) 486-1863
thicks@bannekerventures.com

From: Doggett, Rosalyn [mailto:RDoggett@wmata.com]
Sent: Wednesday, August 19, 2009 7:59 AM
To: okarim@bannekerventures.com; Maurice Perry; Tiwana Hicks; Medina, Ed; Moneme, Emeka; Montague, Joshua W.; Marshall, Malcolm; Meister, Mark K.; Bushnaq, Tariq
Subject: RE: The Jazz - JDA and Lease Items

Please have your architect send us the updated plan electronically. Thanks

From: Omar Karim [mailto:okarim@bannekerventures.com]
Sent: Wednesday, August 19, 2009 8:52 AM
To: Maurice Perry; Tiwana Hicks; Doggett, Rosalyn; Medina, Ed; Moneme, Emeka; Montague, Joshua W.; Marshall, Malcolm; Meister, Mark K.; Bushnaq, Tariq
Subject: Re: The Jazz - JDA and Lease Items

Thank you for the update. There will be 1 level of underground parking beneath the entire property, including wmata's smallest parcel. This is in conformity with our updated plan (since last Oct) which includes the 2 adjacent parcels on 9th Street. I will call Eric to answer any questions that he may have.

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

From: "Doggett, Rosalyn"
Date: Wed, 19 Aug 2009 08:40:34 -0400
To: 'Omar A. Karim'<okarim@bannekerventures.com>; Tiwana Hicks<thicks@bannekerventures.com>; Bushnaq, Tariq<TBushnaq@wmata.com>; Meister, Mark K.<MMeister@wmata.com>; Moneme, Emeka<EMoneme@wmata.com>; Maurice 'Perry'<maurice.perry@bankofamerica.com>; Medina, Ed<EMedina@wmata.com>; Montague, Joshua W.<jwmontague@wmata.com>; Marshall, Malcolm<MMarshall@wmata.com>
Subject: FW: The Jazz - JDA and Lease Items
Correction: I should have said that the large parcel (Parcel 3) has the fan shaft on 8th St. but you probably figured that out.

The appraisal is almost finished; I will let you know when it is completed. The appraisal is assuming no subterranean level on the smallest parcel. Please confirm.

I left a phone message for you on Friday but apparently the receptionist did not inform you. I called to request a current sources and uses of funds and the most recent pro forma. Eric had been making assumptions but is not sure that they reflect where you are.

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Tuesday, August 18, 2009 5:52 PM
To: 'Tiwana Hicks'; Doggett, Rosalyn; Montague, Joshua W.
Cc: 'Maurice' Perry; Moneme, Emeka; Meister, Mark K.; Bushnaq, Tariq
Subject: RE: The Jazz - JDA and Lease Items

Ms. Doggett,

Thank you for the update. We look forward to receiving the CCRs and draft Scope of Work. As for the results of the appraisal, can you please forward this to us.

Omar

From: Doggett, Rosalyn [mailto:RDoggett@wmata.com]
Sent: Tuesday, August 18, 2009 11:57 AM
To: Tiwana Hicks; Montague, Joshua W.
Cc: Maurice' Perry; Omar A. Karim; Moneme, Emeka; Meister, Mark K.; Bushnaq, Tariq
Subject: RE: The Jazz - JDA and Lease Items

Good morning, Tiwana

1. Josh is finishing a draft of the CCR's, and we should, after review, be able to get it to you mid week. You have the last draft of a Right of Entry Permit; we can send it again if you need us to. We will also prepare a draft Scope of Work for a future appraisal after a capital event, etc., later this week.
2. The engineering staff is researching whether there is any part of the "8th Street" fan shaft that rises vertically from the tunnel in the northeast corner of the middle parcel and therefore requires a reservation. I expect to get the answer to that question later today. We have earlier provided you with tunnel drawings which will of course be a reservation. Those drawings also show the fan shaft in profile and plan. We are researching the actual mechanical drawings to determine the shaft configuration.
3. We will get you a CD with WMATA's Design Criteria, Release 9, this week.
4. As stated before, we do not provide copies of appraisals though we can share results.

Please call if any questions.

Rosalyn

From: Tiwana Hicks [mailto:thicks@bannekerventures.com]
Sent: Monday, August 17, 2009 5:51 PM
To: Doggett, Rosalyn; Montague, Joshua W.
Cc: Maurice' Perry; Omar A. Karim; Moneme, Emeka; Meister, Mark K.
Subject: The Jazz - JDA and Lease Items
Importance: High

Mrs. Doggett,

Please provide us with the following items:

1. A copy of the Covenants, Conditions and Restrictions, the Right of Entry Permit, and Scope of Work;
2. Please confirm if there are any WMATA Reserved Areas and Interests on the Leased Premises. You last indicated that you were awaiting confirmation from your engineers regarding the vent shaft on 8th Street. If there are any such areas on the Leased Premises, provide us with an exact list and location of those areas and/or supporting drawings;
3. A copy of the WMATA Design Criteria; and
4. A copy of the new appraisal, including the instructions provided by WMATA, assumptions used by the appraiser, and the market comparables used by the appraiser.

We expect to provide you with comments to the JDA and Ground Lease by Friday, August 28th. Thanks kindly.

Tiwana

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Doggett, Rosalyn

From: noreply+feedproxy@google.com on behalf of Greater Greater Washington
[alpert@gmail.com]
Sent: Wednesday, August 19, 2009 5:12 AM
To: Doggett, Rosalyn
Subject: Greater Greater Washington

Greater Greater Washington



- [Dinner links: Getting more](#)
- [The hazards of driving: Michael Phelps and you](#)
- ["Bank deserts" harm underserved communities](#)
- [Economy, opposition push VDOT to postpone I-95/395 HOT lanes](#)

Dinner links: Getting more

Posted: 18 Aug 2009 01:07 PM PDT



Photo by Éole.

Talk and text in Metro stations: Metrorail riders who use mobile networks other than Verizon should be able to start talking, checking their email, and texting in 20 stations starting October 16th. The other 27 underground stations will follow next year, and tunnels in 2012. The carriers will also pay Metro, and Metro will be able to use the system for operational communications and The Metro Channel, Metro's planned electronic customer information and advertising system.

Raise our TOD standards: Smart Growth advocates have to start demanding high quality projects, not just tall buildings around transit, argues NRDC's Kaid Benfield. He says it used to be such a struggle to get anything denser than suburban tract sprawl that many advocates welcomed high-rise TOD projects, but many of these projects are pretty lame. If we're to win over skeptical neighbors in places like Tenleytown, where he lives, we need good quality density, not cookie-cutter sameness that happens to be next to transit. (Switchboard, Andrew)

Why don't more people bike?: Tom Vanderbilt says lack of bike parking is the biggest problem. (Slate) ... Lack of decent shower and changing facilities, too, are a major impediment, possibly even more so for women? (DC Bicycle Examiner)

Lock 'em up or build 'em lanes: Continuing the cyclists vs. those who want cyclists to act differently debate, the Post letters include one non-cyclist who sees bicycle infractions daily (but not driver or pedestrian infractions?) and another calling for buffered lanes ("cycle tracks") (via WashCycle). A Vancouver Sun letter writer takes the "lock up cyclists" mentality through reductio ad absurdum and calls for the arrest of sprawl developers, city planners, SUV drivers, anti neighbors, and everyone else who, besides bicyclists, contributes to traffic jams.

Inflating more than the tires: Based on some anecdotal evidence, it looks like the great popularity of bicycling in Portland has driven bicycle prices way up. Bikes at Costco are cheap, but aren't selling. (Freakonomics, RDHD)

Inclusionary zoning vs just more housing: Matthew Yglesias isn't sold on inclusionary zoning yet, or more importantly, whether the DC government can actually implement it correctly. He suggests enabling more housing by relaxing rules that require parking, larger units, and/or shorter buildings.

Parking rules too tough to enforce? Just try anarchy: After years of spotty enforcement of the two-hour time restriction for free parking, Fairhope, Alabama decided to remove the time restriction rather than charge for parking. Local shopkeepers expect other shopkeepers to park all day in front of their businesses. Did I mention there's free all-day garage parking nearby? (PT's Parking Blog, Michael P)

Have a tip for the links? [Submit it here.](#)

(12 comments · [share](#) or [email](#))

Related posts:

[More people walking, biking, riding the bus to Metro stations](#) (Jun 5, 2009)

[Enforce bicycle laws, but the right laws](#) (Jan 16, 2009)

[Zoning Commission supports parking reform!](#) (Oct 17, 2008)

DC tops "most improved" bicycling list (May 8, 2008)

Draft zoning would mandate bike parking (Apr 8, 2008)

The hazards of driving: Michael Phelps and you

Posted: 18 Aug 2009 10:04 AM PDT

By Stephen Miller

While the Baltimore car crash involving Michael Phelps got all the press, the everyday occurrence of death and injury on our roads hit home for many of our region's families last week, as well.

An unidentified man in his 50's or 60's was struck in a crosswalk and killed at the scene by a hit-and-run driver at Stanton Road and Suitland Parkway, SE about 2:35 a.m. Friday. The vehicle fled westbound on Suitland Parkway, according to police. (Post)

Also in Southeast, the survivor of an August 5 crash on Pennsylvania Avenue spoke to Fox 5 to tell her story (video embedded to the right). "I felt like I just died right then and there," Crystal Walker told reporter Roby Chavez. Although Walker is glad to be alive, the crash has had a serious impact on her life and the lives of her five children. "I need to be there for my kids," she said through tears. "I was supposed to start a job this week and now I have to start all over again from scratch." Walker's friend was also going to speak with the reporter but was transferred to a rehabilitation hospital with severe burns and a broken leg.

A seventh-grader at Rocky Hill Middle School in Clarksburg was airlifted to Children's National Medical Center in Washington with life-threatening injuries on Wednesday after the vehicle in which he was a passenger was struck on Ridge Road. (Gazette)

Also in Montgomery County, a man was struck and killed while attempting to cross Colesville Road near Montgomery Blair High School in Silver Spring. The driver stayed on the scene. Colesville Road is up to nine lanes wide at that location and includes some signage instructing pedestrians to use the nearest signalized crosswalk, located at the intersection with University Boulevard — hardly a safe route to school. (Gazette)

A case of driver-on-driver traffic justice in Fairfax County? Ashley McIntosh was a 33 year-old teacher's assistant driving across Route 1 on a green light in February 2008 when she was struck and killed by then-Officer Amanda R. Perry, who was speeding through the intersection without sirens. New evidence has come to light about Perry's actions, leading a judge to rule that Perry can be found liable for simple negligence at an upcoming civil trial. (Post)

Secretary LaHood's announcement that he will host a meeting on September 30 to discuss distracted driving provided an opportunity for the Post to report some terrifying facts and stories about how dangerous and commonplace distracted drivers really are. Eight in 10 drivers talk on their phones while behind the wheel, and cellphone users are up to four times more likely to be in a crash, resulting in 12,000 serious injuries and 2,600 deaths in 2003 alone. The Post did some data collection of its own by spending 30 minutes on a recent afternoon at the intersection of 16th and K streets NW, where it counted 35 cell-phone violators, or one every 51 seconds. Even when states have cell phone laws, they are often toothless. A Fairfax County detective tells the Post that he doesn't want to say that Virginia's cell phone law is "totally useless," but goes on to explain that the law is "not much of a deterrent."

These sad and scary stories serve as a reminder that all road users must remain vigilant and careful, both for their own safety and that of others.

(6 comments · share or email)

Related posts:

Before DDOT got to improve safety, a pedestrian was killed at 15th & W (Jun 1, 2009)

Press reports avoid human agency for cars but not motorcycles (May 27, 2009)

Two cases where reporters, police don't dismiss crashes (Apr 7, 2009)

Carnage this week: Crosswalk sting edition (Feb 24, 2009)

Police report for Connecticut & Nebraska crash (Feb 4, 2009)

"Bank deserts" harm underserved communities

Posted: 18 Aug 2009 08:16 AM PDT



Photo by Thomas Hawk.

By Daniel Nalrn

The term "food desert," a neighborhood without sufficient access to healthy foods, has quickly become an accepted phrase for anyone thinking about cities. Now the Federal Deposit Insurance Corp. has released data suggesting that the same phenomenon has been occurring with newly opened bank branches. They've been able to identify a pretty strong positive correlation between the siting of new banks and the median income of an area. Out of more than 10,000 branches opened in the last five years, only 1 out of 10 were placed in an urban location with high minority populations.

So what? Given all of the toxic asset and bank failure mayhem being announced everyday, it may seem that folks are better off if Citigroup doesn't want to set up shop on their block. However, without a physical bank within easy reach, many low-income residents have had no choice but to pay higher fees for check-cashing services, often businesses that also wave fast money in their face with unreasonable interest rates attached. The same demographic that may be more likely to receive a physical paycheck and less likely to have access to internet banking happen to be the ones who are being underserved.

I see this every day. There's a "payday loan" operation and two "Quik Mart"-type convenience stores right across the street from me. Why is it that expensive low-quality food and expensive low-quality financial services cluster together? It's probably because of a lack of market options due to spatial barriers and transportation infrastructure deficiencies. We can have a conversation about personal responsibility to eat well and make sound financial decisions, but as this data and my own experiences indicate, these decisions too often run into the simple barriers of geography.

(30 comments · share or email)

Related posts:

[Community revitalization must start with persistently poor neighborhoods \(Aug 10, 2009\)](#)

[Mayor Fenty's proposed cuts fall too heavily on the poor \(Jul 27, 2009\)](#)

[Food insecurity in the District \(Feb 5, 2009\)](#)

[Grocery stores scarce for many DC residents \(Jan 22, 2009\)](#)

[Designing sustainable communities with LEED-ND \(Nov 18, 2008\)](#)

Economy, opposition push VDOT to postpone I-95/395 HOT lanes

Posted: 18 Aug 2009 06:27 AM PDT



Photo by Washington State DOT.

The Virginia DOT has decided to pause its plans to build High-Occupancy Toll (HOT) lanes along I-95 and I-395 from the Pentagon to Spotsylvania County. VDOT hasn't recognized the folly of its widening plans, but is bowing — at least temporarily — to financial and opposition pressure.

The opposition pressure comes mostly from Arlington County, which is planning a lawsuit against the Federal Highway Administration for the project Alexandria is considering joining as well. During the Bush Administration, FHWA gave the project a Categorical Exclusion which essentially says that the project will have no significant environmental effect at all. VDOT did the same for the I-66 widening, and that project wouldn't have created full through lanes, as the HOT lane project would. Federal law is clear that "growth inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate," also known as induced demand, is indeed an environmental effect.

Arlington is most concerned with the project's effect on neighborhoods in and around Shirlington, where VDOT proposes changes to Shirlington Circle including more lanes and traffic lights. Residents of nearby neighborhoods worry that the project will add cut-through traffic and that construction will damage historic buildings. The Alexandria Gazette Packet writes,

The Virginia Department of Transportation says that it followed the approved rules to create a document known as an "interchange justification report" that led to federal approval the categorical exclusion. But officials in Alexandria and Arlington believe that the project did not receive an adequate review because roads near the interchanges were not studied.

"Where do you stop?" asked VDOT project manager Young Ho Chang. "The theory is that if the interchange functions better with the project then all the intersections around the interchange will also function better."

Like his previous statements, Chang seems blind to any possible downside of adding car lanes. This quote reveals the deeply entrenched traffic engineer mindset that "moving cars faster" equals an intersection "functioning better."

As the West Palm Beach, Florida **Neutral Language Policy** explains, that's false. Adding vehicular capacity may make the intersection better for some, but also may worsen it others. For example, widening a typical suburban intersection by adding turn lanes often creates a much more dangerous intersection for pedestrians. That's why West Palm Beach banned traffic lingo like calling an intersection widening an "upgrade."

Given that this project will inevitably spur more housing growth in Spotsylvania County for people commuting to DC, generating new traffic, the intersections may become more clogged with cars even with more lanes. Finally, even by traffic engineer standards Chang's statement makes no sense. If one intersection moves more cars at higher speed, nearby intersections may become more congested. Chang's statement belies a fundamental belief that any increase in vehicular capacity is an unmitigated good. He seems genuinely baffled as to why Arlington and Alexandria might not want all this goodness he's trying to bestow on them.

The HOT lane projects are also losing popularity and political support as more residents become aware of the onerous provisions in the Beltway contract, like the requirement that Virginia pay Fluor-Transurban if more than 24% of drivers carpool. Residents along the Beltway have also been surprised at the numbers of trees cut down and the extent of the construction impacts. Most of all, VDOT's rapidly shrinking budget and a tough credit market have shattered hopes of borrowing from the future to build the freeways today, as Maryland did with the ICC.

Homer insists his staff will continue working hard to sell the plan. We haven't heard the last of HOT lanes in Virginia.

(18 comments · share or email)

Related posts:

[Highway departments set on HOT lanes \(May 8, 2009\)](#)

[Submit your comments against I-66 widening \(Nov 11, 2008\)](#)

[Would I-66 widening increase accidents? VDOT doesn't know \(Oct 28, 2008\)](#)

[Widening I-66 is far from insignificant \(Oct 6, 2008\)](#)

[VDOT widening I-66 in Arlington, sweeping environmental impact under the rug \(Oct 2, 2008\)](#)

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Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Tuesday, August 18, 2009 5:53 PM
To: Bushnaq, Tariq; Doggett, Rosalyn
Subject: CCR Draft
Attachments: Florida Ave CCR - Draft (2).doc

Here is the draft of the CCRs for Florida Avenue.

I am still fixing the Table of Contents.

Roz -- Tariq and I are scheduled to meet tomorrow at 4pm if you want to join us.

Thanks,

Josh

Doggett, Rosalyn

From: Ghanta, Venkata
Sent: Tuesday, August 18, 2009 4:39 PM
To: Doggett, Rosalyn
Cc: Bushnaq, Tariq
Subject: As-builts for Jazz @ Florida Avenue
Attachments: 1E0012 M-0613.pdf; 1E0012 M-0613.pdf; Plan and Profile Drawings.pdf

Roz,
Please see the attached mechanical as-built drawings for Jazz@ Florida Avenue JD project.

Thanks..
Venkata

Venkata S. Ghanta
Joint/Adjacent Construction Engineer
WMATA Office of Joint Development and Adjacent Construction (JDAC)
3500 Pennsy Drive, Room C106
Landover, MD 20785

301-618-7737 Line
202-962-1573 Line
301-583-3006 Fax
vghanta@wmata.com
Visit the JDAC web page at
http://www.wmata.com/business/joint_development_opportunities/adjacent_construction_information.cfm

Doggett, Rosalyn

From: Gates, Angela
Sent: Tuesday, August 18, 2009 4:13 PM
To: Doggett, Rosalyn
Cc: Farbstein, Lisa; Meister, Mark K.
Subject: RE: Media Question

He is asking about the same property he asked about last week -- a parcel of land that's about three blocks from 9th to 7th Street, NW, along Florida Avenue near the U Street corridor. The name of the project is Jazz at Florida Avenue.

Roz, can you tell us the acreage of the Metro-owned property there and what streets or landmarks bound the property? We have shared that type of information with reporters in the past.

From: Gates, Angela
Sent: Tuesday, August 18, 2009 4:03 PM
To: Doggett, Rosalyn
Cc: Farbstein, Lisa; Meister, Mark K.
Subject: RE: Media Question

Let me double check with the reporter. I'll get back to you shortly.

From: Doggett, Rosalyn
Sent: Tuesday, August 18, 2009 4:02 PM
To: Meister, Mark K.
Cc: Farbstein, Lisa; Gates, Angela
Subject: RE: Media Question

Unless I've missed some correspondence, we'd need some more information in order to answer this question, i.e., what is the site in question. Is Mr. Gorinson asking about the Florida Avenue properties (about which he inquired last week) or some other site? We have sold WMATA land in the past for condominiums, and to the best of my knowledge the projects, in DC, have been built.

From: Meister, Mark K.
Sent: Tuesday, August 18, 2009 3:26 PM
To: Doggett, Rosalyn
Subject: FW: Media Question

Gorinson's query.

From: McNeil, Taryn U.
Sent: Tuesday, August 18, 2009 2:15 PM
To: Meister, Mark K.
Cc: Farbstein, Lisa
Subject: Media Question

Hi Mark

Question from Hunter Gorinson
Hill Rag
202-246-5927

Are you familiar with some WMATA land being turned in condominiums?
Mr. Gorinson said the land disposition between WMATA and the developer did not occur and he wants to know the status. Can you assist me with this?

Doggett, Rosalyn

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Mr. Gorinson said the land disposition between WMATA and the developer did not occur and he wants to know the status. Can you assist me with this?

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Tuesday, August 18, 2009 3:15 PM
To: Doggett, Rosalyn
Cc: Gates, Angela; McNeil, Taryn U.; Farbstein, Lisa; Taubenkibel, Steven; Asato, Cathy
Subject: FW: Media Question - More Info

Roz,

Please respond to Angela Gates.

Mark

From: McNeil, Taryn U.
Sent: Tuesday, August 18, 2009 2:50 PM
To: Meister, Mark K.
Cc: Gates, Angela
Subject: FW: Media Question - More Info

Hi Mark – This is the same reporter that Angela Gates was asking you about last week. Please respond to her. Thanks.

From: Gates, Angela
Sent: Tuesday, August 18, 2009 2:30 PM
To: McNeil, Taryn U.; Asato, Cathy; Farbstein, Lisa; Levine, Larry M.; Taubenkibel, Steven
Cc: Farbstein, Lisa
Subject: RE: Media Question - More Info

Taryn,

I believe this is the same reporter who sent us questions last week. I was following up with Mark Meister on a response. Did you share this with the reporter yet?

From: McNeil, Taryn U.
Sent: Tuesday, August 18, 2009 2:27 PM
To: Asato, Cathy; Farbstein, Lisa; Gates, Angela; Levine, Larry M.; McNeil, Taryn U.; Taubenkibel, Steven
Cc: Farbstein, Lisa
Subject: Media Question - More Info

The land is located at 9th and Florida Avenue (Florida Avenue Flea Market)
Developer: Eanneker Ventures

From: McNeil, Taryn U.
Sent: Tuesday, August 18, 2009 2:15 PM
To: Meister, Mark K.
Cc: Farbstein, Lisa
Subject: Media Question

Hi Mark

Question from Hunter Gorinsin
Hill Rag
202-246-5927

Are you familiar with some WMATA land being turned in condominiums?
Mr. Gorinsin said the land disposition between WMATA and the developer did not occur and he wants to know the status. Can you assist me with this?

Doggett, Rosalyn

From: Gates, Angela
Sent: Tuesday, August 18, 2009 2:32 PM
To: Meister, Mark K.; Doggett, Rosalyn
Cc: Harrington, Thomas; Moneme, Emeka; Bottigheimer, Nat; McNeil, Taryn U.; Farbstein, Lisa
Subject: RE: PRESS INQUIRY: Jazz @ Florida Avenue/WMATA Land Agreement

Hi Mark and Roz,

Do you have a response for this request? I understand the reporter called again today and Taryn McNeil got some info. from you. I just want to be sure we've answered all of the reporter's questions.

Thanks,
Angela

From: Bottigheimer, Nat
Sent: Friday, August 14, 2009 7:44 AM
To: Gates, Angela
Cc: Meister, Mark K.; Harrington, Thomas; Moneme, Emeka
Subject: RE: PRESS INQUIRY: Jazz @ Florida Avenue/WMATA Land Agreement

Angela --

Mark has asked Roz Doggett to prepare a response. I will be away next week, Tom Harrington will be in charge, and you can follow up directly with Mark.

Short story is that we don't have a detailed joint development agreement but we're going to the Board in September to request a time extension to complete that agreement. I recommend we send Roz' and Mark's more detailed response later in next week to avoid lots of follow-up questions about the negotiations.

Thanks,

Nat

From: Gates, Angela
Sent: Thursday, August 13, 2009 5:24 PM
To: Bottigheimer, Nat
Cc: Meister, Mark K.
Subject: FW: PRESS INQUIRY: Jazz @ Florida Avenue/WMATA Land Agreement

Hi Nat,

See e-mail below. Can you or someone in your department please send me responses to the reporter's questions? Deadline is next Friday, August 21.

Thanks,
Angela

From: Hunter Gorinson
Sent: Thursday, August 13, 2009 5:07 PM
To: Farbstein, Lisa
Subject: PRESS INQUIRY: Jazz @ Florida Avenue/WMATA Land Agreement

Ms. Farbstein,

I'm a writer with Hill Rag/DC North and I am penning a piece on Banneker Ventures' Jazz @ Florida Avenue project, which is planned to sit atop a WMATA-owned parcel in the District. According to July tax credit application filed by the developer with DHCD, "a full joint development agreement and ground lease is expected to be approved by WMATA's Board of Directors at [their] July 2009 meeting."

I was curious about the status of that agreement and lease, as no such agenda item was ever added the Board's July schedule. Will the project still be subject to a vote? If so, when? What are the terms of the lease and ground agreement as currently proposed?

My deadline is next Friday (8/21), so a timely response would be greatly appreciated.

Many thanks,
Hunter L. Gorinson

Doggett, Rosalyn

From: Chu, Mable
Sent: Tuesday, August 18, 2009 1:23 PM
To: Doggett, Rosalyn; Bushnaq, Tariq; Meister, Mark K.
Subject: FW: Revised Forbearance Agreement
Attachments: DC044133.DOC; Redline.pdf

The agreement has been revised. They want to meet on this tomorrow. What is your availability?

From: bill.crenshaw@akerman.com [mailto:bill.crenshaw@akerman.com]
Sent: Tuesday, August 18, 2009 11:37 AM
To: Chu, Mable
Subject: Revised Forbearance Agreement

Mable,

Attached is a revised Forbearance Agreement and redline showing our changes from the prior draft. To expedite this matter I am sending this to you prior to receiving final comments from PGSR and Key Bank so we reserve the right to make additional changes.

As we discussed yesterday, given the comments PGSR has received from WMATA on the construction plans, PGSR will need more time to complete the construction and we have adjusted the dates accordingly.

As you requested, Jennifer and I are available to meet with you tomorrow at your convenience to review the timing issues. Please let us know when would be convenient.

Bill

William C. Crenshaw
Akerman Senterfitt
801 Pennsylvania Avenue, N.W.
Suite 600
Washington, DC 20004
Phone: 202.824.1716
Fax: 202.824.1795
E-mail: bill.crenshaw@akerman.com



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Doggett, Rosalyn

From: Meister, Mark K.
Sent: Monday, August 17, 2009 3:57 PM
To: Wyner, Jonathan S.; Doggett, Rosalyn
Cc: Mohsberg, Sid
Subject: RE: 9/10/09 PDRE Cmte Mtg - Cover Sheet Comments from Lisa Farbstein

Nope.

From: Wyner, Jonathan S.
Sent: Monday, August 17, 2009 3:56 PM
To: Meister, Mark K.; Doggett, Rosalyn
Cc: Mohsberg, Sid
Subject: RE: 9/10/09 PDRE Cmte Mtg - Cover Sheet Comments from Lisa Farbstein
Importance: High

Works for me....

Do we need to do anything?

Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development
600 Fifth Street, NW
Washington, DC 20001
202/962-1577

From: Meister, Mark K.
Sent: Monday, August 17, 2009 3:54 PM
To: Doggett, Rosalyn; Wyner, Jonathan S.
Subject: FW: 9/10/09 PDRE Cmte Mtg - Cover Sheet Comments from Lisa Farbstein

FYI.

From: Mohsberg, Sid
Sent: Monday, August 17, 2009 3:48 PM
To: Hershorn, Julie G.; Bellamy, Michelle A.
Cc: Meister, Mark K.; Farbstein, Lisa
Subject: 9/10/09 PDRE Cmte Mtg - Cover Sheet Comments from Lisa Farbstein

Julie and Michelle,

Please see the attached proposed edits from Lisa Farbstein.

PLJD agrees: let's just use the titles of A1 and A2:

VI. Action Items

A. Action on Matters Arising from Executive Session

A1. Amended Sale of Arlington Bus Garage Property

A2. Extension of Negotiating Period for Shaw-Howard University Station/Florida Avenue Parcels

Thanks.

Sid

Doggett, Rosalyn

From: Wyner, Jonathan S.
Sent: Friday, August 14, 2009 2:06 PM
To: Wyner, Jonathan S.; Bottigheimer, Nat
Cc: Meister, Mark K.; Mohsberg, Sid; Malasky, Gary; Doggett, Rosalyn; Burns, Bob; McElhenny-Smith, Robin
Subject: RE: TOD WEB PAGE - Active Projects
Importance: High



JD Assignments
8-09 incl COUNA...

A quick revision and up-date...

Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development
600 Fifth Street, NW
Washington, DC 20001
202/962-1577

From: Wyner, Jonathan S.
Sent: Friday, August 14, 2009 11:42 AM
To: Bottigheimer, Nat
Cc: Meister, Mark K.; Mohsberg, Sid; Malasky, Gary; Doggett, Rosalyn; Burns, Bob; McElhenny-Smith, Robin
Subject: TOD WEB PAGE - Active Projects
Importance: High

Nat:

We have used and up-dated an existing matrix of JD Projects to show, in bold, the active projects (A) that the team proposes to do write-ups for the initial web page.

Would appreciate if you would review the bolded projects and confirm that these are the projects that should be written up for the first part of the web page development.

Of course, add or subtract any other locations.

We will develop a schedule and priority for the write ups so we may make the deadlines for review by CSVC and implementation by IT for the draft web page (November and December 2009).

Thank you,

jonathan

<< File: JD Assignments 8-08 incl COUNA.wpd >> << File: JD Assignments 8-08 incl COUNA.docx >>

Ps. It was an original Corel .wpd document – but I have also attached as .docx in case you prefer Microsoft.....

Jonathan Stuart Wyner, CPM®, CCIM
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Office of Station Area Planning & Asset Management
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600 Fifth Street, NW
Washington, DC 20001
202/962-1577

Doggett, Rosalyn

From: Wyner, Jonathan S.
Sent: Friday, August 14, 2009 2:03 PM
To: Doggett, Rosalyn
Subject: RE: TOD WEB PAGE - Active Projects

Importance: High



JD Assignments
8-09 incl COUNA...

Done – Much thanks....

jonathan

Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development
600 Fifth Street, NW
Washington, DC 20001
202/962-1577

From: Doggett, Rosalyn
Sent: Friday, August 14, 2009 1:35 PM
To: Wyner, Jonathan S.
Subject: RE: TOD WEB PAGE - Active Projects

Twinbrook and Prince George's Plaza remainder of site should be bolded. Perhaps, also, 1101 Conn (they came in but did not send in a proposal for restructuring the lease as promised)

From: Wyner, Jonathan S.
Sent: Friday, August 14, 2009 11:42 AM
To: Bottigheimer, Nat
Cc: Meister, Mark K.; Mohsberg, Sid; Malasky, Gary; Doggett, Rosalyn; Burns, Bob; McElhenny-Smith, Robin
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Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development
600 Fifth Street, NW
Washington, DC 20001
202/962-1577

-----Original Appointment-----

From: Wyner, Jonathan S.

Sent: Tuesday, August 11, 2009 1:09 PM

To: Wyner, Jonathan S.; Malasky, Gary; Doggett, Rosalyn; Burns, Bob; McElhenny-Smith, Robin

Cc: Meister, Mark K.; Mohsberg, Sid; Bottigheimer, Nat

Subject: TOD Web Page...

When: Thursday, August 13, 2009 9:00 AM-10:00 AM (GMT-05:00) Eastern Time (US & Canada).

Where: Room JGB 5B Land Conference

<< File: TOD MEETING NOTES 2009 08 07.doc >> Follow-up << File: Available.JD.Sites April 2008.wpd >> and assignment (!) meeting....

We had a very good meeting with Nat on Friday. He was pleased with our progress and offered suggestion and guidance, see below notes, for continuation of the project.

At this meeting, we need to:

- 1) Discuss notes, as below.
- 2) Identify Projects in Progress
- 3) Assign write-ups for Project Managers and due dates

See attached list of potential Projects in Progress....Feel free to add or subtract from this list.....this was from a year ago....

I have asked Robin to attend as we will need input from her area for these web pages, as well.

TOD MEETING NOTES August 7, 2009

1. First Photo should be a Regional Photo, then a Site Photo or Neighborhood Photo
2. First Sentence should be a "Vision Sentence" i.e. What is it...then a Where is it such as Metro has a 25 acre parcel or Metro has 5 acres of a possible 20 acre assemblage...etc. Second Sentence should be location - not first sentence - Overall project comes first - then location - example would be Glenmont - Strategic View of the Area - Coordination with Municipality e.g. dates and contacts for meetings - Transit Access Improvements, etc.
3. For certain projects - a chronology of events or proposed events would be useful..e.g. reports, meetings, approvals, council votes, etc.
4. Timetable
 - a. All projects in progress up on Draft Web Page by December 2009
 - i. Must be reviewed first by CSAC (PREL)
 - ii. Must be finalized by November so they may be reviewed by CSAC
 - iii. Must be complete by December 1, 2009 so IT may place on web page by December 31, 2009 (internal)
5. Projects in Progress to be done first by December 31, 2009
 - a. Any Project which is Active
 - i. New Carrollton
 - ii. Morgan Boulevard
 - iii. Largo
 - iv. Etc.
6. Projects in Progress to be done by March 31, 2010
 - a. Any Project with future potential
 - i. Example
7. Projects Completed to be done by June 30, 2010
 - a. Completed Projects

i. Example

8. Establish by August 14 Responsibility List for Project Write-ups for 5 (a)
9. Establish Internal Schedule for Project Write-ups, review by CSVG, and IT web page placement.
10. Ultimate purpose of web page for general public, including news media.

AVAILABLE JOINT DEVELOPMENT SITES

AS OF

APRIL 2008

- I. Addison Road
- II. Anacostia
- III. Backlick Road
- IV. Benning Road
- V. Braddock Road
- VI. Branch Avenue
- VII. Brookland-CUA
- VIII. Calvert Street Bus Turnaround
- IX. Capitol Heights
- X. Cheverly
- XI. Congress Heights
- XII. Deanwood
- XIII. East Falls Church
- XIV. Forest Glen
- XV. Fort Totten (West)
- XVI. Franconia-Springfield
- XVII. Glenmont
- XVIII. King Street
- XIX. Landover
- XX. Largo
- XXI. Naylor Road
- XXII. New Carrollton (South)
- XXIII. Rockville
- XXIV. Royal Street Bus Garage
- XXV. Shady Grove
- XXVI. Southern Avenue
- XXVII. Suitland
- XXVIII. Van Dorn
- XXIX. West Falls Church
- XXX. Woodley Park-Zoo

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Friday, August 14, 2009 1:54 PM
To: Doggett, Rosalyn
Subject: FW: PRESS INQUIRY: Jazz @ Florida Avenue/WMATA Land Agreement

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Subject: RE: PRESS INQUIRY: Jazz @ Florida Avenue/WMATA Land Agreement

Angela --

Mark has asked Roz Doggett to prepare a response. I will be away next week, Tom Harrington will be in charge, and you can follow up directly with Mark.

Short story is that we don't have a detailed joint development agreement but we're going to the Board in September to request a time extension to complete that agreement. I recommend we send Roz' and Mark's more detailed response later in next week to avoid lots of follow-up questions about the negotiations.

Thanks,

Nat

From: Gates, Angela
Sent: Thursday, August 13, 2009 5:24 PM
To: Bottigheimer, Nat
Cc: Meister, Mark K.
Subject: FW: PRESS INQUIRY: Jazz @ Florida Avenue/WMATA Land Agreement

Hi Nat,

See e-mail below. Can you or someone in your department please send me responses to the reporter's questions? Deadline is next Friday, August 21.

Thanks,
Angela

From: Hunter Gorinson
Sent: Thursday, August 13, 2009 5:07 PM
To: Farbstein, Lisa
Subject: PRESS INQUIRY: Jazz @ Florida Avenue/WMATA Land Agreement

Ms. Farbstein,

I'm a writer with Hill Rag/DC North and I am penning a piece on Banneker Ventures' Jazz @ Florida Avenue project, which is planned to sit atop a WMATA-owned parcel in the District. According to July tax credit application filed by the developer with DHCD, "a full joint development agreement and ground lease is expected to be approved by WMATA's Board of Directors at [their] July 2009 meeting."

I was curious about the status of that agreement and lease, as no such agenda item was ever added the Board's July schedule. Will the project still be subject to a vote? If so, when? What are the terms of the lease and ground agreement as currently proposed?

My deadline is next Friday (8/21), so a timely response would be greatly appreciated.

Many thanks,
Hunter L. Gorinson

Doggett, Rosalyn

From: McElhenny-Smith, Robin
Sent: Friday, August 14, 2009 1:22 PM
To: Wyner, Jonathan S.; Bottigheimer, Nat
Cc: Meister, Mark K.; Mohsberg, Sid; Malasky, Gary; Doggett, Rosalyn; Burns, Bob
Subject: RE: TOD WEB PAGE - Active Projects



JD Assignments
8-08 Incl COUNA...

I have made some additions to the matrix regarding station planning staff assignments.

From: Wyner, Jonathan S.
Sent: Friday, August 14, 2009 11:42 AM
To: Bottigheimer, Nat
Cc: Meister, Mark K.; Mohsberg, Sid; Malasky, Gary; Doggett, Rosalyn; Burns, Bob; McElhenny-Smith, Robin
Subject: TOD WEB PAGE - Active Projects
Importance: High

Nat:

We have used and up-dated an existing matrix of JD Projects to show, in bold, the active projects (A) that the team proposes to do write-ups for the initial web page.

Would appreciate if you would review the bolded projects and confirm that these are the projects that should be written up for the first part of the web page development.

Of course, add or subtract any other locations.

We will develop a schedule and priority for the write ups so we may make the deadlines for review by CSVC and implementation by IT for the draft web page (November and December 2009).

Thank you,

jonathan

<< File: JD Assignments 8-08 incl COUNA.wpd >> << File: JD Assignments 8-08 incl COUNA.docx >>

Ps. It was an original Corel .wpd document – but I have also attached as .docx in case you prefer Microsoft.....

Jonathan Stuart Wyner, CPM®, CCIM
Senior Transit Oriented Development Specialist
Washington Metropolitan Area Transit Authority
Office of Station Area Planning & Asset Management
Department of Planning & Joint Development
600 Fifth Street, NW
Washington, DC 20001
202/962-1577

-----Original Appointment-----

From: Wyner, Jonathan S.
Sent: Tuesday, August 11, 2009 1:09 PM
To: Wyner, Jonathan S.; Malasky, Gary; Doggett, Rosalyn; Burns, Bob; McElhenny-Smith, Robin
Cc: Meister, Mark K.; Mohsberg, Sid; Bottigheimer, Nat
Subject: TOD Web Page...
When: Thursday, August 13, 2009 9:00 AM-10:00 AM (GMT-05:00) Eastern Time (US & Canada).
Where: Room JGB 5B Land Conference

<< File: TOD MEETING NOTES 2009 08 07.doc >> Follow-up << File: Available.JD.Sites April 2008.wpd >> and assignment (!) meeting....

We had a very good meeting with Nat on Friday. He was pleased with our progress and offered suggestion and guidance, see below notes, for continuation of the project.

At this meeting, we need to:

- 1) Discuss notes, as below.
- 2) Identify Projects in Progress
- 3) Assign write-ups for Project Managers and due dates

See attached list of potential Projects in Progress....Feel free to add or subtract from this list.....this was from a year ago....

I have asked Robin to attend as we will need input from her area for these web pages, as well.

TOD MEETING NOTES

August 7, 2009

1. First Photo should be a Regional Photo, then a Site Photo or Neighborhood Photo
2. First Sentence should be a "Vision Sentence" i.e. What is it...then a Where is it such as Metro has a 25 acre parcel or Metro has 5 acres of a possible 20 acre assemblage...etc. Second Sentence should be location - not first sentence - Overall project comes first - then location - example would be Glenmont - Strategic View of the Area - Coordination with Municipality e.g. dates and contacts for meetings - Transit Access Improvements, etc.
3. For certain projects - a chronology of events or proposed events would be useful..e.g. reports, meetings, approvals, council votes, etc.
4. Timetable
 - a. All projects in progress up on Draft Web Page by December 2009
 - i. Must be reviewed first by CSAC (PREL)
 - ii. Must be finalized by November so they may be reviewed by CSAC
 - iii. Must be complete by December 1, 2009 so IT may place on web page by December 31, 2009 (internal)
5. Projects in Progress to be done first by December 31, 2009
 - a. Any Project which is Active
 - i. New Carrolton
 - ii. Morgan Boulevard
 - iii. Largo
 - iv. Etc.
6. Projects in Progress to be done by March 31, 2010
 - a. Any Project with future potential
 - i. Example
7. Projects Completed to be done by June 30, 2010
 - a. Completed Projects
 - i. Example
8. Establish by August 14 Responsibility List for Project Write-ups for 5 (a)
9. Establish Internal Schedule for Project Write-ups, review by CSVG, and IT web page placement.
10. Ultimate purpose of web page for general public, including news media.

AVAILABLE JOINT DEVELOPMENT SITES

AS OF

APRIL 2008

- I. Addison Road
- II. Anacostia
- III. Backlick Road
- IV. Benning Road
- V. Braddock Road
- VI. Branch Avenue
- VII. Brookland-CUA
- VIII. Calvert Street Bus Turnaround
- IX. Capitol Heights
- X. Cheverly
- XI. Congress Heights
- XII. Deanwood
- XIII. East Falls Church
- XIV. Forest Glen
- XV. Fort Totten (West)
- XVI. Franconia-Springfield
- XVII. Glenmont
- XVIII. King Street
- XIX. Landover
- XX. Largo
- XXI. Naylor Road
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- XXIII. Rockville
- XXIV. Royal Street Bus Garage
- XXV. Shady Grove
- XXVI. Southern Avenue
- XXVII. Suitland
- XXVIII. Van Dorn
- XXIX. West Falls Church
- XXX. Woodley Park-Zoo

Doggett, Rosalyn

From: Wyner, Jonathan S.
Sent: Friday, August 14, 2009 11:42 AM
To: Bottigheimer, Nat
Cc: Meister, Mark K.; Mohsberg, Sid; Malasky, Gary; Doggett, Rosalyn; Burns, Bob; McElhenny-Smith, Robin
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- XXVIII. Van Dorn
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Doggett, Rosalyn

From: Meister, Mark K.
Sent: Thursday, August 13, 2009 11:02 PM
To: Doggett, Rosalyn
Cc: Bottigheimer, Nat
Subject: FW: PRESS INQUIRY: Jazz @ Florida Avenue/WMATA Land Agreement

Roz,

Please prepare a response for Angela. Thanks.

Mark

From: Gates, Angela
Sent: Thursday, August 13, 2009 5:24 PM
To: Bottigheimer, Nat
Cc: Meister, Mark K.
Subject: FW: PRESS INQUIRY: Jazz @ Florida Avenue/WMATA Land Agreement

Hi Nat,

See e-mail below. Can you or someone in your department please send me responses to the reporter's questions? Deadline is next Friday, August 21.

Thanks,
Angela

From: Hunter Gorinson
Sent: Thursday, August 13, 2009 5:07 PM
To: Farbstein, Lisa
Subject: PRESS INQUIRY: Jazz @ Florida Avenue/WMATA Land Agreement

Ms. Farbstein,

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My deadline is next Friday (8/21), so a timely response would be greatly appreciated.

Many thanks,
Hunter L. Gorinson

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, August 12, 2009 4:48 PM
To: Ackerman, Heidi; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Haldeman, Kristin M.; Harrington, Thomas; Hendren, Patricia; Jachles, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Johnston, Kasondra; Jones, Catherine; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Mohsberg, Sid; Peterson, Scott; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S.
Attachments: Board Items Preparation Milestones - 2009.xls

All,

FYI and action. Please note that updated materials for the 9/10/09 PDRE Cmte meeting are due to Julie Hershorn by noon this Friday, 8//14/09.

BAR: http://p590a3.wmata.com:7778/pls/bar/p_bar_public

Please let me know of any errors or omissions.

Thanks.

Sid

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Tuesday, August 11, 2009 5:38 PM
To: Maurice Perry; Doggett, Rosalyn; Omar A. Karim
Cc: Tiwana Hicks; Meister, Mark K.
Subject: RE: Jazz: BACDC Construction Guaranty
Attachments: BACDC Constr Completion Guaranty - WMATA Clean.doc; BACDC Constr Completion Guaranty - WMATA comments 080509.doc

Please find attached: 1) the clean WMATA draft of the Guaranty Agreement; and 2) the draft with redline comments.

Please do not hesitate to contact me with any questions or comments.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

The information contained in this email may be confidential and/or legally privileged. It has been sent for the sole use of the intended recipient(s). If the reader of this message is not an intended recipient, you are hereby notified that any unauthorized review, use, disclosure, dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please contact the sender by reply email and destroy all copies of the original message.

From: Maurice Perry [<mailto:maurice.perry@bankofamerica.com>]
Sent: Wednesday, August 05, 2009 1:42 PM
To: Montague, Joshua W.
Cc: Tiwana Hicks
Subject: RE: Jazz: BACDC Construction Guaranty

Josh,

As requested, attached is a Word version of the standard BACDC construction completion guaranty we typically provide on residential projects to tax credit investors. Please be aware that the final version of the Guaranty will have to be reviewed by BACDC's attorney and approved by my internal investment committee prior to execution.

Thanks.

Best,
Maurice

From: Tiwana Hicks [<mailto:thicks@bannekerventures.com>]
Sent: Wednesday, August 05, 2009 1:07 PM
To: Perry, Maurice
Subject: RE: Jazz: BACDC Construction Guaranty

Maurice,

Do you have a word version of this Guaranty? Josh Montague needs a word document to provide comments. Thanks.
Tiwana

From: Perry, Maurice [<mailto:maurice.perry@bankofamerica.com>]
Sent: Wednesday, July 08, 2009 11:07 AM
To: Doggett, Rosalyn
Cc: okarim@bannekerventures.com; thicks
Subject: Jazz: BACDC Construction Guaranty

Ms. Doggett,

As requested, attached is the form of the Unconditional Construction Completion Guaranty BACDC typically provides its lenders and development partners.

Should you require any additional information concerning this matter please give me call to discuss.

Best,
Maurice

Maurice Perry
Banc of America CDC
730 15th Street, NW 8th Floor
Washington, DC 20005
P: 202.442.7526
C: 202.329.7253
F: 704.683.9162

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Monday, August 10, 2009 5:41 PM
To: Ackerman, Heidi; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Haldeman, Kristin M.; Harrington, Thomas; Hendren, Patricia; Jachles, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Johnston, Kasondra; Jones, Catherine; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Mohsberg, Sid; Peterson, Scott; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S.
Attachments: Board Items Preparation Milestones - 2009.xls

All,

Per SECT's earlier e-mail, which I forwarded, several of the August 2009 milestones leading up to the September 2009 committees and the Board have changed. Please take note.

Thanks.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Monday, August 10, 2009 12:56 PM
To: Doggett, Rosalyn
Subject: FW: PDRE items

Roz,

What is the status of the materials supporting this item?

Thanks.

Sid

From: Bellamy, Michelle A.
Sent: Monday, August 10, 2009 9:51 AM
To: Mohsberg, Sid
Subject: PDRE items

Good morning Sid,

The only item that I have not received is the Extension of Negotiating Period for Shaw-Howard University Station/Florida Avenue Parcels. Can you let me know the status?

Thanks,
Michelle

Michelle A. Bellamy
Budget/Funding Program Assist.
Washington Metropolitan Area Transit Authority
OPRS
600 Fifth St., NW
Washington, DC 20001
202-962-2779
202-962-2410 Fax

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Monday, August 10, 2009 10:24 AM
To: Doggett, Rosalyn
Cc: 'thicks'; Moneme, Emeka; Montague, Joshua W.; Meister, Mark K.
Subject: RE: Jazz @ Florida Avenue Project - Adjacent Construction Manual, WMATA Reserved Areas and Appraisal

Rosalyn,

Any word on the mark up to the BACDC guaranty? Also, any word on the appraisal? Both of these are critical as we would like to turn around our comments to the JDA and Lease asap.

Thanks.

Omar

From: Doggett, Rosalyn [mailto:RDoggett@wmata.com]
Sent: Wednesday, August 05, 2009 12:41 PM
To: Omar A. Karim
Cc: 'thicks'; Moneme, Emeka; Montague, Joshua W.; Meister, Mark K.
Subject: RE: Jazz @ Florida Avenue Project - Adjacent Construction Manual, WMATA Reserved Areas and Appraisal

Josh is marking up the guaranty sent by BACDC to conform to what we normally get. A problem with BACDC has been that we cannot get a proper balance sheet, but I am hopeful that we can resolve this satisfactorily. Normally, we release such guaranties upon project construction completion.

Per my conversation with Tiwana, the reserved areas would be for our tunnels, their support and access to same. The only other facility I see on plans is the Eighth Street vent shaft and access to same; if this is in public right of way as it appears from plans to be and which your survey can confirm, then it would not be a Metro reservation. I am going to do one more check with engineering this afternoon to make sure we haven't missed anything, e.g. other vent shafts.

We received a rough draft of the appraisal on Monday morning, had some questions about methodology, and asked the appraiser to recheck. Our internal appraiser is awaiting word on when the redraft will come in.

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Wednesday, August 05, 2009 11:41 AM
To: Doggett, Rosalyn
Cc: 'thicks'; Moneme, Emeka; Montague, Joshua W.; Meister, Mark K.
Subject: Jazz @ Florida Avenue Project - Adjacent Construction Manual, WMATA Reserved Areas and Appraisal
Importance: High

Ms. Doggett,

Hope you are well. Couple of things:

- Can you forward us the most recent version of the Adjacent Construction Manual
- Were you able to get any information regarding any WMATA reserved areas related to our site?
- Any word on the appraisal?
- Can you please forward a copy of the Guarantee that would be required. As discussed, any guarantee would need to allow us to release it upon completion of construction of the project as oppose to running the term of the lease.

We would really like to turn around our comments on the JDA and Lease and these items are a very important aspect of our comments.

Thank you in advance.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax

(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: noreply+feedproxy@google.com on behalf of Greater Greater Washington
[alpert@gmail.com]
Sent: Saturday, August 08, 2009 5:07 AM
To: Doggett, Rosalyn
Subject: Greater Greater Washington

Greater Greater Washington



- [Afternoon links: Switch](#)
- [Lost Washington: Carbery House](#)
- [Washington's systemic streets](#)
- [Streetcars now on the front burner](#)
- [Breakfast links: We all need a little calming](#)

Afternoon links: Switch

Posted: 07 Aug 2009 12:30 PM PDT



Photo by stuant63.

Try solar?: A Baltimore woman wanted to put a wind turbine on her roof, which would have exceeded the residential height limit. **The zoning board said no.** (WTOP)

Don't dump Zipcar yet: Hertz and U-Haul are launching their car sharing programs in the DC area, sort of. Hertz's only location so far is at Marriott's Bethesda headquarters, and U-Haul's U Car Share is launching this week at Virginia Tech. (WTOP)

We're impressive: The Washington Metro makes it onto Treehugger's list of "The World's Most Impressive Subway Maps". The only other American example is NYC; the only others in this hemisphere are Montreal and Mexico City. (Gavin Baker, Frank Townend)

Win free transit! APTA is running a video contest called "Dump the Pump," where participants submit videos explaining why they're switching to public transportation. Winners get a year of free transit in their local area.

City of College Parking: College Park is really excited about a new municipal parking garage. One worker who drives from New Carrollton is excited because it'll cut down on "dings on [her] vehicle." It's only been 10% full so far, but students may start using it in the fall and the city will put up signs advertising the garage. Is a whole block of parking really what College Park needs to become more vibrant? (Gazette)

Reading about Moses: The New York Times reviews the new Jane Jacobs/Robert Moses book, "Wrestling with Moses." Author Anthony Flint is speaking at Politics and Prose on Tuesday. (Times, Chris R)

Smarter rankings: NRDC responded very proactively to criticism here and elsewhere that their city rankings unfairly favored low-density land use patterns. They've set up a wiki for people to suggest better data source and other ways of improving the rankings.

Recession's effects: A number of laid-off office workers are turning to taxi driving, at least in New York (NPR) ... "Informal recyclers," who pick through trash to salvage reusable scrap materials especially in poorer cities worldwide, are taking a big hit from the global recession (Times) ... Besides its bad environmental effects, "cash for clunkers" is gutting charities' car donation fundraising programs (NPR).

Have a tip for the links? [Submit it here.](#)

(14 comments · [share](#) or [email](#))

Related posts:

["Best Cities" rankings push "picket fence" ideal \(Jul 14, 2009\)](#)

[Park\(ing\) at Sherman and Park \(Jun 10, 2008\)](#)

[No new subsidized parking in Bethesda \(Apr 26, 2008\)](#)

[Digging the parking hole deeper \(Feb 11, 2008\)](#)

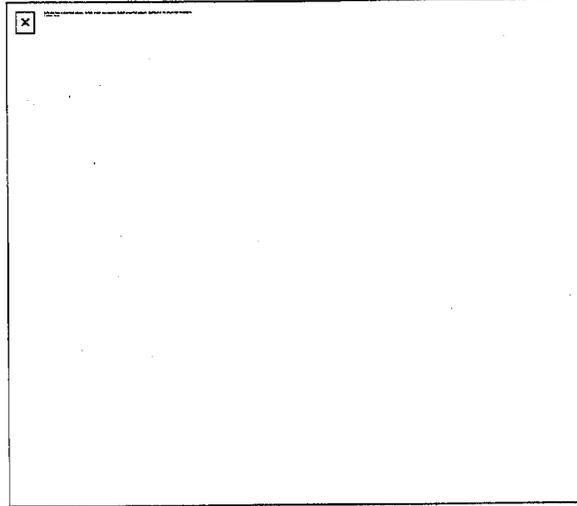
"All I want for New Year's is free parking" (Jan 4, 2008)

Lost Washington: Carbery House

Posted: 07 Aug 2009 11:00 AM PDT

By **Kent Boese**

The Carbery House was built in 1818 at the northwest corner of 17th and C Streets, opposite the Ellipse. It was the residence of Thomas Carbery, mayor of Washington and a noted member of St. Patrick's Catholic Church.



Carbery became active in the public affairs of Washington in 1819 when he was elected to the city council. He remained active until his death in 1863.

While the house was no stranger to tragedy -- his wife and four children died there within a short time in the 1830s -- it was more famously known as "Miracle House" due to the widely publicized recovery of Thomas' gravely ill sister, Mrs. Ann Carbery Mattingly. She had been ill since 1817 and, being widowed, was invited to live in the house upon its completion. She grew increasingly worse prompting the family to consent to a priest writing Prince Hohenlohe of Hamburg, Germany. Hohenlohe was a known healer, and agreed to pray for Ann's recovery. On the date and time that Hohenlohe stated he'd pray for recovery, Ann rose from her bed being completely healed.

The house itself was built in the Federal style, though the entrance was atypically located on the side rather than the front. The cast-iron porch was an 1840 addition. Carbery House was eventually razed in 1903.

(comment · share or email)

Related posts:

[Lost Washington: Washington City Orphan Asylum \(Aug 4, 2009\)](#)

[Lost Washington: The McLean House \(Jul 2, 2009\)](#)

[Lost Washington: Wisteria House \(Jun 30, 2009\)](#)

[Lost Washington: Corcoran House \(May 26, 2009\)](#)

[Lost Washington: The Little Green House \(May 15, 2009\)](#)

Washington's systemic streets

Posted: 07 Aug 2009 08:51 AM PDT



By **Matt Johnson**

Visitors and residents of Washington, DC know, to one degree or another, about the city's street naming conventions. Most tourists know that we have lettered and numbered streets. And to some degree, they know there is a system, but it doesn't stop them asking us directions. But most out-of-towners and even many residents don't understand the full ingenuity of the District's naming system.

Washington is partially a planned city. The area north of the Potomac and Anacostia Rivers and south of Florida Avenue (originally Boundary Street) is known as the L'Enfant City. This area of Washington was the original city of Washington, laid out by Pierre L'Enfant and Andrew Ellcott. It is comprised of a rectilinear grid with a set of transverse diagonal avenues superimposed. Avenues frequently intersect in circles or squares, and the diagonals create many triangular or bow tie-shaped parks.



Washington is the seat of government of a nation. Believing that the structure of the government should inform the structure of the city, L'Enfant centered the nascent city on the Capitol, home of the Legislative (and at the time, the Judicial) branch of the government, the one the framers held in highest esteem. From this great building radiate the axes of Washington. North and South Capitol Streets form the north-south axis; East Capitol Street and the National Mall form the east-west axis. These axes divide the quadrants.

The axes also provide the basis for the naming and numbering systems. Lettered streets increase alphabetically as they increase in distance both north and south of the Mall and East Capitol Street. Numbered streets increase in number as they increase in distance both east and west of North and South Capitol Streets.

Many street names intersect in multiple quadrants. G Street intersects Sixth Street in all four quadrants, and each of these intersections is separated by over a mile. Western, Eastern, and Southern Avenues form in many places the land boundaries of the District.



North of Georgetown and Boundary Street (Florida Avenue), the area formerly known as Washington County, DC began to develop. For the most part, developers extended the grid as the most efficient way to expand the growing city. Some areas, notably Petworth, recreated the principles of the L'Enfant plan, with avenues and circles intersecting the grid. In other places, geography made a rectilinear grid impractical.

As the city expanded, so did the system of naming streets. In the L'Enfant city, the highest lettered street was W Street (running between Ninth and Fifteenth Streets NW). Unlike numbers, the alphabet is not infinitely expandable. In order to continue to have an alphabetical progression of streets, the alphabet starts over. Only "streets" are subject to the convention. Avenues, roads, drives, and other minor streets do not conform to the alphabetical progression. "Places," on the other hand, usually appear one block north of the correspondingly lettered street and often share the same first letter.

After the first alphabet runs out of letters, street names restart alphabetically with two-syllable names. "Adams Street" follows "W Street." Once the second alphabet is exhausted, the system repeats with words of three syllables. "Webster Street" is followed by the third alphabet's "Allison Street." However, the Fourth Alphabet does not use words of four syllables. Instead, the Fourth Alphabet, only present in the Northwest and largest quadrant, uses the names of plants in increasing alphabetical order. Thus "Aspen" follows "Whittier."



Map shows streets based on number of syllables (numbers excluded)

Typically, each of the other alphabets uses the same letters used by the First Alphabet (A-W, skipping J). However, there are some exceptions. The Second Alphabet has Yuma Street, there's a Jefferson Street in the Third Alphabet, and Xenia Street appears in Southeast. East-west streets in the District are often discontinuous due to obstructions. Sometimes the street continues with the same name on the other side, and sometimes it changes to a different name. Shepherd Street NW, for instance, is split by Piney Branch Park between Fourteenth and Sixteenth Streets, but keeps the same name on both sides. However, on the other side of Rock Creek Park, in Upper Northwest, the two-syllable "S" street name is Sedgwick. Still, a look at the first letter of streets in the District easily shows the strata of the alphabets.



Map shows all streets starting with letters C, D, E, F, or G (numbers excluded)

The highest numbered street in the District is 63rd Street in the Capitol Heights section of Northeast. Southeast's nearby 58th Street is that quadrant's highest numbered street. In Northwest the ridges and valleys of the Potomac Valley cause numbered streets (and the grid) to give up the ghost at 52nd Street. And tiny Southwest sees its highest number with 23rd Street south of the Lincoln Memorial.



Map showing numbered streets in the District

Of course, without its state-named avenues, Washington would have a far less complex street system. But the avenues don't only add complexity, they also close the streetscape, provide vistas to monumental buildings, and create squares, plazas, and parks throughout the city. These famous streets are important streets in the city, but they don't conform to the system, and as a result are more difficult to find.

Except for California Street and Ohio Drive, all the states have avenues named after them. The shortest of the avenues is Indiana Avenue, found near Judiciary Square and the Archives. It stretches less than half a mile, exclusively in Northwest. While no state-named avenue passes through all four quadrants, the longest, Massachusetts Avenue, passes through three. It stretches from border to border across the District, although it lacks a bridge over the Anacostia, and continues northward into Montgomery County, Maryland.



Map shows each of the state-named roadways in Washington

Crossposted at Track Twenty-Nine.

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Streetcars now on the front burner

Posted: 07 Aug 2009 07:08 AM PDT



Over 100 people packed a theater at the Atlas Performing Arts Center on H Street, NE last night to hear DDOT Director Gabe Klein and Chief of Staff Scott Kubly talk about DC's streetcar project. DC has had plans to build streetcars for many years, but recently progress seems to have stalled. Klein said that people at DDOT within the Mass Transit Administration and IPMA (the engineering arm) had continued working on the project, but there was no clear owner keeping it a top priority. Kubly is now in charge of the streetcar program, and is committed to making it happen. Klein also added that in his opinion, sluggish occasional progress is not acceptable; DDOT should either pursue the program actively or not at all.

Klein and Kubly emphasized that the project is still in early stages, and had few specific answers on timelines, costs, and more. Klein also pointed out that Portland's project took eleven years from initial vision (1990) to the first operating segment (2001); by that standard, DC's project isn't actually very far behind.

There's also still no definitive answer on how DC will power the streetcars. In many areas, the streetcars will use overhead wires, which are much less visible than the heavy, multiple wires of old systems. Instead, a single, thin wire powers streetcars almost invisibly. That's still not satisfactory to the National Capital Planning Commission (NCPC), which wants a different power technology on at least some of the system. Klein said that DDOT is likely to pursue a dual mode system that can use wires in some areas and another technology in more sensitive regions.

The Business Journal reported earlier this week that DDOT also plans to pursue federal funding, contrary to previous plans. Transportation Secretary Ray LaHood is reportedly excited about streetcars, including the potential for them to run past USDOT headquarters on M Street SE, one alignment in DC's Comprehensive Plan.

Klein reiterated support for the streetcar alignments in the current Comprehensive Plan. The first streetcars will run from Anacostia over the 11th Street Bridge, and along H Street and Benning Road, ultimately connecting to downtown on the K Street Transitway. Phase two is 7th Street and Georgia Avenue, and Minnesota Avenue between Anacostia and the Minnesota Avenue Metro near Benning Road, connecting the two lines across River East. There are still many outstanding alignment questions, like how to connect the streetcar to Union Station, where to continue it over the 11th Street Bridge (to Eastern Market? M Street SE?), and where to place maintenance facilities and storage yards for the H/Benning line.



Recommendations from the 2005 Alternatives Analysis.
Blue is streetcar, green BRT, yellow "rapid bus."

The program will depend on public support, both in neighborhoods and citywide to advocate with the Council, NCPC, and Congress. DDOT has communicated very poorly so far. Advocates had been pushing for about a year to even get this meeting, and DDOT shared little about its progress or plans. Councilmember Jim Graham had to force them to attend hearings to share their latest thinking on alignments last year, and officials were extremely close-mouthed about the reasons they had chosen particular alignments. They promised to release an updated version of the "Alternatives Analysis" last year, but held it back because the Mayor had to review it first. Then, months later, they refused to release it saying it was now out of date.

How many of you knew that construction is actively underway for the Anacostia streetcar line? Last I had heard, DDOT was close to awarding a contract for construction of the segment from the maintenance facility on South Capitol Street to Barry Farm and Anacostia Metro, but there were reports of delays. However, DDOT hasn't touted recent progress or released engineering details for the line. Even leaders of the streetcar advocacy movement didn't know about this. We can't support DDOT if we don't know what's going on. It's okay if thinking shifts from month to month as new information comes to light. People can handle changes. Silence and resistance, however, won't build the support the project needs.

With Kubly's and Klein's leadership, sharing progress more openly with advocates must become a top priority. Fortunately, Klein and Kubly have been much more open about communication than many others. Kubly, in fact, is also managing new DDOT Web tools to share status and plans for projects across the city, from streetscapes to repavings to tree trimmings. Klein committed to quarterly public meetings on the streetcar program; the next one will be in Ward 5. If DDOT can work with DC's communities instead of against them, with the help of advocacy groups like *Streetcars 4 DC*, we'll be able to replicate the strong public support that catapulted Portland's streetcar dreams into a successful reality.

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[Railbanking could fix the Anacostia streetcar dilemma \(Jul 21, 2009\)](#)

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[DDOT moving streetcar toward actual residents \(Oct 23, 2008\)](#)

[Connecting communities \(or not\) \(Jul 14, 2008\)](#)

Breakfast links: We all need a little calming

Posted: 07 Aug 2009 05:47 AM PDT



Photo by Rik_C.

Head under la hood: US Secretary of Transportation Ray LaHood says that new freeway lanes in Phoenix will "help to reduce greenhouse gases in the area." Um, no. (Fast Lane)

A fancy bridge doesn't make it green: A letter writer chastizes the *Baltimore Sun* for talking about how "green" the Intercounty Connector is. It'll generate huge new VMT and sprawl (and officials cut the bike trail), but it has fancy bridges over wetlands, so it's an environmental wonder.

Breaking out of "two leg perspective": CommuterPageBlog writer Steve Eldridge lost a leg below the knee. He has to use a walker or wheelchair for about six months. That's given him a huge appreciation for the little issues of design, like sloped sidewalks, that severely affect accessibility to those with physical disabilities. (CommuterPageBlog, Michael P)

Speed cameras working: New speed cameras in Rockville have reduced speed 12 percent and crashes 35 percent. Rockville's police chief said the cameras have "created safe zones." The number of citations is down 86 percent, meaning the city is collecting less money but roads are safer. (Gazette)

How about in Southeast?: Yvette Alexander says we "desperately need" traffic calming or red light cameras after a nasty crash on Pennsylvania Avenue in Southeast DC trapped five people inside burning vehicles. (Fox 5, JTS)

Not a ham sandwich: An Asheville grand jury turned down an attempted murder indictment for the Asheville man who shot a cyclist in the head. They did give him a felony assault indictment, which only carries a maximum sentence of two years in prison. Grand juries usually indict people for anything prosecutors ask. (Streetsblog)

Our streets belong to drivers: Vienna is proposing new regulations for bicyclists, including requiring cyclists to yield to motorists if they're using the sidewalk. Some of them don't sound so bad, but some do, like requiring cyclists to give an "audible signal" when coming near any pedestrian. FABB suggests the Vienna PD and city leaders pay a little more attention to making biking safer and more comfortable as well.

Have a tip for the links? [Submit it here.](#)

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Doggett, Rosalyn

From: noreply+feedproxy@google.com on behalf of Greater Greater Washington [alpert@gmail.com]
Sent: Friday, August 07, 2009 5:08 AM
To: Doggett, Rosalyn
Subject: Greater Greater Washington

Greater Greater Washington



- [Lost Washington: Center Market](#)
- [Transit is more economically efficient than freeway lanes](#)
- [Metro responds to Google Transit posts](#)
- [Where's the 15th Street contraflow lane?](#)

Lost Washington: Center Market

Posted: 06 Aug 2009 12:00 PM PDT.

By [Kent Boese](#)

The block where the National Archives is located, bounded by Pennsylvania Avenue, Constitution Ave, 7th Street, and 9th Street, NW, was once the location of Center Market. Designed by Adolph Cluss, it was built in 1871. It was expanded in the 1880s with large wings also designed by Cluss.



Open six days a week from dawn until noon, the market had thousands of daily customers. The structure was a model market with good light, ventilation, drainage, and wide aisles. It was razed in 1931.



Left: Center Market, B Street (Constitution) side. Right: interior, ca. 1922.

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Transit is more economically efficient than freeway lanes

Posted: 06 Aug 2009 10:14 AM PDT



I-270 transit vision. Map by David Alpert and ACT.

By [Cavan Wilk](#)

In [Part 6](#) of David's [Gaithersbungle Series](#), we looked at a [more comprehensive](#) vision to invest in mobility infrastructure in western Montgomery County between Grosvenor and Clarksburg, in addition to more frequent MARC service to Frederick and Washington Counties. While the combination of the Red Line extension, the light rail Corridor Cities Transitway, a streetcar in a boulevardized MD-355, and improved MARC service would cost approximately as much as widening I-270 to 14 lanes, it has the advantage of being able to be carried out in phases as funding becomes available. It also will generate far more positive

economic impact in the long run than just widening the highway.

Spending \$3.8 to \$4.5 billion on new lanes won't increase transportation options for additional people. New HOT lanes would only serve motorists who already drive on the highway, in addition to inducing more car traffic that will quickly jam up the new lanes. According to the Action Committee for Transit, the tolls from the new lanes won't even make up for the cost of collecting the tolls themselves, much less road maintenance. There will be no economic multipliers due to changes in land use like in the Rosslyn-Ballston Corridor and Bethesda.

While spending \$4.5 billion on an infrastructure project that won't provide much economic growth, proportional to its price tag is troubling, the bigger problem is the opportunity cost of locking future funding streams in a project that would have such a weak economic performance. A smarter plan would generate economic multipliers from concentrating jobs, amenities, and residences around existing and new transit. An unwise decision would stunt Montgomery County's economic growth in the near future.

Montgomery County is facing similar challenges to those Arlington County faced forty years ago. Arlington fought so hard to use the Orange Line as a planning tool because it was running out of undeveloped land within its borders to broaden its tax base. Instead of growing out, it had to grow up in selected places. Today, over 30% of the county's tax base comes from the Rosslyn-Ballston Corridor, 8% of the county's land area. Montgomery is much larger, which delayed this process by decades, but it's now approaching the horizon. Tysons, too, is hitting a wall in how much economic activity it can support, which is why Fairfax leaders are so eager to build the Silver Line.

Since a highway moves people using cars, development associated with a highway requires acres of car storage. A landowner only builds extremely expensive underground parking if they will collect enough rent to make up for the cost of constructing and maintaining the parking structure. In a purely car-dependent place with very high land values like Tysons Corner and White Flint, the money lost by not being able to collect rent on the land the parking lot occupies is greater over the long term than the cost of redeveloping the property into a walkable urban form. If there is sufficient transit to move people to, from, and within a walkable urban place, it is in a landowner's financial interest to build buildings on their property with as high an FAR as they can, to maximize billable square feet. Their constraint, outside of height limits, is how much square feet they think they can keep occupied, given the super-local demand for floor space.

In places like Rosslyn-Ballston, Metro and the county's planning changed the super-local economic conditions. The parking lots in all the strip malls that used to occupy the Wilson Boulevard corridor became too expensive to keep, when compared to the profits that could be made by putting billable square feet on that land. That is also the reason why both the landowners and Fairfax County are itching to remake Tysons into a string of walkable urban towns. The same applies to the landowners at White Flint.

The highway project would involve enormous economic opportunity costs, not just to the landowners and the environment, but also to the state and local governments. For each square foot of land that is dedicated to parking rather than billable uses, there are fewer tax revenues that would go towards paying for valuable government services. The smaller scale economic activities that exist will face a higher tax burden. A highway and a train have similar maintenance costs, yet the highway generates land uses that guarantee fewer people will be paying for their upkeep. While fewer new social services would need to be built, they would cost more per person since there would be fewer people paying into the system and also higher costs from traveling farther distances to perform the services. For example, Fairfax County has the largest school bus fleet and highest associated fuel costs in the nation because of their low-density car-dependent land uses.

When a society builds infrastructure, it invests in its future. One of the primary functions of infrastructure is to facilitate economic activity. Transportation infrastructure also is a planning tool for how much and what kind of economic activity you want in the future. Similar to taking a loan out to start a new business, the society expects the taxes collected from the economic activity that is generated by use of the infrastructure to pay for its upkeep, along with some "profit" that goes toward other services. However, the Law of Diminishing Returns eventually kicks in for a specific mode of infrastructure. Because of the opportunity costs associated with highways and their resulting car-dependent development put a cap on economic activity induced due to not being able to collect rent on land occupied by parking lots, roads have a much, much lower threshold for when diminishing returns set in.

If our elected officials choose to spend \$4.5 billion to widen I-270 rather than on a diversified transit system, Montgomery County, the Washington, D.C. region, and the State of Maryland will be clamoring for a do-over in future decades, just like Fairfax County is now planning to do with Tysons and Arlington already did with Rosslyn-Ballston. However, we will be \$4.5 billion poorer, and will be saddled with a huge highway maintenance bill without enough economic development to pay for it. Meanwhile, our successors will ask how we could have been so short-sighted, even after seeing the effect of from widening I-270 in the 1980's and subsequent induced demand, compared to the model of successful transit-oriented Smart Growth in Bethesda, Rosslyn-Ballston, and its beginnings in Hyattsville.

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Metro responds to Google Transit posts

Posted: 06 Aug 2009 08:48 AM PDT



By Michael Perkins

Last month, David and I wrote about Metro's inability to reach an agreement with Google. I argued that Metro should sign Google's agreement, and David argued that Metro should change its terms in order to entice all developers, including Google, to come to the table. Metro provided a response by email.

Their argument boils down to three points:

- We're already providing our schedule information (under a restrictive license), which Google and others could use if they want to.
- We're hiring a consultant (for \$500,000) to find out whether we can make any money off the schedule data, and don't want to do anything until we know.
- The Metro trip planner was recently upgraded and has a lot of nice features. Therefore, this isn't a pressing need.

The entire text of their response is below.

Regarding your question about Google Transit, we are currently offering the Metro Trip Planner's rail and bus scheduling data to Google in the Google Transit Feed Specification (GTFS) format. Google and other businesses can download the GTFS files after agreeing to our terms of use.

We plan to begin a study this year which will give us a firm idea as to the commercial value of intellectual property like scheduling information. Until that study is completed it seems wisest to avoid entering into an exclusive agreement with any company. Right now, developers can use that information for free, which seems like a win-win situation to us. They can develop new products using our scheduling data, and we still have an opportunity to earn money from that data in the future. If we can earn money from the use of this data, that money will be applied to our operational budget, and it will slow the growth of fares.

Metro currently reserves the right to withdraw the data in the future, because, as I said, the results of the study may show that Metro can earn a substantial amount of money from the intellectual property we produce. Increasing the amount of revenue Metro earns from sources other than fares is something virtually all Metro stakeholders, including customers, seem to agree on. On the other hand, the results may show that there is little market for this information, or the Metro Board may decide not to authorize Metro to go down that path. Either way, we think it is best to keep our options open, especially since we have a trip planner in operation right now.

We might have come to a different decision in other circumstances, but we feel that the Metro Trip Planner offers many capabilities:

1. *The Metro Trip Planner provides a more complete itinerary to Metro riders, as both local and regional bus scheduling data is provided. Metro's Trip Planner includes all the local and regional commuter services including CUE, U-MD Shuttle, Howard County Transit, DASH, Arlington, Frederick County Transit, RIBS Fairfax Connector, Annapolis Transit, Connect-a-Ride, Prince William County-*

OmniRide/OmniLink, Loudoun County Transit, Ride-On, Tyson's Shuttle, and TheBus.

2. Metro's Trip Planner provides riders with three instant itineraries for trips - Metro Bus, Metro Rail, or both. Each itinerary provides the following:
 - a complete breakdown of the fare structure at the bottom of each itinerary,
 - the Bus timetable in PDF format for all Bus legs on the itinerary,
 - walking directions for a specific leg of a trip with a link to a walking map, which provides a visual guide and allows customers to view the start and finish points, along with step-by-step directions,
 - escalator/elevator outages for all Metro stations on the itinerary,
 - interactive access to station pages allowing riders to retrieve additional information, such as parking availability, bike parking availability, car sharing, bus routes serving the station, what's nearby, real-time arrivals, entrances/evacuation maps, fares to all the other stations, and a listing of the location of all escalators and elevators at each station.
3. The Advanced Trip Planner form provides the following features:
 - A drop down list of popular locations and a link to interactive maps to facilitate users' entry of "to" and "from" locations,
 - the ability to minimize travel times by walking distance and transfers,
 - the ability to remember "to" and "from" locations,
 - the ability to limit address searches within each of the 9 Metro compact jurisdictions (Alexandria City, Arlington County, District of Columbia, Fairfax City, Fairfax County, Falls Church City, Montgomery County, Prince George's County, Prince William County),
 - the ability to view trips 5, 10, 15, 20, and 25 minutes before and after times displayed with the click of a mouse.

To sum it up:

- Metro has a trip planner that offers many capabilities to Metro customers.
- Metro is planning to conduct a thorough evaluation of money to be earned by its intellectual property. Ultimately, the Metro Board will make the final decision.
- Right now, Google, or any smaller developer, can use our scheduling data for free if they agree to our terms. This allows them use of the information and it keeps the door open for us to earn money from this information in the future, and that will help keep fares lower.

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Where's the 15th Street contraflow lane?

Posted: 06 Aug 2009 07:37 AM PDT



NYC's Gansevoort Plaza. Photo from Streetsblog.

In February, DDOT decided to experimentally modify 15th Street, NW between Massachusetts Avenue and Florida Avenue to include the city's first protected bicycle lane. That lane would let cyclists ride south along 15th, opposite the flow of traffic. Cyclists could also ride northbound in a regular bicycle lane. This is a cheap, quick change that DDOT could make with some paint, quick curbs, and a few signs. It's a great opportunity to test out a protected bike lane on a street easily able to handle it. However, DDOT still hasn't set it up. Why?

A **protected bicycle lane** (sometimes called a "cycle track") puts bicycles between the parked cars and the sidewalk, rather than between the parked cars and the regular car lanes. It makes cycling much more appealing for those less comfortable riding as fast as traffic or intimidated by the cars that often pass too close, honk, and otherwise harass cyclists. 15th Street has four northbound travel lanes that funnel down to one past Florida Avenue. There isn't enough traffic to use up four lanes, and DDOT planners feel that three lanes, plus the contraflow protected bike lane, is plenty.

When Janette Sadik-Khan took the reins at New York City's DOT, the agency quickly moved to try many experimental, quick traffic changes. They added **plazas and makeshift street furniture** in some large intersections, turning huge and underused expanses of pavement into pleasant places to sit. They added a median on a busy and dangerous avenue in Brooklyn. They built several real, **separated bike lanes on major avenues**, and even **closed part of Broadway to traffic**. Few of these involved major, federally funded street reconstructions. Often, some oddly-shaped concrete blocks, temporary curbs, signs, and sometimes a few signals were all it took. There wasn't a multi-year study producing a glossy report; they just tried the change. If the design didn't work out, they could remove it. But so far, they've worked very well.



Proposed configuration for 15th Street.

Under the current proposal, the contraflow lane would be on the west side of the street. New signs would warn drivers to look for cyclists as they turn left. Cyclists would be able to proceed through the intersection when the adjacent pedestrians have a "walk" sign, removing the need for special bicycle signals. According to DDOT planners, they now suggest improving upon this design by widening the protected contraflow lane to 8 feet, while making the northbound lane into a shared lane ("sharrows") between cars and bikes. A wider contraflow lane would allow bikes to pass each other southbound, and provide more room for them to avoid doors. Meanwhile, three travel lanes is plenty for the current traffic even if some bicycles are also using the rightmost lane. DPW has assured DDOT that this configuration wouldn't pose a problem for street cleaning.

As with the street's northern end, DDOT hasn't moved ahead with a simple, cheap, and quick improvement despite an approved plan to do so. It's not an issue of budget. Whether this is coming from the engineering department, the top management, or even the office of the Mayor, the agency simply has not yet adopted the sort of quick experimentation culture that has been so successful at NYC DOT.

Likewise, Councilmember Tommy Wells and many others are interested in trying protected bike lanes on M Street, SE and SW. Like 15th, it's a wide street with more lanes than necessary for the traffic, while cyclists have few good routes. DDOT considered moving ahead and trying a lane, but ultimately decided to contract out a more detailed study. That will just take time and money, with which we could instead just try it out. Actual real-world data is more valuable than anything consultants standing at street corners counting vehicles could ever collect.

The best way to try new things, like protected bike lanes, is to just put them in and see what happens. Some think protected bike lanes will actually be more dangerous. I don't think so, but if we try it out, we can find out for ourselves in plenty of time to build them in, or take them out, of longer-term plans. DDOT is working hard on a lot of great projects, but most of these will take years to plan, fund and implement. We shouldn't have to wait that long to try out some low-hanging fruit and make streets safer and better for all users.

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Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Thursday, August 06, 2009 5:39 PM
To: Doggett, Rosalyn
Subject: Florida Avenue - Preliminary draft of guaranty
Attachments: BACDC Constr Completion Guaranty - WMATA comments 080509.doc

Hi Roz,

Please take a look at the attached and then let's discuss whenever you are ready.

Josh

Doggett, Rosalyn

From: Chu, Mable
Sent: Thursday, August 06, 2009 3:42 PM
To: Doggett, Rosalyn; Meister, Mark K.; Bushnaq, Tariq; Schmitt, Patrick
Subject: FW: Revised Forbearance Agreement
Attachments: Forbearance Agreement (M.Chu) (DC044133-3).DOC

This just came in. Please review and comment. Patrick, since you are going on vacation, your review at your earliest convenience will be appreciated. Also, who should we consult with on the parking fee issue while you are gone?

From: teresa.hsieh@akerman.com [mailto:teresa.hsieh@akerman.com]
Sent: Thursday, August 06, 2009 3:38 PM
To: Chu, Mable
Cc: bill.crenshaw@akerman.com
Subject: Revised Forbearance Agreement

Dear Ms. Chu:

On behalf of Bill Crenshaw, attached please find a copy of the revised Forbearance Agreement regarding WMATA.

Please feel free to contact me with any questions or concerns.

Thank you.

Kai Hsieh

Legal Administrative Assistant
AKERMAN SENTERFITT, LLP
801 Pennsylvania Avenue, NW, Suite 600
Washington, DC 20004
Tel: (202) 824-1733 (direct)
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Doggett, Rosalyn

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Sent: Thursday, August 06, 2009 6:52 AM
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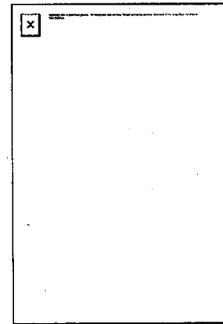
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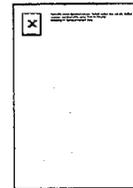
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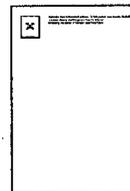
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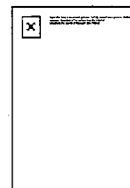
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Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Wednesday, August 05, 2009 12:43 PM
To: Doggett, Rosalyn
Subject: FW: Jazz @ Florida Avenue Project - Adjacent Construction Manual, WMATA Reserved Areas and Appraisal

Hi Roz,

I spoke to Tiwana and she is trying to dig up a Word version of the Guarantee for us to mark up (Maurice sent us a .pdf).

Do we normally require any type of guarantee on our leases?

Josh

From: Doggett, Rosalyn
Sent: Wednesday, August 05, 2009 12:41 PM
To: Omar A. Karim
Cc: 'thicks'; Moneme, Emeka; Montague, Joshua W.; Meister, Mark K.
Subject: RE: Jazz @ Florida Avenue Project - Adjacent Construction Manual, WMATA Reserved Areas and Appraisal

Josh is marking up the guaranty sent by BACDC to conform to what we normally get. A problem with BACDC has been that we cannot get a proper balance sheet, but I am hopeful that we can resolve this satisfactorily. Normally, we release such guaranties upon project construction completion.

Per my conversation with Tiwana, the reserved areas would be for our tunnels, their support and access to same. The only other facility I see on plans is the Eighth Street vent shaft and access to same; if this is in public right of way as it appears from plans to be and which your survey can confirm, then it would not be a Metro reservation. I am going to do one more check with engineering this afternoon to make sure we haven't missed anything, e.g. other vent shafts.

We received a rough draft of the appraisal on Monday morning, had some questions about methodology, and asked the appraiser to recheck. Our internal appraiser is awaiting word on when the redraft will come in.

From: Omar A. Karim [<mailto:okarim@bannekerventures.com>]
Sent: Wednesday, August 05, 2009 11:41 AM
To: Doggett, Rosalyn
Cc: 'thicks'; Moneme, Emeka; Montague, Joshua W.; Meister, Mark K.
Subject: Jazz @ Florida Avenue Project - Adjacent Construction Manual, WMATA Reserved Areas and Appraisal
Importance: High

Ms. Doggett,

Hope you are well. Couple of things:

- Can you forward us the most recent version of the Adjacent Construction Manual
- Were you able to get any information regarding any WMATA reserved areas related to our site?
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- Can you please forward a copy of the Guarantee that would be required. As discussed, any guarantee would need to allow us to release it upon completion of construction of the project as oppose to running the term of the lease.

We would really like to turn around our comments on the JDA and Lease and these items are a very important aspect of our comments.

Thank you in advance.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax

(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Wednesday, August 05, 2009 12:01 PM
To: Doggett, Rosalyn; Montague, Joshua W.
Cc: 'thicks'; Moneme, Emeka; Meister, Mark K.
Subject: RE: Jazz @ Florida Avenue Project - Adjacent Construction Manual, WMATA Reserved Areas and Appraisal

Thanks.

From: Montague, Joshua W. [mailto:jmontague@wmata.com]
Sent: Wednesday, August 05, 2009 11:58 AM
To: Omar A. Karim; Doggett, Rosalyn
Cc: 'thicks'; Moneme, Emeka; Meister, Mark K.
Subject: RE: Jazz @ Florida Avenue Project - Adjacent Construction Manual, WMATA Reserved Areas and Appraisal

Hi Omar,

Here is a link that will take you to the Adjacent Construction Manual that is described in the drafts of the JDA and Lease:

http://www.wmata.com/pdfs/business/ACPM_Rev3_12-09-2008_FINAL.pdf

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

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From: Montague, Joshua W.
Sent: Wednesday, August 05, 2009 12:00 PM
To: Doggett, Rosalyn
Subject: RE: Jazz @ Florida Avenue Project - Adjacent Construction Manual, WMATA Reserved Areas and Appraisal

OK, will get on it right away.

From: Doggett, Rosalyn
Sent: Wednesday, August 05, 2009 11:58 AM
To: Montague, Joshua W.
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Your call
I'd prefer to stick with the former, but not if you have to emasculate it and totally rewrite.

From: Montague, Joshua W.
Sent: Wednesday, August 05, 2009 11:56 AM
To: Doggett, Rosalyn
Subject: RE: Jazz @ Florida Avenue Project - Adjacent Construction Manual, WMATA Reserved Areas and Appraisal

I will send the manual link to Omar now.

As far as the guarantee, do you want me to mark up what BOACDC has sent us? Or draft one from scratch that I think is acceptable?

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The appraisal came in but actually had some errors so the appraiser is working on corrections.

Why don't you reply re manual and say you are marking up the guaranty.

I will answer the other two later today.

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Also, I am working on the CCRs right now. Hope to have copy for Tariq to review by the end of today.

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Ms. Doggett,

Hope you are well. Couple of things:

- Can you forward us the most recent version of the Adjacent Construction Manual
- Were you able to get any information regarding any WMATA reserved areas related to our site?
- Any word on the appraisal?
- Can you please forward a copy of the Guarantee that would be required. As discussed, any guarantee would need to allow us to release it upon completion of construction of the project as oppose to running the term of the lease.

We would really like to turn around our comments on the JDA and Lease and these items are a very important aspect of our comments.

Thank you in advance.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Tuesday, August 04, 2009 5:43 PM
To: Ackerman, Heidi; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Haldeman, Kristin M.; Harrington, Thomas; Hendren, Patricia; Jachles, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Johnston, Kasondra; Jones, Catherine; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Mohsberg, Sid; Peterson, Scott; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S.
Subject: Board Items Preparation Milestones - Updated
Attachments: Board Items Preparation Milestones - 2009.xls

All,

Please let me know if there are any errors or omissions.

BAR: http://p590a3.wmata.com:7778/pls/bar/p_bar_public

Thanks.

Sid

Doggett, Rosalyn

From: Chu, Mable
Sent: Tuesday, August 04, 2009 5:35 PM
To: Doggett, Rosalyn
Subject: FW: FW:
Attachments: _PDC-FSV01_DCA-DOC_LITI_55265_229580_DC044124.DOC.doc; Redline.rtf

Just talk to Bill Crenshaw and he stressed the importance of signing the attached letter. From Key Bank's perspective, the cure period has expired and the lender is now placed in the position of curing the default. Obviously, the bank would like the parties to work it out. Can you get someone to sign the letter in Mark's absence?

From: bill.crenshaw@akerman.com [mailto:bill.crenshaw@akerman.com]
Sent: Monday, August 03, 2009 5:31 PM
To: Chu, Mable
Subject: FW:

Mable,

As reflected on the attached, Key Bank's counsel requested a minor clarification on the letter I sent earlier today. Please confirm whether it is acceptable and if so when we can expect an executed copy.

I will be speaking with my clients tomorrow morning and expect to send a revised version of the proposed agreement to Key Bank's attorney shortly thereafter. Once we receive their input we will submit a revised version to you.

Thanks,
Bill
William C. Crenshaw
Akerman Senterfitt
801 Pennsylvania Avenue, N.W.
Suite 600
Washington, DC 20004
Phone: 202.824.1716
Fax: 202.824.1795
E-mail: bill.crenshaw@akerman.com



www.akerman.com | Bio | V-Card

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Doggett, Rosalyn

From: Bottigheimer, Nat
Sent: Tuesday, August 04, 2009 4:19 PM
To: Moneme, Emeka
Cc: Scott, Charlie; Doggett, Rosalyn; Meister, Mark K.
Subject: FW: SAAM FTA Quarterly Report
Attachments: FTA Quarterly REV 4 Status of Current Projects 7-22-09.doc; FTA Quarterly Meeting Template 7-22-09.doc

Emeka—

The developer is significantly in arrears on a number of commitments to us. The mayor wants us to permit the developer to go forward with next phase development with no assurance that the developer would meet the commitments on which he has presently defaulted. We don't feel we can allow or support this. By rights, we could terminate the relationship entirely, which we have not done, and we have worked to try to find resolution to the problems.

For the Mayor to go to the GM without letting me know he's doing this is b.s., since he knows me perfectly well and could have contacted us on this. We've been very helpful and worked together on the West Hyattsville project well, and I've known him since 2002.

Anyhow, the information you've asked for is attached, and Roz Doggett has more details for you if you feel you need them.

Thanks,

Nat

From: Meister, Mark K.
Sent: Tuesday, July 28, 2009 12:32 PM
To: Bottigheimer, Nat
Cc: Mohsberg, Sid
Subject: SAAM FTA Quarterly Report

Nat,

Attached is the SAAM FTA Quarterly Update Report for the meeting on August 5th. The document entitled "FTA Quarterly Meeting Template" lists the two properties on the meeting agenda as requested by FTA – Takoma and Arlington Bus Garage. The Status Report was forwarded to Brian Glenn on 7/10/09. I will also leave you a hard copy of both documents.

Mark

Doggett, Rosalyn

From: Chu, Mable
Sent: Monday, August 03, 2009 5:34 PM
To: Doggett, Rosalyn; Meister, Mark K.
Subject: FW: FW:
Attachments: __PDC-FSV01_DCA-DOC_LITI_55265_229580_DC044124.DOC.doc; Redline.rtf

fyi

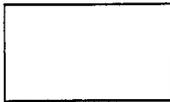
From: bill.crenshaw@akerman.com [mailto:bill.crenshaw@akerman.com]
Sent: Monday, August 03, 2009 5:31 PM
To: Chu, Mable
Subject: FW:

Mable,

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I will be speaking with my clients tomorrow morning and expect to send a revised version of the proposed agreement to Key Bank's attorney shortly thereafter. Once we receive their input we will submit a revised version to you.

Thanks,
Bill
William C. Crenshaw
Akerman Senterfitt
801 Pennsylvania Avenue, N.W.
Suite 600
Washington, DC 20004
Phone: 202.824.1716
Fax: 202.824.1795
E-mail: bill.crenshaw@akerman.com



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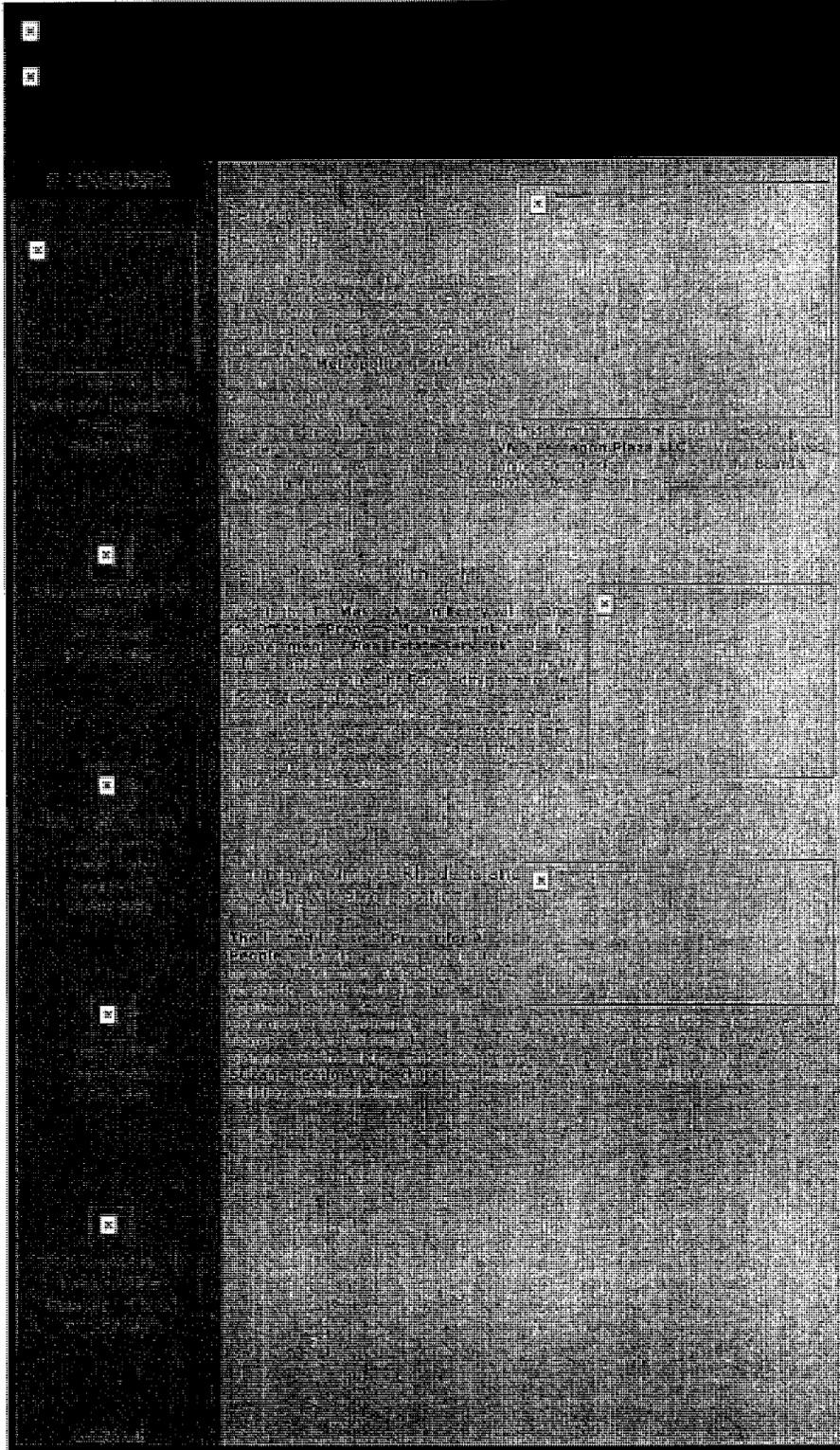
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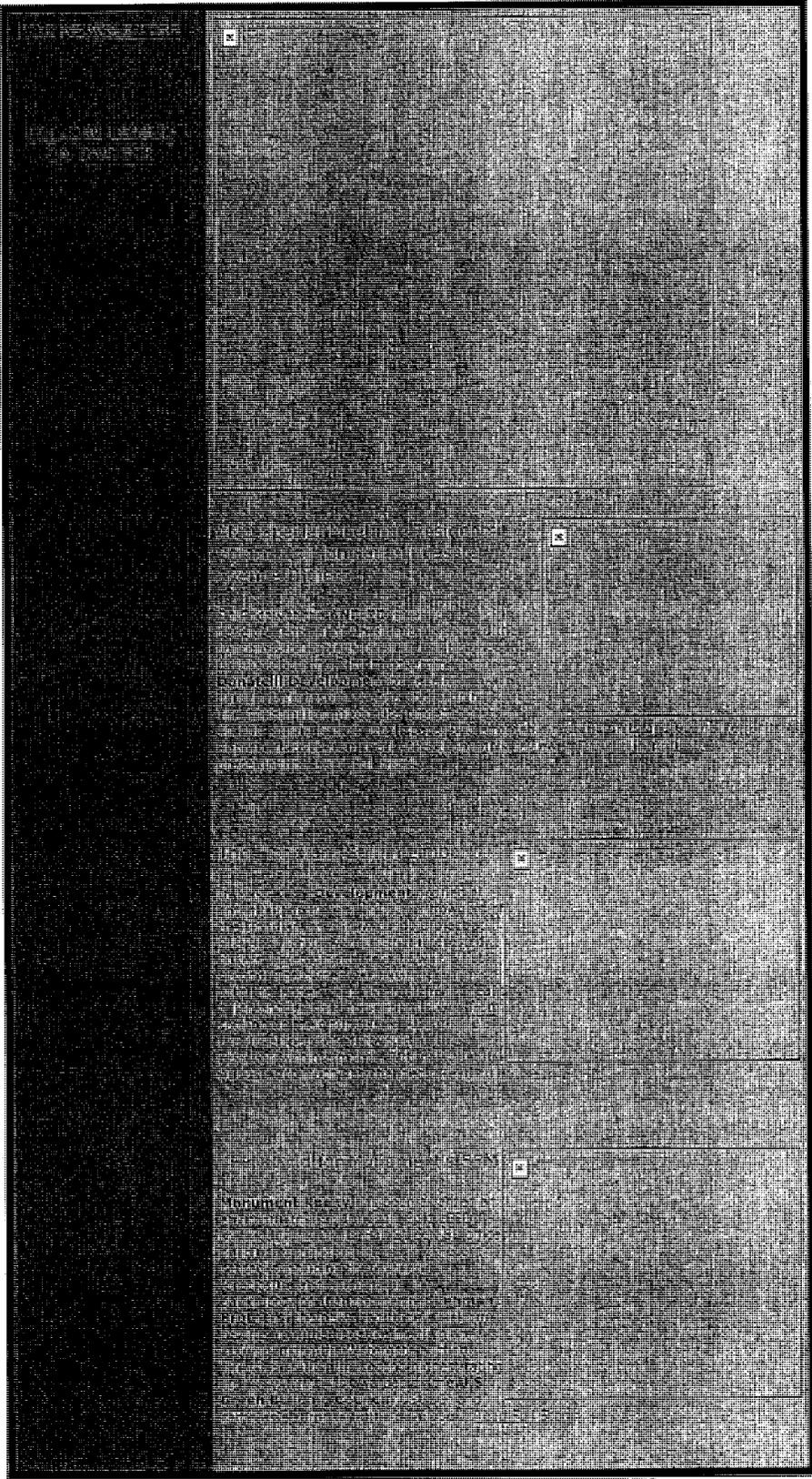
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Doggett, Rosalyn

From: DCRealEstate.com [ken@dcrealestate.ccsend.com] on behalf of DCRealEstate.com [newsletter@dcrealestate.com]
Sent: Monday, August 03, 2009 1:51 PM
To: Doggett, Rosalyn
Subject: DCRealEstate.com Newsletter - August 3rd

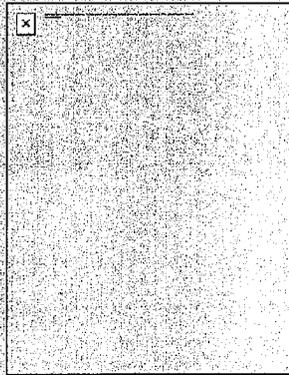
[Link to Web Version](#)





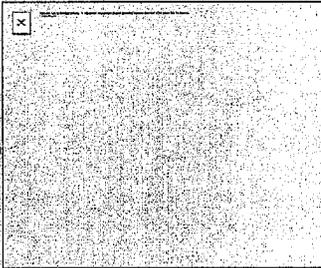
Downtown Silver Spring Site Shoots for Green Office Building

In a plot to lure tenants away from downtown, DC's **Willco Companies** is developing a 13-story, 190,000 square-foot, class A office building in downtown Silver Spring, Maryland, at 8621 Georgia Avenue (the corner of Colesville Rd). The goal is to achieve LEED silver status with a green roof (increasingly common in new office buildings in DC). Is there a demand for class A office space in times like these? Willco will certainly find out. [Read Full Story](#)



Drama Over Takoma Theatre

There's a new drama going on at the Takoma Theatre, but it's not the theatrical kind. The **Takoma Theatre Conservancy** is pitted against **Milton McGinty**, the building's long-time owner, over the future of the theater, as either an arts/cultural center or an apartment building. The conservancy has been raising funds for the purchase and maintenance of the theater, but McGinty maintains that it is not for sale. Can a preservationists force an owner to sell property? It would give "hostile takeover" new meaning. [Read Full Story](#)



New Lending Rules to Slow Closings

New changes under the **Truth in Lending Act (TILA)**, known as "Regulation Z", went into effect on Friday, and could have the effect of dragging out settlements. The rules, affecting mortgages and home equity lines of credit (HELOCs) for primary and secondary homes, require a disclosure and good faith estimate (GFE), but the changes add a seven day waiting period after disclosure before the lender can fund the loan, giving buyers time to ponder the disclosures. [Read Full Story](#)

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Email Marketing by



Doggett, Rosalyn

From: Chu, Mable
Sent: Monday, August 03, 2009 1:22 PM
To: Meister, Mark K.; Doggett, Rosalyn
Subject: FW: WMATA Forbearance Letter
Attachments: 8-3-09 Letter to Harvey Taylor re. Belcrest Center Defaults (DC044124).DOC

They are asking for two more weeks to negotiate the forbearance agreement. They have not responded well to the provision that we inserted on the payment of \$175,000.

From: bill.crenshaw@akerman.com [mailto:bill.crenshaw@akerman.com]
Sent: Monday, August 03, 2009 12:17 PM
To: Chu, Mable
Subject: RE: WMATA Forbearance Letter

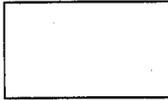
Mable:

Attached is a letter granting an interim extension of time to cure the defaults alleged in Mark Meister's prior letter.

Please let me know if you have any questions and otherwise have an appropriate person at WMATA sign the letter and return a copy to me.

Thanks,

Bill



www.akerman.com | Bio | V Card

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Doggett, Rosalyn

From: Talaia, Anabela
Sent: Friday, July 31, 2009 3:28 PM
To: Doggett, Rosalyn
Subject: RE: power point
Attachments: Shaw Howard Fl Ave new template extend negotiation 2 period.pptx

From: Doggett, Rosalyn
Sent: Friday, July 31, 2009 3:02 PM
To: Talaia, Anabela
Subject: power point

Doggett, Rosalyn

From: Marshall, Malcolm
Sent: Thursday, July 30, 2009 12:01 PM
To: Doggett, Rosalyn
Subject: FW: New one

-----Original Message-----

From: Marshall, Malcolm
Sent: Monday, July 06, 2009 8:41 AM
To: Doggett, Rosalyn; Meister, Mark K.; Montague, Joshua W.
Subject: FW: New one

-----Original Message-----

From: richard harps [mailto:rharp@earthlink.net]
Sent: Thursday, July 02, 2009 5:30 PM
To: Eric Colbert
Cc: Marshall, Malcolm
Subject: New one

Eric

WMATA has asked for a value of their property at 7th>9th on the south side of U Street. The property is shown below. I'd need you to do a simple workup of the maximum development on the sites, recognizing the tunnel and limitations along the northern side. WMATA says they will supply the 'excess' cost to construct over the tunnel.

*****FROM WMATA*****

OWNER: WMATA

LOCATION: South Side of Florida Avenue between 7th & 9th Streets, NW
Washington, DC

LEGAL DESCRIPTION: Square 393, Lots 44 and 45; Square 416, Lots 18 and 31

ZONING: C-2-B in Arts Overlay Zone

ESTIMATED AREA: Lot 44 - 3,800 SF
Lot 45 - 8,600 SF
Lot 18 - 516 SF
Lot 31 - 15,956 SF

COMMENTS: The northern portions of the parcels contains an existing Metrorail tunnel that has an upper limit that is 19 feet below the surface. WMATA can provide to the appraiser cost estimates for extraordinary costs that may be involved in building over the WMATA tunnel.

The Inclusionary Zoning Implementation Act, as amended, and the Duke Plan incorporate affordable housing provisions that should be considered in an analysis of the subject property.

Time and fee - no court anticipated - rough areas should be sufficient. We'll work together on the breakdown of uses and densities, and, the inclusionary zoning impact will have to be incorporated into the analysis

Thanks

Richard

Harps & Harps Inc
1111 14th Street, NW Suite 600
Washington, DC 20005
202-682-2194
202-682-1579 (fax)
rharp@earthlink.net

Doggett, Rosalyn

From: Tiwana Hicks [thicks@bannekerventures.com]
Sent: Thursday, July 30, 2009 12:45 PM
To: Doggett, Rosalyn
Cc: Maurice L. Perry; okarim@bannekerventures.com; Moneme, Emeka; Meister, Mark K.
Subject: Shaw-Howard/Florida Avenue Parcels

Importance: High

Mrs. Doggett,

Please confirm the lot and square numbers and the square footages of each of the WMATA parcels included in the Leased Premises. Please also provide us with a copy of Exhibit A to the WMATA Joint Development Term Sheet Shaw-Howard/Florida Avenue Sites, executed July 17, 2008, which outlines the Leased Premises. The total square footage of the Leased Premises, 28,892 SF, as noted in the Term Sheet, JDA and Lease, differs from the total square footage attained after adding up each of the parcels sited in the Term Sheet (i.e., Square 393, Lot 44; Square 393, Lot 45; and Square 416, Lots 18 and 31). Additionally, is the new appraisal complete? If so, can you please provide us with a copy for our records? Thanks in advance for your assistance.

Tiwana

Tiwana Z. Hicks
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, D.C. 20005
T: (202) 393-5460
F: (202) 393-5462
C: (202) 486-1863
thicks@bannekerventures.com

Doggett, Rosalyn

From: noreply+feedproxy@google.com on behalf of Greater Greater Washington
[alpert@gmail.com]
Sent: Thursday, July 30, 2009 5:08 AM
To: Doggett, Rosalyn
Subject: Greater Greater Washington

Greater Greater Washington



- **Lost Washington: Analostan**
- **Gaithersbungle, part 6: What else \$3.8 billion could buy, more specifically**
- **Smart growth with more affordable housing in Wheaton, take 2**
- **On the calendar: 17th, 18th, bike lanes and streetcars**
- **Council considers some of our revenue ideas**
- **Breakfast links: Full of hot air**

Lost Washington: Analostan

Posted: 29 Jul 2009 01:00 PM PDT

By **Kent Boese**



As the detail at right from the **1818 Map of the City of Washington** by Robert King shows, Roosevelt Island wasn't always uninhabited, or even known as by its present name.

When the island was purchased in the early eighteenth-century by the father of George Mason of Gunston Hall, it was known as Analostan Island. The name Analostan refers to the seventeenth-century Necostin Indian tribe that once inhabited the area.

The land was not developed until the island and some 2,000 additional acres in Virginia were inherited by General John Mason. General Mason became one of the most prominent businessmen of Georgetown. He was a founder of the Bank of Columbia on M Street in 1793.

He developed Analostan, also known as Mason's Island, into a self-contained estate, producing its own food. Much like today, one way onto the island was via a causeway from Virginia. Unlike today, there was also a ferry from the Georgetown shore that stopped at the island.

The house was built ca. 1796, though never completed. The likely answer is that the house's fortunes were tied to those of General Mason, who was forced to move from the island when the Bank of Columbia collapsed in 1833.

The house was primarily Federal in overall design, but possessed several important neoclassical elements that made it advanced for its time in Washington. These elements included the porch, the stuccoed facade, and the arched windows set into blind recesses.

The property suffered several indignities after Mason's departure. During the 1850s and 1860s the mansion was open to public use and was an army camp during the Civil War -- after which it was unsuitable as a residence. It also served as home of the Columbian Athletic Club and the Analostan Boat Club after 1867.

In 1869 a serious fire destroyed the interior. Another fire in 1906 caused the roof to collapse. The Theodore Roosevelt Memorial Association acquired the island in 1931 and donated it to the federal government as the future site of a city park. The Civilian Conservation Corps had cleared much of the island and pulled down the remaining walls of the home by 1935. More photos below.



(5 comments · share or email)

Related posts:

Lost Washington: The Godey Lime Kilns (Jul 21, 2009)

Lost Washington: The McLean House (Jul 2, 2009)

Lost Washington: Wisteria House (Jun 30, 2009)

Lost Washington: Corcoran House (May 26, 2009)

Lost Washington: The Little Green House (May 15, 2009)

Gaithersbungle, part 6: What else \$3.8 billion could buy, more specifically

Posted: 29 Jul 2009 11:26 AM PDT

In Part 3, we looked at MARC expansion proposals, which would increase transit service in the I-270 corridor for much less than the \$3.8 billion the Maryland State Highway Administration wants to spend to widen the freeway. The Action Committee for Transit came up with a more specific dream package of transit proposals, which I turned into a map.



Click to enlarge.

This map includes the following:

- Extension of the Red Line to Germantown. The Red Line would use the I-370 and I-270 right-of-way from Shady Grove to Germantown, then end in an underground station at Germantown Town Center.
- All-day, bidirectional MARC service to Frederick. A new station near White Flint, to serve the planned, dense, transit-oriented development in that area. And through-routing of MARC trains down at least to King Street.
- A MARC extension to Hagerstown, using an old and abandoned right-of-way.
- The Corridor Cities Transitway, using the less circuitous original alignment and an extension to Clarksburg Town Center. With the Red Line, riders from north of Germantown wouldn't have to ride all the way through the office parks west of Gaithersburg to get to Rockville, Bethesda or DC.
- A streetcar along Route 355 (Rockville Pike/Hungerford Dr/Frederick Rd) from the White Flint Mall to Gaithersburg. It would stop at the various Metro stations, Montgomery College, Gaithersburg MARC, and Lakeforest Mall before turning west to a new Red Line station and Metropolitan Grove MARC, where it would connect to the CCT.

According to ACT's calculations, all of this, including light rail on both the CCT and the 355 line, would cost less than the current proposal to widen the freeway and build a bus rapid transit CCT. Plus, Maryland could build these individually instead of all-or-nothing.

Should Maryland execute this plan? It depends. If the state is intent on spending \$4 billion in the 270 corridor, then this is far superior. Drivers would benefit, too, because this transit would shift enough trips off of I-270 that the existing road could handle the remaining auto trips.

However, this area isn't the best place to put so many jobs and so much infrastructure at all. Eastern Montgomery County has been waiting for its transit for a long time. There are many development opportunities at Wheaton and Glenmont, and plenty of parts of Silver Spring still eager for the promised revitalization. Matt and Reza's map showed how underutilized our existing infrastructure is in the east, especially in Prince George's County. Between the planned development at White Oak and White Flint, Montgomery could already accommodate its expected growth for the next 20 years without a lot of new jobs way up there. There's plenty of room for biotech growth in Baltimore, too, and they have an ambitious transit plan of their own.

The 270 widening is a bad idea for two reasons: it increases auto dependence, and shifts the epicenter of jobs and housing westward away from the developed part of the region and the state. An all-transit alternative would accomplish all of the mobility goals in the corridor for the same or less money. But the even smarter planning would put some of the transit and a little bit of the growth over on this side of the county, and put more in the other, better, and needier areas.

Previously:

- Part 1: Planning Board staff latest to ignore better way for Gaithersburg
- Part 2: Old, tired formulas generate old, disastrous solutions
- Part 3: What else can you get for \$3.8 billion?
- Part 4: Why emulate Tysons' existing road network?
- Part 5: What you callin' a city?

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Gaithersbungle, part 5: What you callin' a city? (Jul 15, 2009)

Gaithersbungle, part 3: What else can you get for \$3.8 billion? (Jul 6, 2009)

Gaithersbungle, part 2: Old, tired formulas generate old, disastrous solutions (Jul 1, 2009)

Gaithersbungle: Planning Board staff latest to ignore better way for Gaithersburg (Jun 29, 2009)

Smart growth with more affordable housing in Wheaton, take 2

Posted: 29 Jul 2009 09:50 AM PDT



Current townhouse proposal.

By Cavan Wilk

Last year, the Mehring Group submitted a proposal to the Montgomery County Planning Board to develop an empty three acre parcel of land that sits on the 2800 block of University Boulevard between Westfield Wheaton and the Kensington Heights section of single-family houses. After the Planning Board rejected the proposal, Mehring resubmitted a proposal for 24 townhouses and 3 single-family houses. Some units will be required to be Moderately Priced Dwelling Units (MPDU) under the current zoning). The Planning Board will decide on the new proposal on Friday.

The Kensington Heights Citizens' Association vehemently fought the proposal. Back in the fall of 2007, they cynically submitted a proposal to include the land in the Legacy Open Space program. This plot of land is an excellent place for Smart Growth. The property is completely surrounded by human uses and is too small to provide a complete animal habitat. The environmental benefits of having residents live within walking distance of transit and amenities outweigh the minimal environmental benefits of a three-acre plot of land surrounded by human uses. Additionally, it will help with housing prices in the area by better balancing supply and demand. The new townhouses would be situated in an extremely transit-rich area, on the outskirts of a legacy walkable urban town. Two major bus lines stop there, and the Red Line is a ten-minute walk away.

Since the original proposal and rejection, Wheaton has only continued getting more urban and vibrant. New townhouses on Georgia Avenue between Blueridge and Arcola Avenues are almost finished. The Planning Board has since approved the Avalon Bay mixed-use development ten minutes north of the Metro, which will house a new modern Safeway (minus the wasteful parking lot in front). New local, small businesses like DeJabel Cafe along with chain stores like Cricket Wireless have opened up and continued bringing in a greater mix of people and dollars.

A new Wheaton Sector Plan is currently in the pre-preliminary stages of drafting. While the Sector Plan is being drafted, the old 1990 Sector Plan is still in use. It would be unwise to delay this proposal until after the new Sector Plan is finished and approved. The current timeline calls for the plan to finish in 2010. However, with the upcoming 2010 election cycle, it is not at all inconceivable that the new Sector Plan won't take effect until after the County Executive is sworn in in 2011. Under such a scenario, the developer would not be able to break ground on these new housing units until 2012 at the earliest. That is quite a long wait for something that is so sorely needed in downtown Wheaton.

In addition to the long-term economic benefits of this proposal, there are many potential short-term benefits. There was much debate in the beginning of the year about a national economic stimulus package that eventually got passed. Some, like

Princeton Professor of Economics and New York Times columnist Paul Krugman are still debating it. The construction dollars from this project would provide a super-local stimulus portion. Building car-dependent sprawl was a major piece of our national economy between 1946 and 2008. In this case, the construction dollars would go towards a more sustainable living arrangement. There are contractors and sub-contractors who would find work constructing 27 units in Wheaton. The sooner those construction dollars can start flowing, the better off our town, county, and region will be.

Most likely, under the new Sector Plan, a proposal for 27 housing units with MPDUs would be approved. Therefore, it makes little sense to delay a project with so many benefits. The original proposal with more housing and more MPDUs would have been even better, but at this juncture, Montgomery County should move ahead with this project now.

(2 comments · share or email)

Related posts:

[Burtonsville residents protest affordable housing \(May 18, 2009\)](#)

[The Wheaton library should be in downtown Wheaton \(Apr 20, 2009\)](#)

[Montgomery County: America in microcosm \(Dec 22, 2008\)](#)

[Affordable housing clashes with the suburban mindset in Wheaton/Kensington \(Dec 1, 2008\)](#)

[YIMBYism in Wheaton \(Oct 13, 2008\)](#)

On the calendar: 17th, 18th, bike lanes and streetcars

Posted: 29 Jul 2009 08:34 AM PDT



Photo by MoBikeFed.

This week and next, there are several important opportunities to advocate for better streets in DC, whether for bicycles, pedestrians, streetcars, or retail along the edge.

K Street: Tonight at 6:30, DDOT is holding a public meeting to discuss the K Street Transitway. According to WABA, "Right now two different plans are being considered, one with bike lanes and one without." The street needs to accommodate cyclists as well as other users. I'd be just as happy if the city decided to build real, protected bike lanes on a pair of parallel streets (H or L and I or M), but there's so such plan at the moment. The meeting is 6:30 pm tonight at the Four Points By Sheraton, 1201 K St, NW.

18th Street: Tomorrow, a community meeting in Adams Morgan will discuss plans to reconstruct 18th Street. I'll post more details of that plan tomorrow, but you can weigh in on the plan's wider sidewalks, more bicycle-friendly lanes, and less harrowing intersection at 18th and Florida. It's structured as an open house starting at 7 pm at the police station, 1620 V St, NW.

17th Street: The Dupont Circle ANC and Historic Dupont Circle Main Streets is organizing a "community charrette" to discuss the future of 17th Street. There's already a **disappointing** plan for the street itself, but there's a lot more to the health of a commercial street than the road design. Can 17th draw more street festivals? What about a Summer Streets program on 17th? Should 17th have performance parking?

17th also has some prime opportunities to add apartments above low, ugly parcels like the Safeway. A new mixed-use Safeway could more closely match the height of the neighboring buildings, mostly around four stories. The **first meeting** is Wednesday, August 5th, 6:30 pm at Cobalt, on the 3rd floor of the building at the northeast corner of 17th and R that also houses Level One and 30 Degrees.

Streetcars! DDOT Director Gabe Klein will discuss the city's streetcar plans and answer advocates' questions on Thursday August 6th, 7 pm at the Atlas Performing Arts Center, 1333 H Street, NE.

Shop and have fun: The 14th and U area is the place to be this weekend. The neighborhood is throwing their yearly festival, and the local businesses will hold the annual Dog Days of August Sidewalk Sale. The festival is Saturday from 10 am to 3 pm, and the Dog Days sale runs all day Saturday and Sunday.

Hike: If you'd rather spend the weekend quietly with nature instead of in a lively neighborhood, the Sierra Club of Montgomery County is hiking part of the ICC and looking at the impact of the new freeway on the Paint Branch watershed.

These events and more appear on the Greater Greater Washington calendar. Know of an event we should list? Email it to info@ggwash.org.

(12 comments · share or email)

Related posts:

[Tonight's and tomorrow's meetings \(Sep 24, 2008\)](#)

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[What's wrong with 17th Street redux \(May 21, 2008\)](#)

[Dupont's 18th Street next for reconstruction \(May 16, 2008\)](#)

[What's wrong with 17th Street? \(Apr 10, 2008\)](#)

Council considers some of our revenue ideas

Posted: 29 Jul 2009 06:55 AM PDT

The DC Council is still making some of the most important decisions of the year behind closed doors, and all we had yesterday was 140 characters at a time from [Mike DeBonis](#). DeBonis did manage to tweet some of the Council's revenue ideas, including a few from our list:

[mikedebonis](#) Raising gas tax to MD rate would bring in \$3.5M

[mikedebonis](#) 'Selected' license and permit hikes estimated to raise \$5M. Raising drivers license and car registration fees would raise a half mil

[mikedebonis](#) Should DC employees pay market rate for their parking rather than just \$80 a month? Upping it to \$120 would raise \$1.2M

[mikedebonis](#) T Wells and M Cheh support market rate parking for dc gov workers. Others do not. Evans to wells: 'when's drive to work day?'

[ggwash](#) And how about charging market rate for Council staffers and, most importantly, Councilmembers? Would never fly of course.

[mikedebonis](#) Attn @ggwash: Graham proposes hiking RPP fees: \$15 for the first (as now); \$50 for the 2nd; \$100 for each addl. Will raise \$1.8M

By the way, Greater Greater Washington now has a [Twitter account](#). I tweet some of the exciting Breakfast Links ahead of time (when I first find them), links to important articles, and other stuff. [Follow ggwash here](#).

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Related posts:

[Revenue increases should also internalize environmental externalities \(Jul 27, 2009\)](#)

[New Council structure announced; Wells joins key committee \(Dec 24, 2008\)](#)

[Have DC Councilmembers ever tried to park downtown on a Saturday? \(Dec 17, 2008\)](#)

[Council passes fine for blocking bike lane \(Sep 16, 2008\)](#)

[Council balks at bike lane parking fines \(Jul 16, 2008\)](#)

Breakfast links: Full of hot air

Posted: 29 Jul 2009 06:06 AM PDT



By Joshua Allen Harris.

Subway air-powered art: A clever type of public space art **builds giant monsters animals out of plastic bags** and places them over New York subway grates. When trains go by and blow air out the grates, the monsters rise and move around. (YouTube, Michael)

How's your track doing?: Metro is now listing their progress on repairing track circuits online so that riders can check in on their commutes. (WMATA, Matt)

Country lane or hazard to children? Both?: The sidewalk debate has now reached the Palisades, with some residents opposing installation of a sidewalk on University Terrace, which some call a "country lane," and others asking for the increased safety for pedestrians. (Palisades listserv, ah)

No room for books between the parking lots: A story about the Library of Congress's storage facility at Ft. Meade says, "With every Capitol Hill street filled with federal offices, nongovernment organizations and homes, there just was no more room there for any more books, maps or sheets of music. So, in 1994, Congress found some more space in a 100-acre former motor pool at Fort Meade." They seem not to notice what Capitol Hill is actually full of. (The Capital, Steve)

Shaw rejoices: Shiloh Baptist Church in Shaw will try to sell two of its long-vacant buildings to pay for renovations to the other two. The buildings have gone vacant for decades, drawing trash, rodents, and crime, and are a common sore point with the community. Most recently, neighbors protested decisions by the DC government not to charge the high vacant property tax rate. This decision will exempt the church from that rate, and residents hope it's not just another delaying tactic. (DCist)

Gaithersburg fairly progressive after all: The Gaithersburg City Council isn't quite as auto-centric as BeyondDC first thought based on the Gazette article; Cathy Drzyzgula and others do get Smart Growth. However, the Mayor, Council VP, and Planning Commissioner keep assuming driving is the only natural way, and Gaithersburg still maintains unnecessarily high parking minimums. (BeyondDC)

Roundabouts for Maryland, too?: Dave Murphy suggests roundabouts as a better way to handle intersections in Maryland's more rural back roads, where two-lane roads "mushroom" to seven at intersections. (Imagine, DC)

Best cities for singles are walkable: Another day, another Forbes city ranking article. But it's worth pointing out that the "best cities for singles" — NYC, Boston, Chicago, Seattle, and DC — are also in the top 7 on Walk Score's walkability index, while the worst city, Jacksonville, is the worst on Walk Score. Walkable cities and towns are good for families, too, but rankers like Forbes always assume families only want exurbs. (A.M.)

Have a tip for the links? [Submit it here.](#)

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Doggett, Rosalyn

From: Bushnaq, Tariq
Sent: Wednesday, July 29, 2009 3:35 PM
To: Schmitt, Patrick; Chu, Mable; Doggett, Rosalyn
Cc: Meister, Mark K.; Ghanta, Venkata
Subject: FW: PG Plaza WMATA Forbearance Agreement
Attachments: Prince George's Plaza Forebearance Agreement.DOC; Taylor Development Open Punch List Items.xls

Attachment 1 Looks good.

See my edits for Appendix A (shown in 2nd attachment).

- a) I have deleted Item 11b – Bike locker location as PLJD's Kristin Haldeman is planning to remove most lockers from Pg Plaza due to lack of use and the remaining few will be relocated onsite under the garage by WMATA staff.
- b) I have added Item 18. Raising Manholes No(s) 201 and 203 and obtain written county approval on SWM pond restoration work.

Tariq

From: Chu, Mable
Sent: Wednesday, July 29, 2009 2:53 PM
To: Doggett, Rosalyn; Bushnaq, Tariq; Meister, Mark K.; Schmitt, Patrick
Subject: RE: WMATA Forbearance Agreement

I have made some changes to the agreement but I still need input from Patrick and Tariq. Please review and comment on what I have done.

From: Doggett, Rosalyn
Sent: Wednesday, July 29, 2009 10:24 AM
To: Chu, Mable; Bushnaq, Tariq; Meister, Mark K.; Schmitt, Patrick
Subject: RE: WMATA Forbearance Agreement

As far as I can tell, the punch list recitation reflects what was said at the meeting. Tariq may want to add something on manholes, is checking bike lockers. I can't remember what the storm water pond resolution was. I suppose county release of bonds by date x? There should be language also on headache bar by Nov 30 (early teardrop work).

I think that there should be a milestone date in 4c., like obtain building permit by Oct ___ 15?

See language I drafted attached re MLA.

From: Chu, Mable
Sent: Tuesday, July 28, 2009 3:59 PM
To: Doggett, Rosalyn; Bushnaq, Tariq; Meister, Mark K.; Schmitt, Patrick
Subject: FW: WMATA Forbearance Agreement

This just came in.

From: teresa.hsieh@akerman.com [mailto:teresa.hsieh@akerman.com]
Sent: Tuesday, July 28, 2009 3:31 PM
To: Chu, Mable
Cc: bill.crenshaw@akerman.com
Subject: WMATA Forbearance Agreement

Dear Ms. Chu:

Per Mr. Bill Crenshaw's request, attached please find a revised draft of the Forbearance Agreement with WMATA and a redline showing Mr. Crenshaw's suggested changes in relation to the discussions from yesterday.

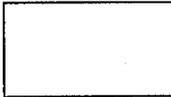
Please feel free to contact me with any questions or concerns.

Thank you.

Sincerely,
Kai Hsieh

Kai Hsieh

AKERMAN SENTERFITT
801 Pennsylvania Avenue, NW, Suite 600
Washington, DC 20004
Tel: (202) 824-1733 (direct)
Fax: (202) 824-1795



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Attachments: Prince George's Plaza Forbearance Agreement.DOC

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From: teresa.hsieh@akerman.com [mailto:teresa.hsieh@akerman.com]
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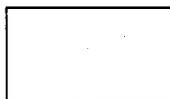
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Doggett, Rosalyn

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Sent: Tuesday, July 28, 2009 3:59 PM
To: Doggett, Rosalyn; Bushnaq, Tariq; Meister, Mark K.; Schmitt, Patrick
Subject: FW: WMATA Forbearance Agreement
Attachments: Redline Forbearance Agreement (DC044043).RTF; WMATA Consent (DC043834-5).DOC

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Subject: WMATA Forbearance Agreement

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Doggett, Rosalyn

From: noreply+feedproxy@google.com on behalf of Greater Greater Washington
[alpert@gmail.com]
Sent: Tuesday, July 28, 2009 5:09 AM
To: Doggett, Rosalyn
Subject: Greater Greater Washington

Greater Greater Washington



- **Then and Now: Selling gas at Florida and P**
- Looks pretty, but try walking there
- Revenue increases should also internalize environmental externalities
- Mayor Fenty's proposed cuts fall too heavily on the poor
- Breakfast links II: Roads, rails and walls
- Breakfast links I: Bikes, parks, and parking bikes

Then and Now: Selling gas at Florida and P

Posted: 27 Jul 2009 12:01 PM PDT

By **Kent Boese**



The corner of Florida Avenue and P Street, NE, has been providing gas for automobiles for over 80 years. The photo on the left was taken in 1929 when the Penn Oil Company was doing business there. Today the corner is operated by BP.

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Related posts:

[Then and Now: 704 Quincy Street, NW \(Jul 3, 2009\)](#)

[Then and Now: 1400 block of Pennsylvania Avenue \(May 4, 2009\)](#)

[Then and Now: W.B. Moses & Sons \(Apr 29, 2009\)](#)

[Then and Now: The Schneider mansion \(Nov 14, 2008\)](#)

[Florida Ave reconstruction mustn't block Duke plan \(Aug 19, 2008\)](#)

Looks pretty, but try walking there

Posted: 27 Jul 2009 10:16 AM PDT



Nice facade and sidewalk, but...

By **Douglas Stewart**

The new Chevy Chase Bank on Fairfax Boulevard and Warwick Avenue was approved by Fairfax City shortly after completion of the excellent **Fairfax Boulevard Master Plan** in 2007. The new building, on the site of one of the Boulevard's many foundering or former furniture showrooms, has several good features. There's a pocket park. A nice wide sidewalk with a bench and trees will, over time, provide shade. A well-designed wall buffers pedestrians from the front parking lot. And the building sports a handsome Neo-classical front.

But these "human scale" features are just a tease. They make the site more welcome to someone who is actually present there rather than behind a windshield, but there is no pedestrian access from the sidewalk. A parking lot separates the building from the street. The building's two entrances front the parking lot and larger shopping plaza on one side, and the drive-through

area on the other.



... there's a parking lot in the way.

The recently approved Fairfax Pointe project has similar hints at human-scale, pedestrian-oriented design, but also falls short in some important ways. This planned one-story retail building at the confluence of Fairfax Boulevard, Route 29, and Route 236, whose expected tenants include a restaurant and small grocery, will present a false front at Route 236 and have entrances on this street, but the main entrance will be from the parking lot on Fairfax Boulevard. Most of the site is taken up by surface parking.

Will people walk there? The planned uses are neighborhood-oriented, and the Fairchester and Warren Woods neighborhoods are within easy walking distance. But the design, as well as conditions on 236 and Fairfax Boulevard, are much less conducive to walking, bicycling, and shopping than they could be. The architects could have designed the project more intentionally to encourage walking trips and reduce traffic on these extremely clogged arterials.

Let's hope future projects on the Boulevard are more closely aligned with the creative vision of the master plan.

(13 comments · share or email)

Related posts:

[Fort Totten development plans pedestrian street](#) (Jan 26, 2009)

[Merrifield: Fairfax's first try at TOD](#) (Jan 7, 2009)

[Transforming Tysons with four unique districts](#) (Sep 12, 2008)

[Fort Rotten design](#) (Jun 2, 2008)

[Feds v. Feds on AFRH](#) (Mar 25, 2008)

Revenue increases should also internalize environmental externalities

Posted: 27 Jul 2009 08:31 AM PDT



Photo by Shira Golding.

This week, the DC Council will decide how to close a \$190 million shortfall in the FY2009 budget, and discuss how to begin tackling the additional \$150 million projected gap for 2010. Lawmakers are inevitably going to look for a mix of spending cuts and revenue increases. This morning, Jenny Reed suggested ending the special tax exemption for other states' municipal bonds as one possibility. Are there other revenue options? Whatever mix of cuts or revenue increases you prefer, there will be some of both. Which revenue sources would be better than others?

Any tax or fee would ideally also internalize an economic externality. When there's no consequence for polluting, for example, people pollute more and every taxpayer shares in the cost of cleanup whether he or she polluted or not. Ideal economic policies would internalize these externalities, making sure that each good's price includes the cost of cleaning up its waste. If the good is valuable enough, people will simply pay the cost, and taxpayers won't have to shoulder the cleanup burden. If people can easily shift to a less-polluting alternative, they now have an incentive to do so.

Locally, the main sources of such externalized pollution are trash and auto emissions. Are there tools that could raise some revenue to close the budget gap, but more importantly, internalize some of the cost of the emissions or trash resulting from existing externalities? Here are a few possibilities, some of which are better than others:

1. **The gas tax.** This is a simple and obvious one. DC's tax is 20 cents per gallon. Maryland charges 23, while Virginia charges 19 (17 cents in gas tax and 2 cents in sales tax). If DC raised its gas tax 3 cents to match Maryland, it would bring in about \$3 million.
2. **The streetlight fee.** During the last round of budget cuts, Mayor Fenty proposed charging all electric customers a flat rate to cover the cost of lighting streets. That would have been incredibly regressive, charging people living in a small apartment the same as those in a huge mansion, even though there are more streetlights per person in less dense areas. Last week, Councilmember Jim Graham floated the idea of resurrecting this idea, but charging

proportionally to the actual street frontage of each property instead. That's still not really a streetlight fee but a kind of property tax (*and as several commenters pointed out, doesn't internalize any externalities*), but it's at least more progressive.

3. **Close the parking tax loopholes.** Today, DC charges a tax on the sale of off-street parking. If you pay to park in a commercial garage, the garage operator has to give a percentage to the city. However, if a business leases parking in a commercial garage and gives it away for free to their employees, there is no tax. That makes no sense. **Close that loophole.** Better yet, scrap the existing system altogether and institute the "Clean Air Compliance Fee" which would apply to all downtown spaces, both paid and free. After all, trips to and from parking spaces pollute whether the space is free or not, and free spaces actually induce more driving.
4. **Congestion pricing.** While trips to and from parking spaces pollute, it's really the trips that are polluting, not the spaces. A congestion charge in DC's downtown core would come closer to actually internalizing the real externality here.
5. **Residential parking permit fees.** We charge \$15 per year for the privilege of parking one's car on the street. San Francisco charges \$76. \$15 is so cheap it poses no disincentive to garaging three or four cars on the street. We could raise the fee or, better yet, institute a sliding scale for high numbers of cars.
6. **Driver license registrations.** The price of new driver licenses and license renewals doesn't actually cover the cost of administering the program. DC could at least charge enough to cover its direct costs.
7. **Increased enforcement of bike laws.** DC should write more tickets to drivers who block bicycle lanes and bicyclists who engage in unsafe riding, like blowing through a red light at a busy intersection without stopping or even slowing down.
8. **Enforce the existing bus-only lanes.** 7th and 9th Streets have bus and bike lanes, but drivers routinely drive in those. We should enforce this law.
9. **Downtown performance parking.** Some meters downtown are too cheap, while others are too expensive. More often, they're too cheap. We could adjust rates to market prices. I'm less comfortable using parking rates as a generalized revenue source, however, because meter rate increases do deter people from shopping in an area, and the right policy is to apply that money to improving transit, pedestrian, and bicycle access to that area to counterbalance the effect.
10. **Enforce commercial recycling.** Commercial buildings generate most of the trash in the city, including recyclable trash like paper. But when DC writes a ticket to a building that's not recycling adequately, 76% of the time the business never pays. They ignore the ticket, and it gets mired in DC's Office of Administrative Hearings. Let's fix this.
11. **Charge by volume for commercial waste.** San Francisco restaurants are extremely eager to try composting and other waste-reduction mechanisms because it's very expensive to dispose of trash in California. Here, it's cheaper. A tax per pound for the commercial haulers, with a lower or zero rate for recyclables, would create an incentive for buildings to reduce trash and increase recycling.
12. **Make the Circulator fare the same as Metrobuses.** Does anyone really take the Circulator over a Metrobus because of the 30 cent fare difference? Also, the Circulator generally draws a more affluent ridership and more tourists. Why should bus commuters, especially poorer ones, pay more for their bus rides?
13. **Eliminate local parking tax exemption:** *Added:* DCFPI's list includes a recommendation to end DC's match of the federal tax exemption that lets employees pay for parking in pretax dollars. The federal exemption isn't going to change, but DC doesn't need to also encourage driving by providing a tax exemption for it.

I'm sure some commenters are going to say, "Aha! I knew that all this talk about making parking easier or creating an economic incentive to save plastic bags was just a smoke screen to grab more money." Remember, taxes and fees serve two goals. They raise money, and they create a disincentive to do something. It's possible to make a charge completely revenue-neutral by rebating all of the revenue evenly to each resident, as some have suggested with a carbon tax for emissions at the national level, for example. An ideal gas tax would charge a high, set amount per gallon, then give every American an equal share of the revenue. Those who drove less would end up ahead on balance, or could use the money for transit or housing near their jobs.

I'd personally prefer to see actual government revenue rely as much as possible on progressive income taxes, and then keep all of these incentive-based systems revenue neutral. That minimizes the impact on the poor by making the tax code more progressive. Even more importantly, it ensures that the government isn't actually dependent on the bad behavior (like parking in a street sweeping area or running red lights) for ongoing revenue. Politically, however, that's not feasible. The next best

approach is to institute targeted fees that internalize existing externalities, ensure that their impact is progressive rather than regressive, and fight hard if the government crosses a line and starts pumping them for revenue at the expense of the economic incentive effect.

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[Mayor Fenty's proposed cuts fall too heavily on the poor \(Jul 27, 2009\)](#)

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[What's a tax, what's a fee, and what's just a shell game \(Apr 28, 2009\)](#)

[Now there's really too much parking at DC USA \(Apr 27, 2009\)](#)

[Council will debate parking meter hike Monday \(Dec 5, 2008\)](#)

Mayor Fenty's proposed cuts fall too heavily on the poor

Posted: 27 Jul 2009 07:43 AM PDT

By Jenny Reed

Mayor Fenty's proposal for closing DC's recently-announced budget shortfall includes major budget cuts to programs affecting DC's low-income residents. These are the very residents that are struggling the most during this economic downturn.

Cuts to programs affecting low-income residents total \$52 million. That's more than half of the \$99 million in proposed cuts. Yet these programs only make up about 30 percent of DC's budget. In addition, the low-income cuts are more than three times as large as the cuts to any other area of the budget:



DCFPI's analysis of the Mayor's proposed amended FY2010 budget.
Dollars in millions. See note at the end of the post.

What's on the chopping block? Rental assistance, neighborhood economic development, adoption subsidies, and financial assistance to grandparents taking care of grandchildren, just to name a few. Some of the deepest cuts were made to DC's Temporary Assistance to Needy Families (TANF) program — a program that provides financial assistance to low-income families with children — and to adult literacy and workforce development. These areas of the budget have long been overlooked and underfunded in the District. DC's has almost 15,000 more unemployed residents this year than last. Coupled with increased demand for public assistance, cuts to these programs will be particularly painful for DC's neediest families.

It's a tough job to balance a budget in the midst of an economic downturn. DC's revenue collections are down, but because of the economic downturn, the need for assistance is rising. So how can officials create a balanced budget that doesn't rely disproportionately on cuts to programs for low-income residents?

Part of the solution is using DC's \$330 million rainy-day fund that's available for budget shortfalls. Congress should fix the onerous payback rules which require us to replenish what we take out within two years, which other states needn't do. The Mayor has proposed using \$125 million of the rainy day fund, but hasn't addressed the payback rules.

Another part of the solution is raising revenues. DC's budget shortfalls almost entirely result from falling revenues from the economic downturn, not from increased spending. The Mayor's proposal only includes one \$7 million revenue increase. This solves just five percent of the FY 2010 budget gap. A fairer approach would be to balance progressive revenue increases with expenditure cuts.

Some say raising revenues in an economic downturn is bad idea, but it is actually a **reasonable approach**, especially for states that have to maintain a balanced budget. **Leading economists have shown** that raising income taxes on high income earners is better for the local economy during an economic downturn than cutting government services.

In addition, it provides us with an opportunity to begin some smart tax policy fixes.

For example, DC could eliminate the income tax exemption it gives DC residents for investing in out-of-state bonds. All states that have an income tax allow exemptions for in-state bonds to provide an incentive to invest in the state's own infrastructure projects. However, DC gives the same break for out-of-state bonds. That provides an incentive for its residents to invest in

other states' infrastructure projects. That's not good policy, which is why only one other state, Indiana, allows it. Moreover, this tax break mainly goes to high-income DC residents who could still claim a federal tax exemption for their investment, even if DC eliminated its tax exemption. Eliminating the exemption would give an incentive to invest in DC's infrastructure projects and could also help prevent the need for cuts to important programs and services.

Relying on these principles can help DC officials create a balanced budget that protects the safety net for DC's most vulnerable residents.

Notes on the graph: Total cuts in each appropriation title do not include costs that were shifted from federal funds to O-type or special purpose funds with the exception of Human Support Services and other low-income programs which includes a \$440,000 cut to DCRA's building repair fund. Human Support Services and other low-income programs also includes the following amounts from the following appropriation titles: \$1.8 million from Government Direction & Support (legal services for low-income residents), \$9.84 million from Economic Development (neighborhood economic development, local rent supplement program, building repair fund, and adult workforce development) and \$1 million from Public Education (adult literacy).

(7 comments · share or email)

Related posts:

[Homeless shelters reaching a crisis \(Jul 17, 2009\)](#)

[Tune up DC's tax system: Theater tickets \(Jul 10, 2009\)](#)

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[Filling DC's newest revenue hole \(Jun 24, 2009\)](#)

[DC 2010 budget would end Saturday free parking \(Mar 24, 2009\)](#)

Breakfast links II: Roads, rails and walls

Posted: 27 Jul 2009 06:17 AM PDT



Photo by tnisbossi.

Widening 270 is very bad for Baltimore: The I-270 widening is now a Maryland state issue. Baltimore area leaders are asking questions about the State Highway Administration's \$4 billion highway widening plan for I-270, possibly the most expensive in the state's history. The widening would just shift growth and jobs far away from most of the state's residents, and Baltimoreans are understandably asking why that's a state priority when there are plenty of Route 29 and I-95 communities eager for those jobs. And, wearing his blogger hat, Michael Dresser agrees that this 270 widening will just create sprawl in Frederick County while hurting Baltimore (and Columbia, Laurel, and Beltsville). (Baltimore Sun)

Yet another highway?: Montgomery County is also considering building another highway through rural, forested land in the Agricultural Reserve near Clarksburg. The plan claims to protect the environment, as all road plans do these days, but really won't; many road contractors are ignoring the stream protection rules that are part of the ICC's environmental mitigation, for example. (MPW)

Game trains you to move cars above all: A fairly fun flash game lets you play traffic operations manager, keeping cars moving. Though, as Noah points out, the game has no mass transit or pedestrians, and moving cars as fast as possible is the whole point. It even insinuates that this fictional city doesn't solve traffic jams because of "the oil lobby and gas sales going up when cars idle in traffic jams." Is this harmless fun, or does it instill a cars-first outlook in innocent people? (TheCityFix)

The people I used to be are ruining my neighborhood! Some people on U Street are worrying about rising noise. Richard Layman points out the irony (scroll to the second half of his post) that often, people move to a neighborhood for its lively activity and bars, then get older, stop going to the bars, and start fighting against the same things they liked when they moved there in the first place. That said, I think it's fair for residents to specifically oppose outdoor bars with late hours. Bar patrons can go inside after a certain hour. (Post)

Riders not happy: Metrorail riders are increasingly upset with crowding, doors closing on passengers, trains going out of service and long waits following the June crash. They blame Metro, sometimes rightly, but it's also worth pointing out that these maintenance problems stem from underfunding Metro, and they had to cut many of the staff who could otherwise help passengers on platforms. (Dr. Gridlock)

Lynx links new riders to transit: Charlotte's new Lynx light rail has attracted many new riders to transit, just like our Metrorail did. 72% of the riders weren't using public transportation before the line opened. Like Metrorail, it's drawing more

educated and wealthier riders than buses, on average Charlotte has also seen human-scale walkable urban development around light rail stations. (Charlotte Observer via [The Overhead Wire](#), Cavan, Michael P, David C)
And...: Roger Lewis praises new development in Tenleytown for its architecture and urbanism (Post, JTS) .. The Arlandrian suggests a roundabout for the corner of Glebe Road and Mount Vernon Avenue ... A property owner on Jefferson Place, between Dupont and downtown, can build a six-story addition behind a three-story townhouse as long as you can't see it from the street.

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[LA: smart move on parking, dumb move on roads](#) (Feb 5, 2008)

[Let's solve traffic jams by creating more!](#) (Apr 5, 2004)

Breakfast links I: Bikes, parks, and parking bikes

Posted: 27 Jul 2009 05:11 AM PDT



Photo by Ruthieki.

Stop it, guys: Many women who ride bikes experience constant harassment from catcalls and even groping. Add together harassment of women with the generalized harassment of cyclists, and women cyclists have it extra tough. Ugh! (TheWashCycle, City Paper)

Truck hit by cyclist, poor truck: A Montgomery County court refused to compensate a cyclist for losing work and suffering major injuries after a truck turned in front of him, too close for him to stop. The court found the cyclists "contributorily negligent" because he hit the truck, and because after weeks of recovery he was able to ride in a triathlon. If a person is running, someone in front of him shoots him with a gun, and he later recovers, is he also contributorily negligent because he hit the bullet? (TheWashCycle)

Congressmen spend more time at the mall than the Mall: The Mall keeps falling apart, the press keeps beating the drum about it, Congressmen keep diverting the money to projects in their home districts, and jerks like House Minority Whip Eric Cantor (R-VA) keep criticizing spending to repair our nation's most-attended national park as "upkeep [for] the grass on the lawns of Washington." Meanwhile, WTOP points out, Congress keeps the Capitol grounds very well manicured.

Recreation? That's not what parks are for! Officials at the National Park Service, including NCPD and Zoning Commission representative Peter May, are blocking DC proposals to expand an ice skating rink and create a baseball academy in Fort Dupont Park. (Examiner)

Which neighborhood will get extremely green?: CarbonFreeDC, a DC grassroots campaign to reduce carbon emissions, won a \$20,000 grant for its idea, "Extreme Neighborhood Makeover," to green retrofit 20 houses belonging to low-income families. They also discussed this idea at the Policy Greenhouse. (City Renewed)

And...: Metro keeps refusing to allow bikes on trains during rush hour. But what about those empty reverse-direction trains? (Bicycle Transportation Examiner) ... District and DC United officials are talking again about a soccer stadium at Poplar Point (WBJ) ... Philadelphia, Chicago, Oakland, Buffalo, and many other cities that aren't as great as Washington are preserving defunct meters as bike parking much more than we are. (TheWashCycle)

Have a tip for the links? [Submit it here](#).

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Related posts:

[Bike news](#) (Jul 3, 2009)

[Not stopping doesn't make every cyclist a "rogue"](#) (Feb 9, 2009)

[Study says bike lanes really work](#) (Oct 20, 2008)

Swanson tragedy almost repeated (Sep 5, 2008)

This bus stops here only during full moons and days with an 'r' in the name (Jun 12, 2008)

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Doggett, Rosalyn

From: noreply+feedproxy@google.com on behalf of Greater Greater Washington
[alpert@gmail.com]
Sent: Saturday, July 25, 2009 5:02 AM
To: Doggett, Rosalyn
Subject: Greater Greater Washington

Greater Greater Washington

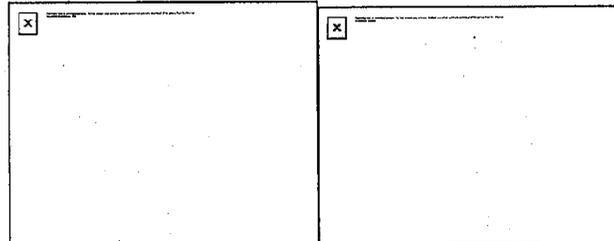


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- [DC's odd-shaped public spaces needn't be awkward or neglected](#)
- [Google Transit: What's in Metro's terms?](#)
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Then and Now: The Investment Building

Posted: 24 Jul 2009 12:01 PM PDT

By [Kent Boese](#)



Then (left): The Investment Building ca. 1925. Now (right): The same location today.

The Investment Building was scheduled for occupancy on July 1, 1924. Situated on the northwest corner of 14th and K Streets, NW, the building was designed by Washington's premiere Beaux-Arts architect, Jules Henri de Sibour.

According to the *Washington Post* of the time, it was considered to be in the Italian renaissance style with the entire frontage finished in limestone. The facades were broken up with fluted ionic columns, the bays emphasized by spiral cut stone and rusticated quoins.

Many novel and interesting features were included in the Investment Building, chief among them the provision for parking in the basement. The *Post* claimed the building was the first office structure in the East to adopt this feature with parking for 200 automobiles. Other modern conveniences included six high-speed elevators, with express service for the upper floors of the eleven story building. There was also a separate freight elevator.

A public information bureau was also installed in the main lobby which furnished data regarding trains, theaters, hotels, current events, etc., to the general public. This was unique to the Investment building in 1924.

Fast forwarding to 1999, with the exception of the southern and eastern facades, the entire building was razed and replaced by Cesar Pelli. The new Investment Building opened in the fall of 2000. Some consider the new interior space among the best in the city. The upper floors are currently occupied by Sidley Austin LLP.

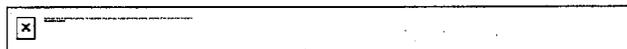


Image from the March 9, 1924, *Washington Post*.

(1 comment · [share](#) or [email](#))

Related posts:

[Lost Washington: The Raleigh Hotel \(Jul 17, 2009\)](#)

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Then and Now: The former Italian embassy (Jun 10, 2009)

Lost Washington: Crandall's Joy Theater (May 12, 2009)

Then and Now: The Portland Flats (May 6, 2009)

DC's odd-shaped public spaces needn't be awkward or neglected

Posted: 24 Jul 2009 09:56 AM PDT



Longfellow Monument. Photo by NCinDC.

By Alex Block

Washington, DC's height limit, monumental core, and grand avenues make it unique among American cities. DC's plan, civic spaces, and prominent monuments befit a great national capital. L'Enfant designed his grand plan not just for the nation, but for the local community as well. Too often, however, many of the interesting local spaces created by that grand plan have been taken over by cars, fallen into neglect, or both.

Despite its grandeur, the L'Enfant plan isn't universally loved. Matt Yglesias takes issues with DC's "triangles of doom," while citing Bostonian Noah Kazis' learned love for DC's grid and avenues over Boston's colonial mishmash of streets. Yglesias notes:

I think there's definitely something charming about metro Boston's tangled web of streets. And there's clearly also something good and practical about a regular grid. But I really don't think there's any case at all for what we've done in DC in terms of super-imposing diagonal boulevards on a basically rectilinear grid.

Yglesias touches on three major aspects of city design: the "organic" pattern, the grid, and the diagonal. "Organic" networks, such as Boston, are really not organic so much as they are unplanned. This is not always the case, as there are plenty of planned cities designed to look like "organic" street networks.

DC, on the other hand, is clearly a planned city, at least within the confines of the L'Enfant Plan. Outside of the L'Enfant city, Adams Morgan exhibits plenty of "organic" patterns, but the iconic streetscape for Washington is definitely L'Enfant's radial avenues superimposed on a rectilinear grid.

Yglesias misses one clear case for DC's avenues. We can never forget that Washington, DC is not just a city, but the capital of the United States, and the urban design of the city reflects that fact. Spiro Kostof, in his book *The City Shaped: Urban Patterns and Meanings Through History*, calls this kind of capital monumentality, "The Grand Manner." The Grand Manner, Kostof writes, "is not the currency of little towns." Indeed, in his chapter on the Grand Manner, an aerial photo of Washington, DC occupies the entire initial page. These are not supposed to be purely functional streets, though Daniel Burnham and other practitioners of the City Beautiful would argue they are helpful.

DC's diagonal avenues are an important element of this grand aesthetic. They provide vistas to key buildings and monuments, and though geometric in plan, they also respond to key travel patterns in the region, such as Connecticut Avenue and New York Avenue. These diagonal streets are also not unique to Washington. Chicago, Detroit, and others superimpose important diagonal streets across urban grids. In modern function, streets such as Broadway in New York predate the grids they bisect, but nevertheless function similarly today.

Creating small triangles, nooks, and crannies within the grid is a beneficial consequence of diagonal avenues. From the national perspective, these spaces filled a need for locations for monuments. From the local perspective, L'Enfant (and later Ellicott) placed a public circle or square to serve as the focus for each section of the city. Likewise, the radial avenues connect these parts of the city to each other with both direct lines of communication and transportation.

However, Yglesias isn't convinced. He notes this kind of planning "leads to lots of very weird intersections." As an example, he cites the intersection of New York Avenue, H St, and 13th Street NW as a confusing intersection for drivers and pedestrians alike. Tellingly, Yglesias uses a Google Maps image to illustrate this.



Left: Yglesias' Google Map. Right: L'Enfant Plan detail. Note the lack of street design within the squares and public spaces. Image from NCPC.

The Google map, however, focuses on the auto circulation routes, not the public space. Neither the L'Enfant Plan nor the Ellicott Plan delineates traffic lanes or vehicular circulation. Instead, those plans focus on defining the street as a public

space. Likewise, most of DC's circles and squares draw their definition not from the traffic patterns of the streets, but from the blocks that surround them.

The awkward intersections of auto traffic are a relatively recent occurrence, not a hallmark of the plan. Yglesias understands this, at least at an intuitive level, since he made a great suggestion several days later about **improving traffic and pedestrian space** within one of L'Enfant's many squares. These kind of discussions are not new to DC, as many squares from L'Enfant's plan do not function as squares at all. Traffic bisects them at **Eastern Market** and **Potomac Avenue**, for example, and proposed changes would open up these spaces.

Likewise, there are many triangles and small parks at the intersections of DC's radial avenues and the grid. Some house **interesting public spaces**, while others are substantially underutilized. Since we have them, it's up to DC to make use of these small spaces. Yglesias notes:

But worst of all they create these horrible dead spaces when the wedges between the various streets are too small to put a city block on. Every once in a while this process results in a "triangle park" that's actually nice and used for something (the part at 1st, R, and Florida has nice synergy with Big Bear Cafe and the Bloomingdale Farmer's Market) but the typical triangle park isn't really used for anything and many of them scarcely deserve to be called parks.

Green space and public space are good things, but they're really only good if the spaces are usable and used in practice by the people who live and work in the area. That requires them to be located and sized for real reasons ("this would be a good place for a park") and not just used to fill up awkward gaps in a street grid.

Indeed, many of these triangles are underutilized. However, this is a problem of programming, not of design. Kostof notes in a video of a 1991 lecture series accompanying his book that L'Enfant's plan specifically avoided those cast-off spaces Yglesias worries about. Instead, each public square was to be programmed as a focus for a neighborhood. They were not just used to fill in the gaps of the street grid, and they need not be treated as such today.

Instead, the challenge is to re-program these spaces, as exemplified by the Bloomingdale Farmers' Market. Not every space needs to be active or monumental, but there are plenty of opportunities to improve these spaces and enhance DC's public spaces.

Cross-posted at City Block.

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[Public Space Committee says Shell, No \(Dec 19, 2008\)](#)

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[New York public spaces good and bad \(Oct 8, 2006\)](#)

Google Transit: What's in Metro's terms?

Posted: 24 Jul 2009 07:49 AM PDT



Image from [wmata.com](#).

By **Michael Perkins**

A couple of days ago, we discussed how Metro and Google haven't reached agreement on incorporating schedule data into the Google Transit service. Almost immediately, a few commenters wrote back that Metro has already provided the data, so isn't it up to Google now?

Let's look at Metro's license. I am not a lawyer, but I can read English and am familiar with some legal concepts. If there are any attorneys out there that would like to correct or amplify this discussion, please feel free to chime in.

From Metro's perspective, they've formatted the data properly and released it under a license, so what is Google waiting for? The problem is that their terms are too draconian. Metro won't let you use their trademarks at all, and even the term "Metro" is a registered trademark according to the system maps. They also reserve the right to stop providing the data without notice, and to start charging for the use of the data at any time. Furthermore, Metro reserves the right to modify or revoke the agreement at any time.

They also require that developers indemnify Metro against any suit resulting from the data. That means that if someone sues Metro over something involving a third-party application, Metro can force that developer to pay all of the court costs and any settlement. The indemnification even applies against lawsuits involving poor quality data, and the data is indeed poor. When I downloaded and used an error checker against the feed, there were thousands of data errors.

These terms boil down to, "If you can download the data, then you can use it for the moment, but if it disappears or we decide we want some money, too bad." It makes it very risky to spend much time developing an app if Metro can remove the data or put it behind a paywall at any time. It's also risky to release that app if Metro could force you to pay for lawsuits.

Metro appears still interested in possibly charging for the data. In the recently-approved budget, Metro staff included a \$500,000 item to hire a consultant for "Intellectual Property Valuation" service. A Metro spokesperson said that they were interested in figuring out what valuable intellectual property they have and what it might be worth in the market. They have not put this out for official proposal yet. Combined with the statement in the license agreement and previous statements that they were pursuing "revenue sharing" with Google, it's likely that Metro is looking at offering its GTFS feed only to paying developers. It's possible they are only thinking about other intellectual property, but not many other possibilities come to mind, especially not that could be worth anywhere near enough to justify \$500,000 to analyze.

Metro could alter their agreement in order to make it more palatable to developers, including Google. Most importantly, they could remove the indemnity clause. Metro already disclaims any liability for the data. The other change would be to remove the potential for using the GTFS feed as a revenue source. Like bus schedules and train maps, Metro should be interested in having their routing and schedule information as widely published as possible to promote ridership. Many other transit agencies have taken this approach, and the leaders in the industry, Portland's TriMet and San Francisco's BART, are pleased with the results. Developers there have produced new applications that the transit agency either wouldn't have thought of, or wouldn't have had time to produce.

Google uses a lot of publicly available information in its online tools. If Metro were to open up their license, it's possible that Google would accept freely available information and be able to provide the service.

Coming up: What's in Google's agreement, and whether Metro should consider just accepting it

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[Where's Google Transit? \(Jul 20, 2009\)](#)

[It's here! Metro posts transit data online \(Mar 23, 2009\)](#)

[Metro "punts": Will release transit schedule data for Google and others \(Mar 11, 2009\)](#)

[Metro responds; wanted money from Google Transit \(Dec 16, 2008\)](#)

[Metro refuses to participate in Google Transit \(Dec 13, 2008\)](#)

Breakfast links: Think outside the car

Posted: 24 Jul 2009 05:42 AM PDT



Photo by Amarand Agasi.

The right way to talk about performance parking: Michael pointed out this [WTOP story](#) on performance parking from before Wednesday's meeting, which frames the issue in a much better way starting with the lede. "Take a look at the driver ahead of you on the road. There's a 30 percent chance he's cruising for a parking space, wasting gas and delaying your trip." The article quotes DDOT's Rick Rybeck, who is much more on-message, talking about incentives. (WTOP, Michael P)

Sign for streetcars: Streetcars for DC is asking streetcar supporters to send letters to the DC Council, Mayor Fenty, and

Eleanor Holmes Norton to get the city moving on streetcars.

Do parking spaces vote in Gaithersburg?: Once a bastion of progressive land-use thinking, the Gaithersburg City Council has gotten stuck in black and white car-centrism. A developer wants to build less parking than zoning requires for a site that's very close to transit and shops, but Councilwoman Cathy Drzyzgula opposes the request because "There is no evidence that Gaithersburg will not still be a car-driven community far into the future." Even if Gaithersburg isn't going to become car-free, there's still such a thing as less car-driven. (BeyondDC)

Tough to shake the cell phone habit: One reporter is having a tough time avoiding talking on the phone as she crawls along the Beltway in traffic. It's too bad there probably isn't good transit from her home to Adams Morgan. (Washington City Paper)

Reduce crash injuries, unsafe driving, or just driving?: A VW lawyer writes in a libertarian journal that safety regulations may create more danger than they save by, among other things, focusing attention on building cars that protect occupants from crashes over reducing dangerous behavior like talking on the phone. I'd be curious whether the author also believes in reducing government rules forcing auto-oriented development, a step most libertarians have sadly failed to take. (NY Times, Stephen Miller)

The Idaho Stop is safer: After Idaho instituted its law requiring cyclists to slow down and yield but not stop completely at stop signs, injuries went down 14.5%, and Idahoans are pleased with the law. (TheAthletesLawyer, Jaime, Michael P)

Hawthorne's sidewalk "war": The Post notices the sidewalk debate going on in DC's northernmost neighborhoods. Residents in Hawthorne, northeast of Chevy Chase, are at "war" over DDOT's plans to add sidewalks on several main streets. Opponents don't want the neighborhood to feel urban, while supporters don't feel streets are safe for children, seniors, and other pedestrians and bicyclists.

And...: A majority of Town of Chevy Chase residents testifying at a recent hearing support filing a lawsuit to try to delay the Purple Line (Gazette) ... Arlington will spend \$3.3 million to fix up several streets in various neighborhoods (Post) ... A new real estate service in Seattle helps buyers find walkable, transit-oriented homes (SGA).

Have a tip for the links? [Submit it here.](#)

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["Colossal pent-up demand for TOD" \(Dec 3, 2008\)](#)

[Purple Line opposition has "tarnished" the Town of Chevy Chase \(Nov 26, 2008\)](#)

[Residents support the Purple Line at Bethesda/Chevy Chase hearing \(Nov 19, 2008\)](#)

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Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Friday, July 24, 2009 3:15 PM
To: Ackerman, Heidi; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Haldeman, Kristin M.; Hamre, James; Harrington, Thomas; Hendren, Patricia; Hughes, James; Jachles, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Johnston, Kasandra; Jones, Catherine; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marrow, Gwen B.; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Meseret, Girum; Mohsberg, Sid; Peterson, Scott; Roberson, Jerry; Stallworth, Douglas; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S.
Subject: Board Items Preparation Milestones
Attachments: Board Items Preparation Milestones - 2009.xls

Latest update is attached.

Please let me know of any errors or omissions.

BAR: http://p590a3.wmata.com:7778/pls/bar/p_bar_public

Thanks.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Friday, July 24, 2009 3:04 PM
To: Doggett, Rosalyn
Subject: RE: FI Ave power point
Attachments: Shaw-Howard FI Ave further extend Jda negotiation period 7-09.ppt

Roz,

Didn't we already give this same presentation to the Board in Executive Session in March 2009? The only thing that looks changed is the date on the cover. We can't give the same presentation again.

This presentation doesn't say why we need a 120 extension from August 2009 until December 2009.

This presentation talks about issues, but the issues it describes aren't the ones that are causing us to come back to the Board.

There's no correlation between the BAIS and the presentation.

The flow should be from you to Mark, and after Mark's review and approval, from Mark to me.

Thanks.

Sid

From: Doggett, Rosalyn
Sent: Friday, July 24, 2009 1:59 PM
To: Mohsberg, Sid
Subject: FI Ave power point

See attached. Bringing BAIS in hard copy now.

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Friday, July 24, 2009 12:22 PM
To: Omar A. Karim
Cc: Maurice Perry; thicks@bannekerventures.com; Doggett, Rosalyn
Subject: Florida Avenue Document Drafts
Attachments: Florida Avenue Joint Development Agreement - Draft 072409.docx; Florida Avenue JDA Definitions 072409.doc; Florida Avenue Lease - DRAFT 072409.docx; Florida Avenue Lease Definitions Draft 072409.doc

Please find attached the updated drafts of the Lease and Joint Development Agreement for the Florida Avenue project.

Please do not hesitate to contact me with any questions/comments.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

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Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Friday, July 24, 2009 8:53 AM
To: Omar A. Karim
Cc: Maurice' 'Perry; thicks@bannekerventures.com; Doggett, Rosalyn
Subject: RE: Comments to JDA and Lease? - Jazz @ Florida Avenue project

Hi Omar,

We are waiting for one more comment on the documents. I should be sending them to you shortly.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

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From: Omar A. Karim [<mailto:okarim@bannekerventures.com>]
Sent: Thursday, July 23, 2009 6:00 PM
To: Montague, Joshua W.
Cc: Maurice' 'Perry; thicks@bannekerventures.com; Doggett, Rosalyn
Subject: Comments to JDA and Lease? - Jazz @ Florida Avenue project
Importance: High

Josh,

Any word on the comments to the JDA and Lease in connection with the Jazz @ Florida Avenue project?

Thanks.

Omar

Omar A. Karim
Banneker Ventures, LLC
729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Thursday, July 23, 2009 6:00 PM
To: Montague, Joshua W.
Cc: Maurice' Perry; thicks@bannekerventures.com; Doggett, Rosalyn
Subject: Comments to JDA and Lease? - Jazz @ Florida Avenue project

Importance: High

Josh,

Any word on the comments to the JDA and Lease in connection with the Jazz @ Florida Avenue project?

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Omar

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729 15th Street, NW, Suite 400
Washington, DC 20005
(202) 393-5460 phone
(202) 393-5462 fax
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Thursday, July 23, 2009 4:20 PM
To: Doggett, Rosalyn
Cc: Bushnaq, Tariq
Subject: Florida Avenue review

Hi Roz,

I am meeting with Taraq at 4:45 to discuss the Florida Avenue agreements. Let me know if you would like to join us.

Doggett, Rosalyn

From: Johnston, Kasondra
Sent: Wednesday, July 22, 2009 2:23 PM
To: Burns, Bob; Wyner, Jonathan S.; Jones, Catherine; Doggett, Rosalyn; Malasky, Gary
Cc: McElhenny-Smith, Robin
Subject: FW: Fort Totten TAP Report
Attachments: FortTottenTAPFINAL.pdf

All,

Hi! Attached is our Fort Totten ULI TAP report final version. Happy reading!

For additional reports use:

<http://washington.uli.org/Community%20Outreach/Technical%20Assistance%20Panels.aspx>

The Fort Totten Final Report will be available online in the near future.

Kasondra

Doggett, Rosalyn

From: noreply+feedproxy@google.com on behalf of Greater Greater Washington
[alpert@gmail.com]
Sent: Wednesday, July 22, 2009 5:05 AM
To: Doggett, Rosalyn
Subject: Greater Greater Washington

Greater Greater Washington



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Dinner links: Round and round the debate goes

Posted: 21 Jul 2009 02:07 PM PDT



Roundabout in Drachten, Netherlands. Photo from Streetsblog.

Reengineer the city around cars, or...: A Dr. Gridlock reader **proposes "solutions" to traffic** that would actually make things worse. But Dr. Gridlock replies with some better, non-auto-centric ideas, including congestion pricing and bike lanes. (Post, Joshua D)

Rounder, safer, better: Modern roundabouts (which don't use traffic lights) are **one of the most efficient and safe traffic devices**. Nevertheless, Tom Vanderbilt explains, drivers and neighbors don't expect them to be, and often fight new ones vociferously. Cars may move through the area slowly, but slow speed doesn't equal congestion; at most intersections, congestion comes from all the time nobody (pedestrians, bikes, or cars) is allowed to traverse a given area. (Slate)

Cheap gas = obesity: Some clever economists used data on various gas taxes between states to **demonstrate the effect of gas prices on public health**. Each \$1 of cost for a gallon of gas reduces the obesity rate by a whopping 10%. One of the best things we could do to save American households money would be to charge more for gas. (Matthew Yglesias)

Blumenauer pushing green commuting incentives: Rep. Earl Blumenauer has **introduced the Green Routes to Work Act**, which would work all kinds of wonders for commuter tax policy. Cyclists could get the \$230 pretax payment per month, like drivers and transit riders can; self-employed people could get the benefit too; and it would require employers that provide a parking benefit to also offer a cash-out option. (TheWashCycle)

Too expensive to serve the poor: Many farmers' markets are beginning to accept food stamps, allowing lower-income people to mix healthy, fresh produce into their diet. The biggest obstacle, however, is that **food stamp machines cost \$1,000**, plus monthly fees. (NY Times via Gastronomalies)

Co-op living, corporation tax structure: Housing Complex **profiles a successful co-op**, Maitri House, in Takoma Park.

Residents cook meals for the entire group, share bikes and cars, split up housework, and pay rent to an LLC to balance the financial responsibilities fairly. (City Paper)

Stop giving money to gas guzzling states: Congress may bail out the transportation trust fund with \$28 billion of general tax revenue. But if they do, **most of the money will go to states that bring in a lot in gas taxes** (because they've covered themselves in asphalt) but not to states that bring in a lot in other tax revenue (because they've created successful, high-functioning cities). (TNR via Streetsblog)

Have a tip for the links? [Submit it here](#).

(7 comments · [share or email](#))

Related posts:

[15 cents a mile for no traffic? \(May 19, 2009\)](#)

[Why should states subsidize highway rest stops? \(Mar 18, 2009\)](#)

Field report: San Francisco congestion pricing workshop (Aug 5, 2008)

MoCo planners considering congestion pricing (May 27, 2008)

Conservatives for congestion pricing (Feb 8, 2007)

Lost Washington: The Godey Lime Kilns

Posted: 21 Jul 2009 12:01 PM PDT

By Kent Boese

The Godey Lime Kilns were an important part of the mid-19th century commercial life of Georgetown. The kilns were operated to produce lime from 1864 to 1908. At the peak of operation, the kilns consisted of four oven structures and an assortment of sheds and structures scattered around them.



Click on an image to enlarge.

The entire business was situated on the edge of the Chesapeake and Ohio Canal. By the 1960s, the remains of the Godey Lime Kilns were located amid the Rock Creek and Potomac Parkway, the Whitehurst Freeway, and highway and access ramps for K Street.

Only two of the original four ovens remain, and these two were half buried before the National Park Service and District of Columbia Highway Department combined efforts to stabilize them.

Here is how they look today:



Image from Wikipedia.

(2 comments · share or email)

Related posts:

[Lost Washington: The Southland \(Jul 14, 2009\)](#)

[Lost Washington: Crandall's Joy Theater \(May 12, 2009\)](#)

[Then and Now: Fort Totten \(Apr 24, 2009\)](#)

[Silverman demagoguing on Whitehurst \(Sep 2, 2008\)](#)

[Don't call it a park \(Apr 28, 2008\)](#)

Railbanking could fix the Anacostia streetcar dilemma

Posted: 21 Jul 2009 10:48 AM PDT



The Shepherd Industrial Branch at Good Luck Road.

By David C

DC has gone back and forth on the planned Anacostia streetcar, first planning to run it in an unused CSX right-of-way, then switching to a street alignment, then moving the alignment. If DC instead took advantage of "railbanking," they could still run the streetcar on the CSX line, build a streetcar more cheaply than the current street alignment, and give Anacostia a valuable transit link.

Railbanking allows cities and states to preserve unused rail corridors. Over the last 100 years, railroads have abandoned over 100,000 miles of rail corridors. Once these corridors are gone, they're difficult or even impossible to reestablish. In the The National Trails System Act, Congress set up "railbanking" to preserve these corridors in case railroads need them again. In the interim, the corridor can be used as a trail, or for transit with a trail. "Because a railbanked corridor is not considered abandoned, it can be sold, leased or donated to a trail manager without reverting to adjacent landowners." Railbanking has

led to the creation of over 2,000 miles of trail (and 1,700 miles in development), including the Capital Crescent Trail. And, in a few cases, it has saved rail corridors that eventually returned to service.

Earlier this month the Surface Transportation Board (STB) had a **hearing** on the success and failures of the first 25 years of railbanking. Marianne Fowler, the Rails-to-Trails Conservancy's senior vice president of federal relations, explained that under the statute, if transit is added to a railbanked corridor, the trail has to also remain. Landowners or others can petition the STB to revoke a railbanked corridor's status "if they believe that a trail sponsor has no intent of using a right-of-way as a trail." If the Board agrees, they can declare the right-of-way "fully abandoned," which would make the property revert to landowners with underlying rights.

But as long as the corridor contains a trail, it can also include a light rail line or even a highway. In the case of the Purple Line, the State of Maryland is legally required to build the Capital Crescent Trail alongside the light rail. Otherwise, someone could, and probably would, petition the STB to declare the right of way abandoned.

This also serves as a potential remedy to the **Anacostia Streetcar problem**. Originally, plans called for the streetcar to run along the unused (not technically abandoned) CSX right-of-way from Pennsylvania Avenue SE to Bolling Air Force Base, with a possible extension up to the Minnesota Avenue Metro. But the District called off negotiations when it turned out that CSX didn't own the underlying rights to the land, known as the Shepherd Industrial Branch or Shepherd Branch (sometimes also spelled Shepard). Then, having promised Anacostia a streetcar, the District began work on a streetcar line that would run from the Air Force Base to the Anacostia Metro in the street and with traffic. When the Council pointed out that the streetcar didn't really connect any people, DDOT moved it to run from South Capitol Street to the intersection of MLK and Good Hope. That's what they're working on now.

But if DDOT can still work out a deal with CSX, they can go back to the original plan, this time by railbanking the ROW instead of just buying it. DDOT had already planned to build light rail with a parallel trail and the ~50 foot wide ROW has room for both. There is one place where the ROW narrows, but that isn't impossible to get around. The Purple Line, by comparison, needs 36 feet of width for the rail. All DDOT would need to do is ensure that they build the trail and allow for the extremely rare possibility that freight rail service is one day reestablished. If they do that, they can railbank the ROW and it won't matter who owns the underlying land. The transit line could then run parallel to the one planned, but in its own ROW, with a few at-grade crossings, instead of with traffic. And, it would include a trail. It could still operate between the Air Force Base and the Minnesota Avenue Metro, or across the new South Capitol Street Bridge, or both.

DC would get a better transit option and a trail, CSX dumps some unwanted property and easements for more than they're worth when separated, and one rail corridor avoids disappearing entirely.

(6 comments · share or email)

Related posts:

[Urban bike trails aren't just for recreation \(Jan 5, 2009\)](#)

[Streetcar will run through Anacostia, not to Bolling \(Nov 12, 2008\)](#)

[Stretching the streetcar saga \(Oct 31, 2008\)](#)

[DDOT moving streetcar toward actual residents \(Oct 23, 2008\)](#)

[Connecting communities \(or not\) \(Jul 14, 2008\)](#)

Metro installing new generation of SmarTrip card readers

Posted: 21 Jul 2009 09:38 AM PDT



Photo by edanathered.

By Michael Perkins

Metro is installing new SmarTrip card readers at many Metro stations. They expect to complete the installation around the end of August. The new readers are backwards-compatible with the current proprietary Smartrip card system, and forward compatible with ISO 14443 Type A and Type B cards, which are the standardized payment cards in the transit and bank card industries.

These new readers, along with the readers already installed in Metrobuses, will allow Metro to accept the new **contactless**

credit cards like PayWave, Blink or others. Metro expects a software update to allow the Smartrip readers to accept the ISO standard cards by the end of the year. This upgrade may also allow Metro to purchase and use disposable contactless farecards, allowing social service organizations to distribute fare media that allow their clients to transfer for free. The need to buy \$5 SmarTrip cards was one objection to Metro's new "Smartrip Only" bus transfer policy.

Metro also installed readers on the "Add Fare" machines, and on every fare vending machine, not just the ones with Credit Transaction capability. Metro explained that they installed the readers on the Add Fare machines to equip them with extra functionality to allow for future expansion. I'm not sure what that means. I've also asked whether this change means that Metro will be able to accept farecards from other transit systems as long as they use the ISO standard protocol. I'll follow up when I hear more.

(4 comments · share or email)

Related posts:

[SmarTrip passes will start with bus \(May 6, 2009\)](#)

[Smartrip available at CVS just in time for Christmas \(Dec 18, 2008\)](#)

[What do SmarTrip cards cost? \(Dec 12, 2008\)](#)

[SmarTrip upgrades now have a schedule \(passes in ten months\) \(Nov 5, 2008\)](#)

[Metro's real reason for eliminating paper transfers \(Nov 3, 2008\)](#)

Cooling the starburst: Engineering underway for new plaza at Benning and Bladensburg

Posted: 21 Jul 2009 07:55 AM PDT

The intersection of H Street, Benning Road, Bladensburg Road, Maryland Avenue, Florida Avenue, and 15th Streets, NE will become more hospitable to pedestrians with new crosswalks and the addition of a plaza at the northeast corner. The Rosedale Citizens' Alliance obtained the latest sketches of the intersection, which implement the recommendations from the [H Street-Benning Road Great Streets study](#). The change will reroute Maryland Avenue northeast of the plaza to intersect Bladensburg Road, rather than continuing directly into the main intersection. This opens up space for a new plaza, with trees, benches, and a mural or fountain.



Top: Current engineering sketches for the Starburst intersection. Bottom: Plaza concept sketch from the H Street-Benning Road Great Streets project. [Click to enlarge.](#)

Frozen Tropics covered the neighborhood debates over the plaza during the design four years ago ([part 1](#), [part 2](#)). These debates closely resemble the discussions over 17th Street in Dupont Circle, where some criticized the placemaking suggestions of the project team and pushed for a basic design devoid of ornament to keep maintenance costs down and devoid of street furniture to dissuade homeless people.

Despite the much smaller scope of the Dupont project, DDOT ended up removing features and reducing the project to low-maintenance bare concrete, while they retained this plaza in the Great Streets project. If anything, H Street is more prone to many of the problems that Dupont residents feared, but H Street will get its public space while 17th Street will retain its empty expanses of sidewalk. After the H Street plaza opens, we'll know for sure if it improves the area as most think it will, but by then it will be too late for other areas like 17th.

(14 comments · share or email)

Related posts:

[Reserve public land for a street connection at Minnesota and Benning \(Jul 7, 2009\)](#)

[Build a circle at North Capitol and Irving \(May 5, 2009\)](#)

[H Street United? \(Apr 9, 2009\)](#)

Missed opportunities on 17th Street (Oct 2, 2008)

Speaking of circles: 15th and New Hampshire (Aug 20, 2008)

Breakfast links: Maryland train to crazy town

Posted: 21 Jul 2009 06:14 AM PDT



Rendering of a light rail Baltimore Red Line.

Red and Purple together: Governor O'Malley will soon announce the state's recommendations for both the Purple Line and Baltimore's Red Line. He's **expected to recommend light rail for both projects**, and push for federal funds for both to ensure both the Washington and Baltimore areas get their transit priorities equally. With a more transit-friendly administration, getting two projects funded just might be possible. (Post, Cavan)

Single tracking?!: The Maryland MTA is considering **single-tracking** ~~the~~ a part of the Baltimore Red Line which would run in an tunnel. ~~through downtown~~ This would cause many operational nightmares and inconsistent passenger experiences. MTA is considering it only to fit FTA cost-effectiveness metrics. Any metric that pushes cities into terrible designs is a bad metric. (Baltimore Sun, Cavan)

MTA out of the spying biz: Maryland's MTA has **backed off** a controversial plan to install listening devices on trains and buses. Several state legislators joined in the opposition to the plan, which MTA claimed could help fight crime. (Inside Charm City)

Crime down, experts happy but baffled: DC, Prince George's County, and other major cities across the US are experiencing **much less violent crime** than in the past, despite the bad economy. Experts really aren't sure why. Better police data mining? Better relations with the community? Improved strategies for policing? (Post, Cavan)

The street e?: Unsuck DC Metro has a little fun inviting commenters to **fill in WMATA's tweets** that got cut off for surpassing the 140-character limit. (Michael P)

1000s in train middles not a new idea: The Tri-state Oversight Committee **asked Metro to study moving the 1000 Series cars** to the center of trains before the crash, but now they say that Metro has no proof that putting the old cars in the center actually is safer. (Examiner, Matt)

Walk or bike to Metro?: Tomorrow night is **Metro's workshop on bike and ped improvements to stations**. How could Metro improve access near your station? (Post, Chris R)

Have a tip for the links? **Submit it here.**

(26 comments · share or email)

Related posts:

[A cheaper route to Metro core capacity?](#) (Jun 29, 2009)

[Mikulski fiddles with car tax credits while transit burns](#) (Apr 13, 2009)

[The Purple Line is cost effective and a great idea, too](#) (Oct 27, 2008)

[New Partners: Frustrating Transit Administrators](#) (Feb 8, 2008)

[The federally tilted playing field on transportation](#) (Sep 10, 2007)

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Doggett, Rosalyn

From: Bushnaq, Tariq
Sent: Tuesday, July 21, 2009 11:10 AM
To: Meister, Mark K.
Cc: Doggett, Rosalyn; Burns, Bob; Ghanta, Venkata
Subject: FW: SAAM FTA Quarterly Report
Attachments: FTA Quarterly REV 4 Status of Current Projects 7-17-09.doc; FTA Quarterly REV 4 Status of Current Projects 7-17-09.doc

Mark,

I have made minor edits for Prince George's Plaza, Georgia Ave-Petworth and Wheaton.

Tariq

From: Meister, Mark K.
Sent: Tuesday, July 21, 2009 9:32 AM
To: Bushnaq, Tariq
Subject: SAAM FTA Quarterly Report

Tariq,

Roz asked me to send you the latest version of the SAAM FTA Quarterly Report. Please let me know if you want to make any revisions as the Pre-Brief is tomorrow at 2:00. Thanks.

Mark

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Tuesday, July 21, 2009 9:15 AM
To: Doggett, Rosalyn; Wyner, Jonathan S.
Subject: FW: Board Items Preparation Milestones
Attachments: Board Items Preparation Milestones - 2009.xls

Roz, Jonathan:

Please note that the Pre-Brief for Nat and Jack Requa is August 5th and August 10th respectively. We need to have the MEADs in circulation and draft PowerPoint presentations completed before August 5th. I need to review the drafts of these documents before I go on leave starting July 29th. Thanks.

Mark

From: Mohsberg, Sid
Sent: Monday, July 20, 2009 5:27 PM
To: Ackerman, Heidi; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Haldeman, Kristin M.; Hamre, James; Harrington, Thomas; Hendren, Patricia; Hughes, James; Jachles, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Johnston, Kasondra; Jones, Catherine; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marrow, Gwen B.; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Meseret, Girum; Mohsberg, Sid; Peterson, Scott; Roberson, Jerry; Stallworth, Douglas; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S.
Subject: Board Items Preparation Milestones

All,

Attached is the latest update. Please let me know if there are any errors or omissions.

BAR: http://p590a3.wmata.com:7778/pls/bar/p_bar_public

Please note the upcoming milestones for the September 2009 items. They start on **8/5/09**.

Thanks.

Sid

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Monday, July 20, 2009 6:00 PM
To: Doggett, Rosalyn
Subject: Updated definitions
Attachments: Florida Avenue Definitions Draft 071709.doc; JD Definitions.doc

Here are updated drafts of the definitions.

I am free all day tomorrow to discuss our docs and the guaranty. Let me know when you are free.

Josh

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Monday, July 20, 2009 5:27 PM
To: Ackerman, Heidi; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Carthorn, Debbie D.; Dahlberg, Erik; Dawson, Yvonne; Doggett, Rosalyn; Haldeman, Kristin M.; Hamre, James; Harrington, Thomas; Hendren, Patricia; Hughes, James; Jachles, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Johnston, Kasondra; Jones, Catherine; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marrow, Gwen B.; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Meseret, Girum; Mohsberg, Sid; Peterson, Scott; Roberson, Jerry; Stallworth, Douglas; Talaia, Anabela; Wallace, Maria A; Wyner, Jonathan S.
Subject: Board Items Preparation Milestones
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All,

Attached is the latest update. Please let me know if there are any errors or omissions.

BAR: http://p590a3.wmata.com:7778/pls/bar/p_bar_public

Please note the upcoming milestones for the September 2009 items. They start on **8/5/09**.

Thanks.

Sid

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Friday, July 17, 2009 1:36 PM
To: Doggett, Rosalyn
Subject: Florida Avenue Documents
Attachments: Florida Avenue Definitions Draft 071709.doc; Florida Avenue Lease - DRAFT 071309.doc;
Florida Avenue Joint Development Agreement - Draft 071609.doc

Hi Roz,

Here are the updated drafts of the Florida Avenue JDA and Lease.

I am still reviewing these documents, so I may have minor changes. Also, I am trying to arrange for the definitions to be one list that applies to both documents as an attachment. As you will see, it is still a work in progress. I will send you updates of the definitions as soon as I have a better copy.

In the interest of time, I was hoping that you could review these documents and then I will bring updated documents/definition to our subsequent meeting to go over the attached.

Please let me know if you have any questions.

Thanks,

Josh

Doggett, Rosalyn

From: <eric.smart@bolansmart.com> [eric.smart@bolansmart.com]
Sent: Wednesday, January 07, 2009 3:19 PM
To: Doggett, Rosalyn
Subject: Re: Florida Avenue

*Groupwise
Florida Ave
TO RPD*

Roz

On another note we have confirmed that at least in principle the DCHFA multifamily bond / tax credit program assumes interchangeability between market and affordable rental units, meaning same average units sizes are also assumed. Since the 20% requirement seems to have come along as an unexpected overlay it obviously begs the question(s) of how the project would have been otherwise approached from the beginning, including consideration of unit sizes, bedroom count and what comprises the affordability thresholds. Nothing new here.

Eric

On Mon, 05 Jan 2009 3:24:11 -0500 (EST), "Rosalyn Doggett"

<rdoggett@wmata.com> wrote:

> question 1- he is just fishing and has not lowered the gap question
> 2- not any longer than subsidies of other kinds (tax credits,
> etc.)
>
>

> Rosalyn P. Doggett
> Washington Metropolitan Area Transit Authority 600 Fifth St, NW
> Washington, DC 20001
> Phone: 202 962 2208
> Fax: 202 962 2396
> rdoggett@wmata.com
>
>

>>> <eric.smart@bolansmart.com> 1/5/2009 1:01 PM >>>

> Roz

> Wonder if Omar may now be valuing the gap at \$1.0M, considerably less
> than previously asserted.

> Apart from obvious political factors, also wonder that with TIF as a
form
> of tax related investment or abatement how long it would take the
> District, including City Council, to approve?

> Eric

> On Mon, 05 Jan 2009 11:01:26 -0500 (EST), "Rosalyn Doggett"

> <rdoggett@wmata.com> wrote:

> > Omar called. He said that the DMPED office wants to arrange a
> > meeting
> > to

> > "close the gap."
> > He will contact me on Wednesday about that and also our thoughts.

> > He would like to get \$1 million of TIF funds as Monty Hoffman did.

> > I asked him if he had discussed any city contribution to help close
the
> gap

> > like tax abatement, and the effective answer was "no."

> > I asked him if he had changed any of his assumptions since his
> assumptions

> > and results, even without affordable housing, were far more negative
> than

> > what it appeared he had proposed to us before. He claimed that the
> > increased rent negotiated just before the Board presentation made it
> so. In

> > short he has not changed any of his assumptions either.

> > I said that I would go over his numbers (I need to) and be prepared

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Wednesday, January 07, 2009 12:50 PM
To: Chisholm, Ann; Lawson, Arturo V.
Cc: Scales, Phillip; Doggett, Rosalyn
Subject: Description and Status of JD projects in Dc
Attachments: JD.Projects.Washington, DC.December.2008.wpd; Status of JD Projects in DC_revised 1_07_09.doc

I need to check on the Union Station-North connection agreement, it currently shows that the agreement is pending. It may be signed or it may have been abandoned, Ii need Philip Scales to verify the status.

Joel

Doggett, Rosalyn

From: Bushnaq, Tariq
Sent: Wednesday, January 07, 2009 12:09 PM
To: Welch, Kermit A.; Doggett, Rosalyn
Subject: Fwd: WBJ Article on Development Projects
Attachments: WBJ Article on Development Projects.txt

fyi

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Wednesday, January 07, 2009 9:24 AM
To: Doggett, Rosalyn
Subject: Re: Florida Avenue

I will come up. Thanks!

>>> Rosalyn Doggett 1/7/2009 9:23 AM >>>
whoops, I forgot
how about 10 a.m. today?

Rosalyn P. Doggett
Washington Metropolitan Area Transit Authority 600 Fifth St, NW Washington, DC 20001
Phone: 202 962 2208
Fax: 202 962 2396
rdoggett@wmata.com

>>> Joshua W. Montague 1/5/2009 2:20 PM >>>
Hi Rosalyn,

I have been trying to catch you in your office but you are not there.

I probably only need 5 mins. Let me know when you are free and I will run up.

Josh

>>> Rosalyn Doggett 1/5/2009 10:59:45 AM >>>
Omar called. He said that the DMPED office wants to arrange a meeting to "close the gap."
He will contact me on Wednesday about that and also our thoughts.

He would like to get \$1 million of TIIF funds as Monty Hoffman did.

I asked him if he had discussed any city contribution to help close the gap like tax abatement, and the effective answer was "no."

I asked him if he had changed any of his assumptions since his assumptions and results, even without affordable housing, were far more negative than what it appeared he had proposed to us before. He claimed that the increased rent negotiated just before the Board presentation made it so. In short he has not changed any of his assumptions either.

I said that I would go over his numbers (I need to) and be prepared to discuss more concretely with him on Wednesday.

Rosalyn P. Doggett
Washington Metropolitan Area Transit Authority 600 Fifth St, NW Washington, DC 20001
Phone: 202 962 2208
Fax: 202 962 2396
rdoggett@wmata.com

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Wednesday, January 07, 2009 8:44 AM
Subject: Fwd: Metro News Clips - Wednesday, January 7, 2009
Attachments: WPOST1.pdf; voices.washingtonpost2.pdf; dcexaminer3.pdf; gazette4.pdf; gazette5.pdf; gazette6.pdf; news8.net7.pdf; nytimes1.pdf; nydailynews2.pdf; sfgate3.pdf; sfgate4.pdf; boston5.pdf

>>> Steven Taubenkibel 1/7/2009 8:15 AM >>>
To all:

Metro News

- 1) Thousands Of Parking Spots Open For Jan. 20, Washington Post, January 7
- 2) Get There Blog: Metro Changes Bus Parking Plans For Jan. 20, Washington Post, January 6
- 3) Metro Receives Only 35 Requests For Bus Parking, Scales Back Plan, Washington Examiner, January 7
- 4) Montgomery Planning Board To Hold Hearing On Purple Line, Gazette Newspapers, January 7
- 5) Search Continues For Two Who Shot Man At Metro Station, gazette Newspapers, January 7
- 6) RideOn Service May Face Cutbacks, Gazette Newspapers, January 7
- 7) Concern Grows About Getting Around Inauguration Day, (see news story)
<http://www.news8.net/news/stories/0109/582711.html> Newschannel 8, January 5

US Transit News

- 1) MTA And Workers Shun Confrontation, New York Times, January 7
- 2) Ex-MTA Board Member Parking \$76K Jag Illegally, New York Daily News, January 7
- 3) BART Considers Reducing Evening, Sunday Service, San Francisco Chronicle, January 7
- 4) BART Shooting Captured On Video, San Francisco Chronicle, January 7
- 5) T Use Up Despite Drop In Gas Cost, Boston Globe, January 7

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Monday, January 05, 2009 2:21 PM
To: Doggett, Rosalyn
Subject: Re: Florida Avenue

Hi Rosalyn,

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Rosalyn P. Doggett
Washington Metropolitan Area Transit Authority 600 Fifth St, NW Washington, DC 20001
Phone: 202 962 2208
Fax: 202 962 2396
rdoggett@wmata.com

Doggett, Rosalyn

From: <eric.smart@bolansmart.com> [eric.smart@bolansmart.com]
Sent: Monday, January 05, 2009 1:01 PM
To: Doggett, Rosalyn
Subject: Re: Florida Avenue

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> rdoggett@wmata.com

--
Eric Smart, Bolan Smart Associates, Inc.
1250 24th Street, NW, Suite 300, Washington, DC 20037 202-776-7740 (direct), 202-841-2227
(cell), 202-371-1333 (BSA general) www.bolansmart.com

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Monday, January 05, 2009 8:47 AM
Subject: Fwd: Metro News Clips - Friday, January 2, 2009
Attachments: dcexaminer1.pdf; WPOST2.pdf; baltimoresun3.pdf; wjla4.pdf; newsday1.pdf; sfgate2.pdf

>>> Steven Taubenkibel 1/2/2009 8:42 AM >>>

To all:

Have a safe and pleasant weekend and Happy New Year!!

- Steven

Metro News

- 1) Metro Expected To Trim Growing Payroll, Washington Examiner, January 2
- 2) ART System Dropping Use Of Paper Transfers, Washington Post, January 1
- 3) Getting There On Jan. 20, Baltimore Sun, January 2
- 4) Cab Driver Helps Man Shot At Rockville Metro Station, WJLA-TV 7, December 30

US Transit News

- 1) Doomsday Is MTA's Ploy, New York Newsday, December 30
- 2) Deadly BART Brawl - Officer Shoots Rider, 22, San Francisco Chronicle, January 2

Doggett, Rosalyn

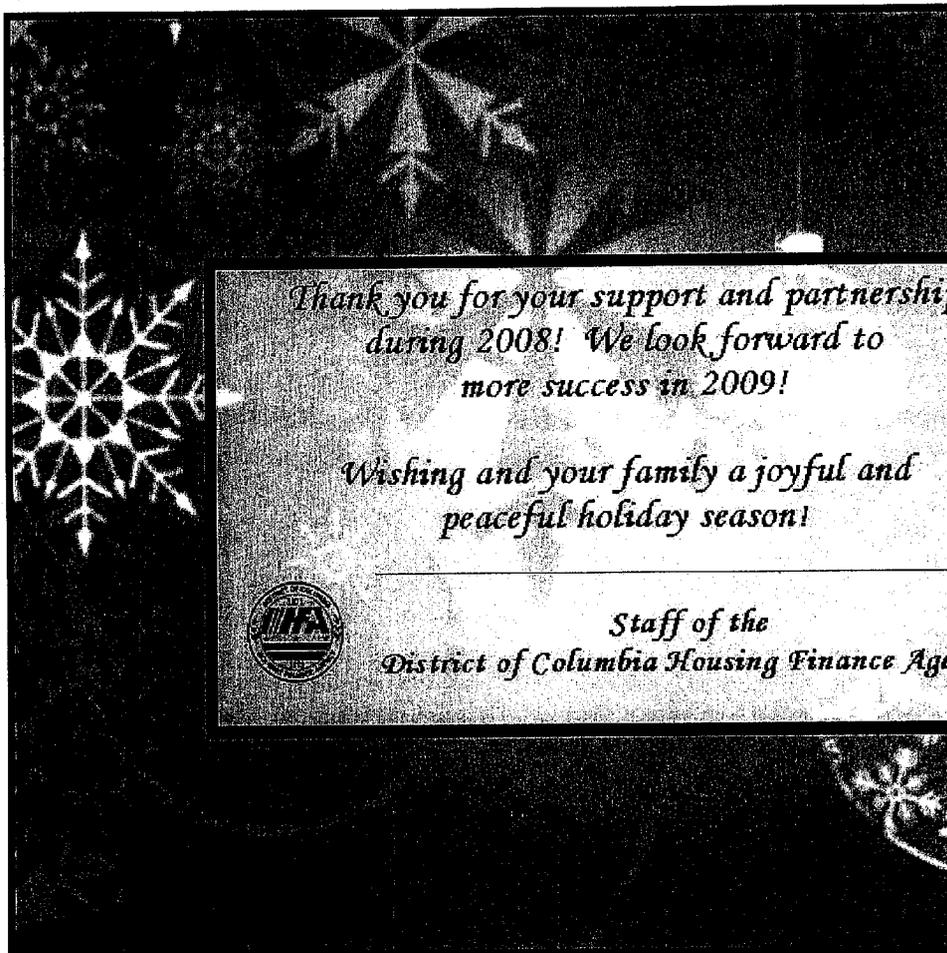
From: Allison Ladd [aladd@dchfa.org]
Sent: Monday, December 22, 2008 2:45 PM
To: Sewell, Harry D.
Subject: Holiday Message from the District of Columbia Housing Finance Agency
Attachments: image001.jpg; dchfa.jpg

Allison Ladd | Associate Executive Director |
615 Florida Avenue, NW | Washington, DC 20001 |
Phone: 202-777-1634 | Fax: 202-966-6736 | www.dchfa.org |

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Staff of the District of Columbia Housing Finance Agency " style="position:absolute;margin-left:0;margin-top:0;width:100%;height:100%;border:1px solid black;vertical-align:top;">index:1;mso-wrap-distance-left:0;mso-wrap-distance-top:0;mso-wrap-distance-right:0;mso-wrap-distance-bottom:0;



horizontal:left;mso-position-horizontal-relative:text;mso-position-vertical-relative:line" u1:allowoverlap="f">

Doggett, Rosalyn

From: Lawson, Arturo V.
Sent: Thursday, December 18, 2008 3:34 PM
To: mrious@dccouncil.us
Subject: Congress Heights Station Joint Development
Attachments: 05 AUG Text FINAL_1.pdf

Michael, I have attached for your review the Joint Development Prospectus that was issued several years ago that included the southern entrance to the Congress Heights Metrorail Station. Please call me if you have any additional interest in this matter.

Art Lawson
District of Columbia Government Relations Officer Washington Metropolitan Area Transit
Authority 600 Fifth Street, NW. 2A12
Washington, DC 20001
202.962-1050
alawson@wmata.com

Doggett, Rosalyn

From: ngw@postmaster.po
Sent: Thursday, December 18, 2008 11:24 AM
To: "Woody; EOM; derrick.woody@dc.gov"
Subject: Howard Town Center
Attachments: image002.jpg

After many years of effort on the part of the District and folk at Howard University, the Office of the Deputy Mayor for Planning & Economic Development completed the exchange of the District's Bond Bread Building (2114-2146 Georgia Avenue NW) and several small parcels for property owned by Howard at Sherman and Florida Avenues ("Sherman Ave Site").

Howard is currently working with a development team to redevelop the Bond Bread site and an adjacent site which the University also owns. The current development plan is approximately 400 units of housing, 126,000 square feet of retail (which includes a full service grocery store), and parking. The grocery store is required by the District as a job generator and to provide quality shopping for area residents and others.

The District anticipates issuing a Solicitation of Offers to find a development team for the Sherman Ave Site in the new year. My office met with the community and ANC many months ago to discuss use preferences for the Sherman Ave Site. That information will be incorporated into the Solicitation.

Thanks for your continued work, participation and support in implementing the "DUKE: Development Framework."

Speak with you soon!

Derrick Lanardo Woody

Coordinator - Great Streets Initiative
Office of the Deputy Mayor for
Planning & Economic Development
1350 Pennsylvania Avenue NW
Suite 317
Washington, DC 20004-3001
202.727.2981 phone
202.286.8814 cell
202.727.6703 fax
EMAIL: derrick.woody@dc.gov
More information: www.greatstreets.dc.gov
or www.dcbiz.dc.gov



STATEMENT OF CONFIDENTIALITY: The information contained in this electronic message and any attachments to it are intended for the exclusive use of the addressee(s) and may contain confidential or privileged information. If you are not the intended recipient, please notify the sender immediately and destroy all copies of this message and any attachments.

Doggett, Rosalyn

From: <eric.smart@bolansmart.com> [eric.smart@bolansmart.com]
Sent: Wednesday, December 17, 2008 2:39 PM
To: Doggett, Rosalyn
Subject: more florida
Attachments: Jazz_-_Afford_Analysis_(12-17-08 mod).pdf; FL Ave Dec 08 (2).pdf

Roz

1) Attached is a revised illustration of variations to Omar's most recent proforma. Among a few changes we factored for a very modest rise in affordable rents per sf that can be achieved in conjunction with lowering average affordable unit sizes and used a more precise valuation of hypothetical RE tax abatements. Please note that the differences shown for lines 1 to 3 do not directly sum up in line 4 due to the effect of combining lines 1 and 2 in a single computation.

2) At some point we may want to illustrate the effect of altering market unit sizes downward, but this illustration will require more attention to other interrelated assumptions and computations within Omar's model.

3) We are checking out what tax credit finance and DC OP policies may apply to varying affordable unit sizes somewhat from market units.

4) Also attached is a revised copy of WMATA Rent Valuation comparison that BSA submitted Tuesday. We have conformed the rent numbers with the executed Term Sheet and added an illustration of a scenario showing an aggressive recapture of a discounted initial rent (alternative 1). In Box 2 you can see that allowing for a 20% credit for the affordable housing land rent results in a WMATA present value that approximates the value associated with Moodie Turay's Dec 2007 base case cash flow.

Eric

--

Eric Smart, Bolan Smart Associates, Inc.
1250 24th Street, NW, Suite 300, Washington, DC 20037 202-776-7740 (direct), 202-841-2227
(cell), 202-371-1333 (BSA general) www.bolansmart.com

Doggett, Rosalyn

From: <eric.smart@bolansmart.com> [eric.smart@bolansmart.com]
Sent: Tuesday, December 16, 2008 8:30 AM
To: Doggett, Rosalyn
Subject: Florida mods
Attachments: Jazz_-_Afford_Analysis_(12-15-08 mod).pdf

Roz

Attached is a summary illustrating selected mods to Omar's spreadsheets premised on solving for what his calcs generate if there were no affordables. These do not include a possible credit for writing down 20% of his land rent in conjunction with 20% affordables. His current background model already reflects this deduct and much more. With some ramifications could add a land rent adjustment as an additional layer, but for immediate purposes the attached depicts possible impacts from Omar revisiting the affordables assumptions and perhaps some consideration from DC. Note that in discounting for RE tax abatement we have used a simple model mod of assuming that upwards of a 100% tax abatement for xx years is the equivalent of an effective permanent 50% reduction in RE taxes. With some more time we can reformat Omar's model to capture a period of abatement, but direction of impact should be similar.

Eric

--

Eric Smart, Bolan Smart Associates, Inc.
1250 24th Street, NW, Suite 300, Washington, DC 20037 202-776-7740 (direct), 202-841-2227
(cell), 202-371-1333 (BSA general) www.bolansmart.com

Doggett, Rosalyn

From: <eric.smart@bolansmart.com> [eric.smart@bolansmart.com]
Sent: Monday, December 15, 2008 10:10 AM
To: Washington, Joel R.
Cc: Doggett, Rosalyn
Subject: Re: Jazz @ Florida Avenue - Updated Proforma

Joel (and Roz, per Joel's question below)

While from a proforma standpoint I am relatively sympathetic to Omar's situation, his treatment of numbers is very much a moving target, and one that gets progressively worse. If there is supposed to be a partnership in seeking to solve for the gap presented by the affordable housing I am not persuaded that the developer entity has shown its full hand in helping solve for the problem (or even fully understands some aspects of it's own proforma), which may be part of why Omar says he is willing to try and arrive at a strike number above what he has illustrated for Base Rent.

We are working with Roz on some alternative WMATA cash flow recovery scenarios that Omar might be open to, predicated on WMATA being able to flex some on recognizing deferred returns and participation in speculative future upside. I am not sure what leeway you have in resetting a deal without going back to the Board, but if it can be achieved by maintaining a WMATA present value after absorbing the 20% affordables land value there is the possibility of getting there with Omar.

After a few efforts to date, we may not get much further if the solution relies on solving for the proforma ROI issues Omar has presented. We can see if Roz can get Omar to bring something back from the District, and offer up something himself, then maybe incorporate some prescribed WMATA Base Rent and Participation numbers. My sense is that at this stage a negotiations approach may work better than getting all the numbers to align in a proforma or other more technical example, respecting nonetheless the importance also to track the numbers.

Eric

On Mon, 15 Dec 2008 8:27:09 -0500 (EST), "Joel R. Washington"
<jr.washington@wmata.com> wrote:
> Roz explained that you did not receive the email! I really would like to
> reach an equitable agreement with Omar and not have to go back to the Board.
> What do you think about the numbers in his pro forma?
>
> Joel
>
> -----Original Message-----
> From: <eric.smart@bolansmart.com>
> To: Washington, Joel R. <jr.washington@wmata.com>
>
> Sent: 12/15/2008 7:39:34 AM
> Subject: Re: Jazz @ Florida Avenue - Updated Proforma
>
> Joel
>
> I am sorry that I missed this pre-meeting to which you were invited on
> Friday. I have attempted to explain the circumstances to Roz and can
> do nothing more now than apologize.
>
> Eric
>
>
> On Thu, 11 Dec 2008 21:19:46 -0000 (GMT), "Rosalyn Doggett"
> <rdoggett@wmata.com> wrote:
> > Let's get together at 2:30 to discuss this
> >
> > Rosalyn P. Doggett
> > Washington Metropolitan Area Transit Authority 600 Fifth St, NW
> > Washington, DC 20001
> > Phone: 202 962 2208
> > Fax: 202 962 2396
> > rdoggett@wmata.com

>
>
--

Eric Smart, Bolan Smart Associates, Inc.
1250 24th Street, NW, Suite 300, Washington, DC 20037 202-776-7740 (direct), 202-841-2227
(cell), 202-371-1333 (BSA general) www.bolansmart.com

Doggett, Rosalyn

From: <eric.smart@bolansmart.com> [eric.smart@bolansmart.com]
Sent: Monday, December 15, 2008 9:35 AM
To: Doggett, Rosalyn
Subject: Re: Fwd: Re: Jazz @ Florida Avenue - Updated Proforma
Attachments: FL Ave Dec 08 (1).pdf

Roz

Here I am, finally.

Attached are some examples of solving for WMATA present value assuming a 20% base rent reduction and the ability to recognize participation. We could pursue a point-by-point critique of Omar's most recent proforma, but since he continues to alter new aspects and push the results into increasingly negative territory we are not sure what will be gained by trying to negotiate with him off of his spread sheets, at least for the moment. FYI we did test for the simple elimination of all affordable units in his latest iteration and the results still put him more than \$6.0M in the hole?? With some more time, and with confirmation from you, will dissect further.

Per the attached you will note that we are still using our valuation template from March 2008 that may not entirely reflect the signed term sheet. While I prepared this over the weekend with only partial files I am not sure that BSA received a copy of the signed term sheet indicating the final details you agreed upon regarding the \$597K rent and phased escalation. If Base Rent is supposed to escalate from the beginning at 3.0% from year one then the Alternative 1 illustration is irrelevant.

Alternative 2 attempts to put some definition on participation without having to construct a financing model and net capital event proceeds. As you know the concept of participating in gross revenue above a breakpoint has WMATA precedence, although tends to be applied in place of long term base rent escalations. We have compensated for this by applying WMATA's participation share to only a portion of the upside escalations after recognizing for the underlying increasing WMATA Base Rent and Operating Costs. We can run more variations, juggling Base Rent, near term Base Rent Escalations and Participation. We could more aggressively increase Base Rent at some point to recapture forgone initial rent, but over the longer term would have to revert to no more than a 3.0% annual escalation. In addition we could model for capital event participation, which you would nonetheless want to include in a contract, but frankly the premium returns after getting annual cash flow of some sort would be limited unless there was another serious round of cap rate compression.

Going back to Friday's misstep on my part I did not know the full extent of your view until I picked up your phone message after the afternoon meeting and saw this email. Since you described yourself as being very disappointed I believe it calls for an explanation.

At the time you informed me on Thursday afternoon of the 3:00 pm meeting on Friday I immediately dropped what I was doing to focus on Omar's rent question. I then needed to leave the office a little after 4:00 to help prepare for a DMPED community meeting on Capitol Hill concerning the Hill East disposition that BSA is staffing. It lasted to past 10:00 pm, including some time afterwards when Omar approached me concerning Florida Ave.

I had a previously scheduled meeting on Friday through lunch in Bethesda that of course ran late. During the aforementioned time I monitored on my phone what I took to be a note from you that Omar's new spread sheets and been sent, which I hoped for an opportunity to print out and review in advance. I found myself having to ask someone else to print them out for me along with your follow up message before leaving for your office, and only then on route driving down did I read that you had asked in your follow up email that I get there at 2:30. I knew from our phone call that you wanted me to get there a little early, but I did not know that you expected me by 2:30 until that point. My oversight in not opening the email earlier, but the situation was compounded when I discovered that my cell phone battery had just gone dead, and I was without a charger. I was pressed for time as it was, so determined I could not stop to seek an alternative phone source.

By the time I arrived at your office, full brief case in hand, it was all very frustrating for me, and after I sensed your skepticism about my issues, and then the seriousness of your subsequently retrieved messages, I was all the more unhappy. Apart from missing the advanced meeting time, I was naturally embarrassed that I had not been able to review in the new proforma, which made me question if I had over committed from the day before. I can only say I am sorry for the circumstances and will obviously try to watch out for the conditions that led to it.

Eric

On Fri, 12 Dec 2008 2:45:45 -0500 (EST), "Rosalyn Doggett"

<rdoggett@wmata.com> wrote:

> Eric, where are you?

>

> Rosalyn P. Doggett

> Washington Metropolitan Area Transit Authority 600 Fifth St, NW

> Washington, DC 20001

> Phone: 202 962 2208

> Fax: 202 962 2396

> rdoggett@wmata.com

>

>

> >>> Rosalyn Doggett 12/11/2008 4:18 PM >>>

> Let's get together at 2:30 to discuss this

>

> Rosalyn P. Doggett

> Washington Metropolitan Area Transit Authority 600 Fifth St, NW

> Washington, DC 20001

> Phone: 202 962 2208

> Fax: 202 962 2396

> rdoggett@wmata.com

>

>

> >>> "Omar A. Karim" <okarim@bannekerventures.com> 12/11/2008 3:54 PM

> >>> >>>

> Ms. Doggett,

>

>

>

>

> Based on our conversation last week and in preparation of tomorrow's
> 3pm meeting, we attach for your review the latest pro forma for the
> Jazz @ Florida Avenue project. The pro forma reflects the following:

>

>

> - 20% affordable units

>

> - 4.5 FAR

>

> - 94% efficiency in the retail space

>

> - \$150,000 annual lease payment

>

> - \$100,000 security deposit

>

> - \$100,000 pre-lease payments

>

>

> Based on the above, the actual yield for the project yield is 8.94%
although

> the target yield is a minimum of 17%. The return is also -\$11M.

>

>

> We look forward to discussing with you tomorrow.

>

>

> My best,

>

>

> Omar

>

>

> Omar A. Karim

>

> Banneker Ventures, LLC

>

> 700 12th Street, NW, Suite 700
>
> Washington, DC 20005
>
> (202) 667-4110 office
>
> (301) 523-1810 cell
>
> okarin@bannekerventures.com
>
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>
--

Eric Smart, Bolan Smart Associates, Inc.
1250 24th Street, NW, Suite 300, Washington, DC 20037 202-776-7740 (direct), 202-841-2227
(cell), 202-371-1333 (BSA general) www.bolansmart.com

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Thursday, December 11, 2008 3:55 PM
To: Doggett, Rosalyn
Cc: thicks@bannekerventures.com; eric.smart@bolansmart.com; Washington, Joel R.
Subject: Jazz @ Florida Avenue - Updated Proforma
Attachments: Jazz - Afford Analysis (as of 12-11-08).xls

Ms. Doggett,

Based on our conversation last week and in preparation of tomorrow's 3pm meeting, we attach for your review the latest pro forma for the Jazz @ Florida Avenue project. The pro forma reflects the following:

- 20% affordable units
- 4.5 FAR
- 94% efficiency in the retail space
- \$150,000 annual lease payment
- \$100,000 security deposit
- \$100,000 pre-lease payments

Based on the above, the actual yield for the project yield is 8.94% although the target yield is a minimum of 17%. The return is also -\$11M.

We look forward to discussing with you tomorrow.

My best,

Omar

Omar A. Karim
Baneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: <eric.smart@bolansmart.com> [eric.smart@bolansmart.com]
Sent: Thursday, December 11, 2008 11:04 AM
To: Doggett, Rosalyn
Subject: Fwd: Re: Omara Question

Roz

Got this request from Omara. Presume fine for BSA to respond, but want to confirm background with you. Any comment / update / guidance?

Thanks, Eric

-- Forwarded message from okarim@bannekerventures.com -- Eric,

We are updating the Jazz @ Florida Avenue's pro forma to reflect WMATA staff's agreement to write-down the lease to reflect the 20% affordable housing in the project. As such, can you answer the following questions based on your previous comments to the pro forma which you highlighted on the pro forma in one of our recent mtgs;

1. Pls provide your opinion on how much per SF we could get for the market units?
2. What rate and amortization term do you think would be appropriate for the debt?

Thanks.

Omar

-----Original Message-----

From: Eric Smart
Sender: Eric Smart
To: Omar A. Karim
Subject: Question
Sent: Dec 8, 2008 10:14 PM

Omar

Per your phone message from late last week would appreciate if you posed in email.

Thanks, Eric

--

Eric Smart, Bolan Smart Associates, Inc.
1250 24th Street, NW, Suite 300, Washington, DC 20037 202-776-7740 (direct), 202-841-2227
(cell), 202-371-1333 (BSA general) www.bolansmart.com

Sent from my BlackBerry™ smartphone with SprintSpeed

-- end forwarded message --

--

Eric Smart, Bolan Smart Associates, Inc.
1250 24th Street, NW, Suite 300, Washington, DC 20037 202-776-7740 (direct), 202-841-2227
(cell), 202-371-1333 (BSA general) www.bolansmart.com

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, December 10, 2008 10:00 AM
Subject: PLJD Board Agenda Items 2008 and 2009
Attachments: Board Items Preparation Milestones - 2008.xls; Board Items Preparation Milestones - 2009.xls

All,

The second update of the morning. Metro is a very dynamic and responsive organization.

Once again, please let me know if any changes/corrections are needed.

Thanks.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Tuesday, December 09, 2008 4:20 PM
Subject: PLJD Board Agenda Items 2008 and 2009
Attachments: Board Items Preparation Milestones - 2008.xls; Board Items Preparation Milestones - 2009.xls

All,

The latest schedule is attached.

As we transition from 2008 to 2009, there are two files - one for each calendar year.

Please let me know if any changes/corrections are needed.

Thanks.

Sid

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Monday, December 08, 2008 9:21 AM
Subject: Fwd: Metro News Clips - Monday, December 8, 2008
Attachments: WPOST1.pdf; WPOST2.pdf; WPOST3.pdf; WPOST4.pdf; WPOST5.pdf; WPOST6.pdf; dcexaminer7.pdf; dcexaminer8.pdf; dcexaminer9.pdf; wjla10.pdf; nydailynews1.pdf; nypost2.pdf; usatoday3.pdf; boston4.pdf; suntimes5.pdf

>>> Steven Taubenkibel 12/8/2008 8:39 AM >>>
To all:

Metro News

- 1) New Ridership Record Shows US Still Lured To Mass Transit, Washington Post, December 8
- 2) New Rules Now, Says Task Force On Tysons, Washington Post, December 8
- 3) Md. Busway Promoted As Solution To Gridlock, Washington Post, December 8
- 4) Dr. Gridlock: Discussion Overdue On Metrorail's Bag Search Policy, Washington Post, December 7
- 5) Letters To The Editor: In Chevy Chase Welcoming Transit, Washington Post, December 7
- 6) MetroAccess Driver Has TB, 762 Riders Told, Washington Post, December 6
- 7) Metro May Shut Down Escalators, Will Close Bathrooms For Inaugural, Washington Examiner, December 7
- 8) Metro Warns It's Not Possible To Run Trains 24 Hours For Inaugural Weekend, Washington Examiner, December 7
- 9) MontCo Officials May Be Pushing For Buses Not Light Rail, Washington Examiner, December 8
- 10) Anti-Religion Ads Create Metro Controversy, <http://www.wjla.com/news/stories/1208/575499.html> (see news story), WJLA-TV 7, December 5

US Transit News

- 1) Bus Drivers Mourn Slain Colleague, New York Daily News, December 8
- 2) Sad Tribute To Bus Driver, New York Post, December 8
- 3) Public Transit use Up Over Last Year, USA Today, December 8
- 4) Tough Times Could Test Loyalty To Public Transit, Boston Globe, December 8
- 5) Trains No Longer For Homeless?, Chicago Sun-Times, December 8

Doggett, Rosalyn

From: <okarim@bannekervertures.com> [okarim@bannekervertures.com]
Sent: Friday, December 05, 2008 11:34 AM
To: okarim@bannekervertures.com; Doggett, Rosalyn
Subject: Accepted: Howard/Shaw-Florida Avenue Project Follow-Up
Attachments: meeting.ics

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Friday, December 05, 2008 11:18 AM
To: Doggett, Rosalyn
Subject: Accepted: Howard/Shaw-Florida Avenue Project Follow-Up
Attachments: rfc2445.ics

Doggett, Rosalyn

From: 5B Land Conference Room [Room JGB 5B Land Conference Room@wmata.com]
Sent: Friday, December 05, 2008 11:14 AM
To: Doggett, Rosalyn
Subject: Re: Howard/Shaw-Florida Avenue Project Follow-Up

Please be advised that this space is designated for Planning and Joint Development.

Please contact Shariyka Johnson (Ext. 1273), Maria Wallace (Ext. 2330), or Sid Mohsberg (Ext. 1755) for availability.

>>> rdoggett 12/05/08 11:13 >>>

Doggett, Rosalyn

Subject: Howard/Shaw-Florida Avenue Project Follow-Up
Location: 5B Land Conference Room
Start: Fri 12/12/2008 3:00 PM
End: Fri 12/12/2008 5:00 PM
Show Time As: Tentative
Recurrence: (none)
Meeting Status: Not yet responded
Organizer: Doggett, Rosalyn

Doggett, Rosalyn

From: 5B Land Conference Room [Room.JGB.5B.Land.Conference.Room@wmata.com]
Sent: Friday, December 05, 2008 11:06 AM
To: Doggett, Rosalyn
Subject: Re: Howard/Shaw-Florida Avenue Project Follow-Up

Please be advised that this space is designated for Planning and Joint Development.

Please contact Shariyka Johnson (Ext. 1273), Maria Wallace (Ext. 2330), or Sid Mohsberg (Ext. 1755) for availability.

>>> rdoggett 12/05/08 11:05 >>>

Doggett, Rosalyn

From: Johnson, Shariyka
Sent: Friday, December 05, 2008 10:50 AM
To: Doggett, Rosalyn
Subject: Re: Fwd: Follow-up Meeting: Howard/Shaw-Florida Avenue Project

How much time will you need with them?

>>> Rosalyn Doggett 12/5/2008 9:37:46 AM >>>
Shariyka, I can do any one of the afternoons- or Friday morning in a pinch but prefer not to.
Please check with Joel and Josh and set up. Thanks, Roz

>>> "thicks" <thicks@bannekerventures.com> 12/4/2008 5:27 PM >>>
Good Evening Ms. Doggett,

We would like to schedule a follow-up meeting with you to continue our discussions regarding the financial terms of the deal. We are available during the following times next week:

Wednesday 2-5 p.m.

Thursday 3-5 p.m.

Friday 9-12 p.m. or 3-6 p.m.

Please let us know if any of the aforementioned times work within your schedule. Thanks.

Tiwana

Tiwana Z. Hicks
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
thicks@bannekerventures.com

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Friday, December 05, 2008 9:39 AM
To: Washington, Joel R.; Johnson, Shariyka; Doggett, Rosalyn
Subject: Re: Fwd: Follow-up Meeting: Howard/Shaw-Florida Avenue Project

I am available any time next week except for Monday morning.

>>> Rosalyn Doggett 12/5/2008 9:37 AM >>>
Shariyka, I can do any one of the afternoons- or Friday morning in a pinch but prefer not to.
Please check with Joel and Josh and set up. Thanks, Roz

>>> "thicks" <thicks@bannekerventures.com> 12/4/2008 5:27 PM >>>
Good Evening Ms. Doggett,

We would like to schedule a follow-up meeting with you to continue our discussions regarding the financial terms of the deal. We are available during the following times next week:

Wednesday 2-5 p.m.

Thursday 3-5 p.m.

Friday 9-12 p.m. or 3-6 p.m.

Please let us know if any of the aforementioned times work within your schedule. Thanks.

Tiwana

Tiwana Z. Hicks

Banneker Ventures, LLC

700 12th Street, NW, Suite 700

Washington, DC 20005

(202) 667-4110 office

(301) 523-1810 cell

thicks@bannekerventures.com

Doggett, Rosalyn

From: thicks [thicks@bannekerventures.com]
Sent: Thursday, December 04, 2008 5:28 PM
To: Doggett, Rosalyn
Cc: Rajaram, Carol; okarim@bannekerventures.com
Subject: Follow-up Meeting: Howard/Shaw-Florida Avenue Project

Good Evening Ms. Doggett,

We would like to schedule a follow-up meeting with you to continue our discussions regarding the financial terms of the deal. We are available during the following times next week:

Wednesday 2-5 p.m.

Thursday 3-5 p.m.

Friday 9-12 p.m. or 3-6 p.m.

Please let us know if any of the aforementioned times work within your schedule. Thanks.

Tiwana

Tiwana Z. Hicks
Baneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
thicks@bannekerventures.com

Doggett, Rosalyn

From: Coram, Deborah
Sent: Thursday, December 04, 2008 1:14 PM
To: Doggett, Rosalyn
Subject: ERA Evaluation
Attachments: Real Estate Consultant Services ERA.doc

Here's the ERA Evaluation! Sorry I didn't have the chance to meet them in person....

Deborah

Deborah Coram, SPHR
Manager, Workforce Diversity and Policy Compliance Washington Metropolitan Area Transit
Authority Office of Civil Rights, Diversity Branch
Voice: (202) 962-2328
Fax: (202) 962-2471
Email: dcoram@wmata.com

Doggett, Rosalyn

From: <moddie@moddieturay.com> [moddie@moddieturay.com]
Sent: Thursday, December 04, 2008 12:01 PM
To: Doggett, Rosalyn
Subject: Florida Avenue

Rosalyn,

I hope all is well and that you had a great holiday. I passed by the Florida Avenue site yesterday and didn't see any activity. Please remember that our team stands ready to make a deal happen, if invited.

All the best for the Holiday season.

Moddie Turay
President & CEO
Moddie Turay Company, LLC
3222 M ST NW Suite 140
Washington, DC 20007
202 413-4160 (Ph)
202 342-1458 (Fx)

Doggett, Rosalyn

From: Bushnaq, Tariq
Sent: Wednesday, December 03, 2008 12:22 PM
To: Schmitt, Patrick
Cc: Chu, Mable; Medina, Ed; Doggett, Rosalyn
Subject: Re: Prince George's Plaza
Attachments: Closing Binder Volume1.pdf; Closing Binder Volume 2.pdf

Patrick,

Yes, we should have it in the development agreement documents (See second attachment) but is not easy to comprehend as there are overlapping access easements for Retail, Residential and office components.

WMATA reserved areas contain the garage and platforms and WMATA maintains all dual-use roadways off Belcrest Road and md 410. Retail lease maintains Belcrest Center Road (See Exhibits under B-2 for exact limits)

I believe Roz has provided this info to MTPD and the City of Hyattsville Police. Perhaps she can provide with a hard copy and minutes with her meetings with MTPD/City Police DEPT.

Tariq

Tariq Bushnaq, PE
Project Manager - Joint Development
Office of Joint Development & Adjacent Construction WMATA 600 Fifth Street, NW Washington, DC 20001
(202) 962-2043 Voice
(202) 962-1105 Fax
tbushnaq@wmata.com
www.wmata.com

>>> Patrick Schmitt 12/3/2008 12:02 PM >>>
Roz/Ed/Tariq---

Do we have a Plat or Survey of the Prince George's Plaza Station site that denotes boundaries and ownership? MTPD has requested something to backup thier jurisdiction in the event that they enforce in an area and are challenged over jurisdiction. Can we come up with something that shows what we own?

Thanks,

Patrick

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Wednesday, December 03, 2008 11:23 AM
To: Doggett, Rosalyn
Subject: Florida Avenue - update

Hi Roz,

As you may have noticed, I did not include the clarification list with the drafts sent to Developer/DLA. I decided to just call Devorah Lewin at DLA and go over my concerns informally.

During the course of that conversation, she mentioned two things that you should be aware of:

1. Devorah said that Banneker "bought out" Metropolis. I told her that this might be an issue since WMATA approved the developer on the basis of all members of the team. She is going to check with Omar and let me know what the actual status is.
2. She said the Developer might be planning on developing a building which traverses our property and the adjacent property. I told her that this might be an issue since this was not the project that WMATA approved and may cause problems if we had to terminate the lease. She will check with Omar and let me know what the intention is.

I have been trying to catch you but you have been out of your office. I will try to pop up again later this afternoon to discuss.

Josh

Doggett, Rosalyn

From: Biondi, Marc E.
Sent: Wednesday, December 03, 2008 9:54 AM
To: Doggett, Rosalyn
Subject: Sites - As Requested
Attachments: DC, VA, MD - Wedding and Event Venues(1).xls

Here is the list that was provided by a friend.

Marc

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Tuesday, December 02, 2008 6:23 PM
To: Karim, Omar A.; Doggett, Rosalyn
Cc: 'Lewin', 'Devorah'; 'Flynn', 'Guy'; 'Bryant', 'Seth'
Subject: RE: Howard/Shaw-Florida Avenue Project - JDA/Lease Comments
Attachments: Shaw-Howard Lease - Draft 120108.DOC; Shaw-Howard Joint Development Agreement - Draft 120108.doc

Here are the latest drafts of the JDA and Lease agreements. Please feel free to call/email me any questions.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority 600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

The information contained in this email may be confidential and/or legally privileged. It has been sent for the sole use of the intended recipient(s). If the reader of this message is not an intended recipient, you are hereby notified that any unauthorized review, use, disclosure, dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please contact the sender by reply email and destroy all copies of the original message.

>>> "Omar A. Karim" <okarim@bannekerventures.com> 12/1/2008 3:51 PM >>>
Ms. Doggett,

Any word on comments to the JDA/Lease?

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

-----Original Message-----

From: Rosalyn Doggett [<mailto:rdoggett@wmata.com>]
Sent: Friday, November 21, 2008 4:22 PM
To: Omar A. Karim
Cc: thicks@bannekerventures.com; Devorah 'Lewin'; Guy 'Flynn'; Seth 'Bryant'; Joel R. Washington; Joshua W. Montague
Subject: Re: Howard/Shaw-Florida Avenue Project - JDA/Lease Comments

We'll do what you suggest in your last sentence. I would hope that we can get your comments later next week and meet the following week. We will aim for that.

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Ms. Doggett,

Our counsel believes it would be best to meet after we have received the redlined version of your comments. As such, if you are able to provide them by today or early Monday, we could meet Tuesday morning. Otherwise, lets meet after Josh has received and incorporated all your comments.

Thanks.

Omar

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(202) 667-4110 office
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okarim@bannekerventures.com

Doggett, Rosalyn

From: Waszczak, Joanne
Sent: Tuesday, December 02, 2008 2:35 PM
To: Doggett, Rosalyn
Subject: Re: articles and Florida Ave

Hi Roz,

Sorry that I didn't attend the Florida Ave meeting with you and Josh on Wednesday afternoon. I teleworked that day because I had a couple of time sensitive deadlines. Hope the meeting went well.

I'd love to be included on any future meetings.

Joanne

>>> Rosalyn Doggett 11/25/2008 5:13 PM >>>
he'll probably come to my office, so feel free to join us

>>> Joanne Waszczak 11/25/2008 5:12 PM >>>
Roz,

If you think I would learn key points from your meeting with Josh, I would be happy to attend. Just let me know.

I'll ask Joel about joining you at next week's meeting.

Joanne

>>> Rosalyn Doggett 11/25/2008 5:08 PM >>>
well, I am meeting with Josh Montague our lawyer at 1:30 tomorrow to go over documents; I don't think this is what you had in mind

Joel and I may be meeting with the Deputy Mayor of DC next week but you would have to ask Joel about that one

that's all for the moment but I hear your message and will remember (I hope) to include you

>>> Joanne Waszczak 11/25/2008 5:02 PM >>>
Roz,

Thanks for loaning those articles to me. I appreciate you thinking of me.

I would like to stay involved in the Florida Avenue project meetings, if possible. It is a very instructive case study that encompasses so many compelling and important topics: TOD, affordable housing, the current economic crisis, revitalization, gentrification and more. I appreciate the chance to listen and learn, and I would like to be helpful to you in some way as well, if possible.

Enjoy your holiday,
Joanne

>>> Rosalyn Doggett 11/7/2008 3:43 PM >>>
Our economic consultant has manipulated the Florida Avenue pro forma to see what is required to get both affordable housing and a value equal to or exceeding the net present value (NPV) of the next highest offeror. By adjusting certain variables within what he thinks is reason, Eric believes that we can still get the lion's share of what we were to get (except that base rent is \$430k instead of \$597k). What he shows is not the only way to skin the cat, but just an example that better conforms to the term sheet. (I haven't examined it in detail yet.)

>>> <eric.smart@bolansmart.com> 11/7/2008 2:51 PM >>>
Roz

Attached is Omar's latest proforma with a series of inputs marked by BSA that are either WMATA requirements and / or possible places for changes based on reasonable assumptions. Note that a required year one WMATA rent of \$430,000 escalated at 3.0% gets you to

approximately the next highest proposal NPV, including adjusting the next highest proposal to assume a 2009 contract start date (deferred option payment from 2008 in earlier modeling).

Eric

--

Eric Smart, Bolan Smart Associates, Inc.
1250 24th Street, NW, Suite 300, Washington, DC 20037 202-776-7740 (direct), 202-841-2227
(cell), 202-371-1333 (BSA general) www.bolansmart.com

Doggett, Rosalyn

From: Chisholm, Ann
Sent: Tuesday, December 02, 2008 11:38 AM
To: Lawson, Arturo V.; Washington, Joel R.; Moneme, Emeka; Ballard, Khalilah; Bottigheimer, Nat; Doggett, Rosalyn
Cc: Wilson, Sara; Wallace, Maria A; Kline, Sarah A.
Subject: Fwd: RE: ****URGENT**** Meeting with Deputy Mayor Neil Albert

Thanks

>>> Khalilah Ballard 12/2/2008 11:28:02 AM >>>
Yes, Emeka will be available.

>>> Nat Bottigheimer 12/2/2008 11:22:39 AM >>>
ok with me....Emeka, is it ok with you?

>>> Ann Chisholm 12/2/2008 11:20 AM >>>
Ms. Warrick (Deputy Mayor's Office) suggested meeting with Mr. Albert after the Board meeting on Thursday, December 4th at about 1:30/2:00 p.m. Let me know if you are available. Nat can you host the meeting in your conference room?
Thanks

Ann

Ann E. Chisholm
Assistant Government Relations Officer
Policy and Government Relations
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001
202-962-2877
202-329-2764 (cell)
achisholm@wmata.com

>>> "Warrick, Xzaquoinett (EOM)" <Xzaquoinett.Warrick@dc.gov> 11/25/2008 3:05:27 PM >>>

All -Tuesday will not work for DM Albert. Ill follow up with you all early part of next week to secure another date.
Quoinett Warrick202-727-6851
Quoinett.Warrick@dc.gov From: Ann Chisholm [<mailto:achisholm@wmata.com>]
Sent: Tuesday, November 25, 2008 1:46 PM
To: Warrick, Xzaquoinett (EOM)
Cc: Doggett, Rosalyn; Lawson, Arturo V.; Wallace, Maria A; Washington, Joel R.
Subject: Fwd: ****URGENT**** Meeting with Deputy Mayor Neil Albert

Ms. Warrick,

Art is out of the office and asked me to see if we can reschedule the meeting for Tuesday, December 2nd at 1:30 p.m.

Thanks

Ann

Ann E. Chisholm
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202-962-2877
202-329-2764 (cell)
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>>> Rosalyn Doggett 11/25/2008 1:36 PM >>>

>>> "Warrick, Xzaquoinett (EOM)" <Xzaquoinett.Warrick@dc.gov> 11/25/2008 12:15 PM >>>
Rosalyn/Art -
Just following up to see if you Monday, December 1st @ 130pm-2pm will work for Neil and Rosalyn to meet. I've not heard from either of you, and I'm still holding the time. Please let me know if I should release the time and search for a new date or continue to hold.

Any and all assistance would be greatly appreciated.

Thanks in advance,
Q

Quoinett Warrick
202-727-6851
Quoinett.Warrick@dc.gov

-----Original Message-----

From: Rosalyn Doggett [<mailto:rdoggett@wmata.com>]
Sent: Thursday, November 20, 2008 4:46 PM
To: Warrick, Xzaquoinett (EOM)
Subject: Re: Meeting with Deputy Mayor Neil Albert

Quoinett, please arrange this through Art Lawson, our Government Relations Officer, which is standard procedure for us. Art's e-mail is alawson@wmata.com . His phone number is 962 1050.

Thanks, Rosalyn

>>> "Warrick, Xzaquoinett (EOM)" <Xzaquoinett.Warrick@dc.gov> 11/20/2008 3:49 PM >>>
Rosslyn -

Per my voicemail, I'd like to check your availability for a meeting with DM Albert on Monday, Nov 24th @ 215pm-245pm to discuss the metro project on 8th and Florida w/Banneker Ventures.

Please advise:

- If this date and time works for you
- Names of those accompanying you to this meeting
- Cell # for the day of the meeting

Thanks in advance,

Quoinett

Xzaquoinett Y. Warrick
Executive Assistant/Scheduler
Office of Planning & Economic Development
1350 Pennsylvania Avenue, NW
Suite 317
Washington, DC 20004
202-727-6851
Quoinett.Warrick@dc.gov < <mailto:Quoinett.Warrick@dc.gov> >

Doggett, Rosalyn

From: Ballard, Khaliyah
Sent: Tuesday, December 02, 2008 11:28 AM
To: Chisholm, Ann; Lawson, Arturo V.; Washington, Joel R.; Moneme, Emeka; Bottigheimer, Nat; Doggett, Rosalyn
Cc: Wilson, Sara; Wallace, Maria A; Kline, Sarah A.
Subject: Fwd: RE: ****URGENT**** Meeting with Deputy Mayor Neil Albert

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Quoinett.Warrick@dc.gov

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Suite 317

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From: Bottigheimer, Nat
Sent: Tuesday, December 02, 2008 11:23 AM
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Executive Assistant/Scheduler

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Suite 317

Washington, DC 20004

202-727-6851

Quoinett.Warrick@dc.gov < <mailto:Quoinett.Warrick@dc.gov> >

Doggett, Rosalyn

From: Chisholm, Ann
Sent: Tuesday, December 02, 2008 11:21 AM
To: Lawson, Arturo V.; Washington, Joel R.; Moneme, Emeka; Bottigheimer, Nat; Doggett, Rosalyn
Cc: Wilson, Sara; Wallace, Maria A; Kline, Sarah A.
Subject: Fwd: RE: **URGENT** Meeting with Deputy Mayor Neil Albert

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202-727-6851

QUOINETT.WARRICK@DC.GOV

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To: Warrick, Xzaquoinett (EOM)
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- If this date and time works for you
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To: Doggett, Rosalyn
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Subject: RE: Howard/Shaw-Florida Avenue Project - JDA/Lease Comments

Thank you.

Omar

-----Original Message-----

From: Rosalyn Doggett [mailto:rdoggett@wmata.com]
Sent: Tuesday, December 02, 2008 9:18 AM
To: Omar A. Karim
Subject: RE: Howard/Shaw-Florida Avenue Project - JDA/Lease Comments

I had expected it to go out Wed or yesterday. I am following up.

>>> "Omar A. Karim" <okarim@bannekerventures.com> 12/1/2008 3:51 PM >>>
Ms. Doggett,

Any word on comments to the JDA/Lease?

Omar

Omar A. Karim
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700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
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okarim@bannekerventures.com

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Cc: thicks@bannekerventures.com; Devorah 'Lewin'; Guy 'Flynn'; Seth 'Bryant'; Joel R. Washington; Joshua W. Montague
Subject: Re: Howard/Shaw-Florida Avenue Project - JDA/Lease Comments

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Thanks.

Omar

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700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Tuesday, December 02, 2008 9:18 AM
To: Doggett, Rosalyn
Subject: Fwd: RE: Howard/Shaw-Florida Avenue Project - JDA/Lease Comments

Hi Roz,

I am meeting with Carol/Bruce today at 11am. I will give you an update as soon as I am done.

Barring any major changes, I am hoping to have drafts for Mr. Karim early this afternoon.

I am also putting together a list of "clarifications" regarding treatment of the tunnel, our tax-exempt status; etc. The idea is to clear up any confusion on issues unique to WMATA (and to take these issues off of the bargaining table). Do you have anything that you think should be added to this list?

Thanks,

Josh

>>> Rosalyn Doggett 12/2/2008 9:09 AM >>>

>>> "Omar A. Karim" <okarim@bannekerventures.com> 12/1/2008 3:51 PM >>>
Ms. Doggett,

Any word on comments to the JDA/Lease?

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Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

-----Original Message-----

From: Rosalyn Doggett [<mailto:rdoggett@wmata.com>]
Sent: Friday, November 21, 2008 4:22 PM
To: Omar A. Karim
Cc: thicks@bannekerventures.com; Devorah 'Lewin'; Guy 'Flynn'; Seth 'Bryant'; Joel R. Washington; Joshua W. Montague
Subject: Re: Howard/Shaw-Florida Avenue Project - JDA/Lease Comments

We'll do what you suggest in your last sentence. I would hope that we can get you our comments later next week and meet the following week. We will aim for that.

>>> "Omar A. Karim" <okarim@bannekerventures.com> 11/21/2008 9:35 AM >>>
Ms. Doggett,

Our counsel believes it would be best to meet after we have received the redlined version of your comments. As such, if you are able to provide them by today or early Monday, we could meet Tuesday morning. Otherwise, lets meet after Josh has received and incorporated all your comments.

Thanks.

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Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Monday, December 01, 2008 3:52 PM
To: Doggett, Rosalyn
Cc: thicks@bannekerventures.com; 'Lewin', 'Devorah', 'Flynn', 'Guy', 'Bryant', 'Seth', Montague, Joshua W.; Washington, Joel R.
Subject: RE: Howard/Shaw-Florida Avenue Project - JDA/Lease Comments

Ms. Doggett,

Any word on comments to the JDA/Lease?

Omar

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Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Monday, December 01, 2008 3:45 PM
To: Doggett, Rosalyn
Subject: Florida Avenue update

Hi Roz,

I am meeting tomorrow at 11am with Carol to go over the reply to the developer. Hopefully the drafts will be ready to go right after.

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Monday, December 01, 2008 11:48 AM
To: Doggett, Rosalyn
Subject: Florida Avenue language

Hi Roz,

Following up on something we were discussing last week, I noticed that the "commercially reasonable best efforts" language proposed by Banneker is almost identical to the language used in the Greenbelt JD agreement.

Kermit is not here today, but I will try to follow up with him to see where he got this language from when he drafted the Greenbelt docs.

Thought you might find that interesting.

Josh

Doggett, Rosalyn

From: Bottigheimer, Nat
Sent: Thursday, November 27, 2008 10:16 AM
To: arthemalaw@aol.com; Washington, Joel R.
Cc: Chisholm, Ann; Moneme, Emeka; Doggett, Rosalyn; alwason@wmata.com
Subject: Re: Fwd: RE: ****URGENT**** Meeting with Deputy Mayor Neil Albert

Regarding the Minnesota Ave letter, I had spoken with Shiva and Art and the suggested approach was for Art to forward to the Dep Mayor an email containing not a letter but the bullet points Marc Biondi included in the paragraph that starts with the GM say "I am concerned that...." That way, we're telling him we're preparing a letter response, and we tell him what the substance of the concerns are, but we're not putting a drafted letter in front of him.

I'm hoping Art and/or Ann can get this information to the Deputy Mayor as soon as possible, but by December 1st would be good.

Regarding the meeting with the Deputy Mayor on the 7th and Florida property, I'd like to recommend that if the Dep Mayor is part of it, then Emeka should be part of it, too (in addition to Roz). Roz and Joel, can you prepare materials for Emeka, please, that succinctly summarize the issue there (essentially, higher affordable housing requirements from Graham reduce land value to Metro to the point that we may need to get Board approval both on three possible items: 1) accepting lower value than approved; 2) rebidding the property; and 3) broader affordable housing policy from Board.).

Thanks very much, and Happy Thanksgiving Day to all,

Nat

>>> Joel R. Washington 11/25/08 4:04 PM >>>

I think there may be a timing issue with when a response is due from the GM. What are your thoughts on delaying the Minnesota Avenue response letter?

Joel

>>> Rosalyn Doggett 11/25/2008 3:08 PM >>>

Shall we hold the Minnesota Avenue letter until then?

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All -

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202-727-6851

Quoinett.Warrick@dc.gov

From: Ann Chisholm [<mailto:achisholm@wmata.com>]
Sent: Tuesday, November 25, 2008 1:46 PM
To: Warrick, Xzaquoinett (EOM)
Cc: Doggett, Rosalyn; Lawson, Arturo V.; Wallace, Maria A; Washington, Joel R.
Subject: Fwd: ****URGENT**** Meeting with Deputy Mayor Neil Albert

Ms. Warrick,

Art is out of the office and asked me to see if we can reschedule the meeting for Tuesday, December 2nd at 1:30 p.m.

Thanks

Ann

Ann E. Chisholm
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Any and all assistance would be greatly appreciated.

Thanks in advance,

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Thanks, Rosalyn

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Please advise:

- If this date and time works for you
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Thanks in advance,

Quoinett

Xzaquoinett Y. Warrick

Executive Assistant/Scheduler

Office of Planning & Economic Development

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Suite 317

Washington, DC 20004

202-727-6851

Quoinett.Warrick@dc.gov < <mailto:Quoinett.Warrick@dc.gov> >

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Wednesday, November 26, 2008 12:17 PM
To: Doggett, Rosalyn
Subject: Updates - Florida Avenue
Attachments: Shaw-Howard Joint Development Agreement - Draft 112608.doc; Shaw-Howard Lease - Draft 112608.DOC

Hi Roz,

Here are my updates. The rest I have flagged for us to discuss at 1:30.

Thanks,

Josh

Doggett, Rosalyn

From: Waszczak, Joanne
Sent: Tuesday, November 25, 2008 5:15 PM
To: Doggett, Rosalyn
Subject: Re: articles and Florida Ave

Okay. Thanks!

>>> Rosalyn Doggett 11/25/2008 5:13 PM >>>
he'll probably come to my office, so feel free to join us

>>> Joanne Waszczak 11/25/2008 5:12 PM >>>
Roz,

If you think I would learn key points from your meeting with Josh, I would be happy to attend. Just let me know.

I'll ask Joel about joining you at next week's meeting.

Joanne

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well, I am meeting with Josh Montague our lawyer at 1:30 tomorrow to go over documents; I don't think this is what you had in mind

Joel and I may be meeting with the Deputy Mayor of DC next week but you would have to ask Joel about that one

that's all for the moment but I hear your message and will remember (I hope) to include you

>>> Joanne Waszczak 11/25/2008 5:02 PM >>>
Roz,

Thanks for loaning those articles to me. I appreciate you thinking of me.

I would like to stay involved in the Florida Avenue project meetings, if possible. It is a very instructive case study that encompasses so many compelling and important topics: TOD, affordable housing, the current economic crisis, revitalization, gentrification and more. I appreciate the chance to listen and learn, and I would like to be helpful to you in some way as well, if possible.

Enjoy your holiday,
Joanne

>>> Rosalyn Doggett 11/7/2008 3:43 PM >>>
Our economic consultant has manipulated the Florida Avenue pro forma to see what is required to get both affordable housing and a value equal to or exceeding the net present value (NPV) of the next highest offeror. By adjusting certain variables within what he thinks is reason, Eric believes that we can still get the lion's share of what we were to get (except that base rent is \$430k instead of \$597k). What he shows is not the only way to skin the cat, but just an example that better conforms to the term sheet. (I haven't examined it in detail yet.)

>>> <eric.smart@bolansmart.com> 11/7/2008 2:51 PM >>>
Roz

Attached is Omar's latest proforma with a series of inputs marked by BSA that are either WMATA requirements and / or possible places for changes based on reasonable assumptions. Note that a required year one WMATA rent of \$430,000 escalated at 3.0% gets you to approximately the next highest proposal NPV, including adjusting the next highest proposal to assume a 2009 contract start date (deferred option payment from 2008 in earlier modeling).

Eric

--

Eric Smart, Bolan Smart Associates, Inc.
1250 24th Street, NW, Suite 300, Washington, DC 20037 202-776-7740 (direct), 202-841-2227 (cell), 202-371-1333 (BSA general) www.bolansmart.com

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Quoinett.Warrick@dc.gov

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Sent: Tuesday, November 25, 2008 1:46 PM
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Cc: Doggett, Rosalyn; Lawson, Arturo V.; Wallace, Maria A; Washington, Joel R.
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Ms. Warrick,

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Importance: High

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Doggett, Rosalyn

Subject: Mtg w/ Neil Albert & Staff re 8th & Florida Avenue Project w/Banneker Ventures
Location: Wilson Bldg
Start: Mon 12/1/2008 1:30 PM
End: Mon 12/1/2008 2:30 PM
Show Time As: Tentative
Recurrence: (none)
Meeting Status: Not yet responded
Organizer: Bottigheimer, Nat

Doggett, Rosalyn

From: <okarim@bannekerventures.com> [okarim@bannekerventures.com]
Sent: Friday, November 21, 2008 8:04 PM
To: okarim@bannekerventures.com; Doggett, Rosalyn
Cc: Hicks, Tiwana Clark; Lewin, Devorah; Flynn, Guy; Bryant, Seth; Montague, Joshua W.; Washington, Joel R.
Subject: Re: Howard/Shaw-Florida Avenue Project - JDA/Lease Comments

Sounds like a plan. If we receive the comments by Tues, we could be ready to meet toward the end of the following week, say Thurs or Fri.

Thank you and have an enjoyable weekend.

Omar

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Sender:
To: Omar A. Karim
Cc: Tiwana Clark Hicks
Cc: Devorah Lewin
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Sent: Nov 21, 2008 4:22 PM

We'll do what you suggest in your last sentence. I would hope that we can get you our comments later next week and meet the following week. We will aim for that.

>>> "Omar A. Karim" <okarim@bannekerventures.com> 11/21/2008 9:35 AM >>>
Ms. Doggett,

Our counsel believes it would be best to meet after we have received the redlined version of your comments. As such, if you are able to provide them by today or early Monday, we could meet Tuesday morning. Otherwise, lets meet after Josh has received and incorporated all your comments.

Thanks.

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

Sent from my BlackBerry® smartphone with SprintSpeed

Doggett, Rosalyn

From: ngw@postmaster.po
Sent: Friday, November 21, 2008 6:57 PM
To: Lawson, Arturo V.; Doggett, Rosalyn
Subject: RE: Meeting with Deputy Mayor Neil Albert

Rosalyn/Art -
Since next week doesn't work, please advise if Monday, December 1st @ 130pm-2pm will work for you.

Quoinett

Quoinett Warrick
202-727-6851
Quoinett.Warrick@dc.gov

-----Original Message-----

From: Rosalyn Doggett [<mailto:rdoggett@wmata.com>]
Sent: Thursday, November 20, 2008 4:46 PM
To: Warrick, Xzaquoinett (EOM)
Subject: Re: Meeting with Deputy Mayor Neil Albert

Quoinett, please arrange this through Art Lawson, our Government Relations Officer, which is standard procedure for us. Art's e-mail is alawson@wmata.com. His phone number is 962 1050.

Thanks, Rosalyn

>>> "Warrick, Xzaquoinett (EOM)" <Xzaquoinett.Warrick@dc.gov> 11/20/2008
3:49 PM >>>
Rosslyn -

Per my voicemail, I'd like to check your availability for a meeting with DM Albert on Monday, Nov 24th @ 215pm-245pm to discuss the metro project on 8th and Florida w/Banneker Ventures.

Please advise:

- If this date and time works for you
- Names of those accompanying you to this meeting
- Cell # for the day of the meeting

Thanks in advance,

Quoinett

Xzaquoinett Y. Warrick
Executive Assistant/Scheduler
Office of Planning & Economic Development
1350 Pennsylvania Avenue, NW
Suite 317
Washington, DC 20004
202-727-6851
Quoinett.Warrick@dc.gov <<mailto:Quoinett.Warrick@dc.gov>>

Doggett, Rosalyn

From: Flynn, Guy [guy.flynn@dlapiper.com]
Sent: Friday, November 21, 2008 4:22 PM
To: Doggett, Rosalyn
Subject: Out of Office AutoReply: Howard/Shaw-Florida Avenue Project - JDA/Lease Comments

Guy Flynn will be overseas on business travel until Monday, November 24, with irregular access to e-mail. If you need immediate assistance, please contact Debbie Donning at 410-580-4594 or deborah.donning@dlapiper.com. Thank you.

Please consider the environment before printing this email.

The information contained in this email may be confidential and/or legally privileged. It has been sent for the sole use of the intended recipient(s). If the reader of this message is not an intended recipient, you are hereby notified that any unauthorized review, use, disclosure, dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please reply to the sender and destroy all copies of the message. To contact us directly, send to postmaster@dlapiper.com. Thank you.

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Friday, November 21, 2008 11:52 AM
To: Doggett, Rosalyn
Subject: Fwd: Howard/Shaw-Florida Avenue Project - JDA/Lease Comments

Hi Rosalyn,

I am free early Monday. Can you meet anytime before 2pm?

Josh

>>> "Omar A. Karim" <okarim@bannekerventures.com> 11/21/2008 9:35 AM >>>
Ms. Doggett,

Our counsel believes it would be best to meet after we have received the redlined version of your comments. As such, if you are able to provide them by today or early Monday, we could meet Tuesday morning. Otherwise, lets meet after Josh has received and incorporated all your comments.

Thanks.

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Friday, November 21, 2008 9:36 AM
To: Doggett, Rosalyn
Cc: thicks@bannekerventures.com; 'Lewin, Devorah'; 'Flynn, Guy'; 'Bryant, Seth'; Montague, Joshua W.; Washington, Joel R.
Subject: Howard/Shaw-Florida Avenue Project - JDA/Lease Comments
Importance: High

Ms. Doggett,

Our counsel believes it would be best to meet after we have received the redlined version of your comments. As such, if you are able to provide them by today or early Monday, we could meet Tuesday morning. Otherwise, lets meet after Josh has received and incorporated all your comments.

Thanks.

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC. 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Thursday, November 20, 2008 4:15 PM
To: Bottigheimer, Nat; Doggett, Rosalyn
Cc: Lawson, Arthur V.
Subject: Re: Fwd: Meeting with Deputy Mayor Neil Albert

Roz,

Monday is already a busy day for Nat and me, I think at least one of us should be there with you with any meetings with Mr. Albert. I think Art should be coordinating any meetings with the Deputy Mayor's office and Art should obtain the agenda and expectations for the meeting.

Joel

>>> Rosalyn Doggett 11/20/2008 3:59 PM >>>
Am I supposed to be doing this?

>>> "Warrick, Xzaquoinett (EOM)" <Xzaquoinett.Warrick@dc.gov> 11/20/2008 3:49 PM >>>
Rosslyn -

Per my voicemail, I'd like to check your availability for a meeting with DM Albert on Monday, Nov 24th @ 2:15pm-2:45pm to discuss the metro project on 8th and Florida w/Banneker Ventures.

Please advise:

- If this date and time works for you
- Names of those accompanying you to this meeting
- Cell # for the day of the meeting

Thanks in advance,

Quoinett

Xzaquoinett Y. Warrick

Executive Assistant/Scheduler

Office of Planning & Economic Development

1350 Pennsylvania Avenue, NW

Suite 317

Washington, DC 20004

202-727-6851

Quoinett.Warrick@dc.gov <<mailto:Quoinett.Warrick@dc.gov>>

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Thursday, November 20, 2008 8:44 AM
Subject: Fwd: Metro News Clips - Thursday, November 20, 2008
Attachments: WPOST1.pdf; WPOST2.pdf; WPOST3.pdf; dcexaminer4.pdf; washingtontimes5.pdf; gazette6.pdf; nytimes1.pdf; nytimes2.pdf; nydailynews3.pdf; nydailynews4.pdf; chicagotribune5.pdf

>>> Steven Taubenkibel 11/20/2008 8:16 AM >>>
To all:

Metro News

- 1) MetroAccess Staff Turnover Costly, Study Finds, Washington Post, November 19
- 2) Metro Mechanic Is Fired For Making Inappropriate Sex Jokes, Washington Post, November 19
- 3) US Transit Agencies Ask Congress For Help In Averting Service Cuts, Washington Post, November 19
- 4) Report: MetroAccess Still Flawed, Washington Examiner, November 19
- 5) Metro Chief Joins Transit Industry Call For Help, Washington Times, November 19
- 6) Residents Speak Out Against Cuts To Bus Service, Gazette Newspapers, November 20

US Transit News

- 1) MTA Said To Plan 23% Increase In Fare And Toll Revenue, New York Times, November 19
- 2) MTA's Biggest Headache: It's 5 Year Capital Plan, New York Times, November 20
- 3) MTA's In Fast Lane For Big Hike, New York Daily News, November 19
- 4) MTA Cuts May Hurt East Village People, New York Daily News, November 20
- 5) Ads For Grand Theft Auto IV Reappear On CTA Buses, Chicago Tribune, November 20

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Friday, November 14, 2008 5:22 PM
Subject: Board Items Preparation Milestones - 2008
Attachments: Board Items Preparation Milestones - 2008.xls

Attached.

Doggett, Rosalyn

From: <okarim@bannekerventures.com> [okarim@bannekerventures.com]
Sent: Thursday, November 13, 2008 5:06 PM
To: okarim@bannekerventures.com; Doggett, Rosalyn
Subject: Accepted: Florida Avenue Affordable Housing
Attachments: meeting.ics

Doggett, Rosalyn

From: 5B Land Conference Room [Room.JGB.5B.Land.Conference.Room@wmata.com]
Sent: Thursday, November 13, 2008 4:56 PM
To: Doggett, Rosalyn
Subject: Re: Florida Avenue Affordable Housing

Please be advised that this space is designated for Planning and Joint Development.

Please contact Shariyka Johnson (Ext. 1273), Maria Wallace (Ext. 2330), or Sid Mohsberg (Ext. 1755) for availability.

>>> rdoggett 11/13/08 16:56 >>>

Doggett, Rosalyn

Subject: Florida Avenue Affordable Housing
Location: Room JGB 5B Land Conference Room

Start: Tue 11/18/2008 3:00 PM
End: Tue 11/18/2008 4:00 PM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Doggett, Rosalyn

Doggett, Rosalyn

From: <okarim@bannekervertures.com> [okarim@bannekervertures.com]
Sent: Thursday, November 13, 2008 12:33 PM
To: okarim@bannekervertures.com; Seidman, Todd
Cc: Orr, Robert B.; Washington, Joel R.; Doggett, Rosalyn
Subject: Re: Shaw/Howard and U Steet Metro Stations

Thank you.

Omar

Sent from my BlackBerry® smartphone with SprintSpeed

-----Original Message-----

From: "Todd Seidman" <tseidman@wmata.com>

Date: Thu, 13 Nov 2008 11:52:27

To: <okarim@bannekervertures.com>

Cc: Joel R. Washington<jrWASHINGTON@wmata.com>; Rosalyn Doggett<rdoggett@wmata.com>; Robert B. Orr<rorr@wmata.com>

Subject: Shaw/Howard and U Steet Metro Stations

Mr. Karim

The attached file contains boarding and alighting counts by route and bus stop, for those stops in the immediate vicinity of Shaw/Howard University and U Street/Cardozo Metro Stations- including the stop at Georgia Ave//7th Street at Florida Avenue.

Todd Seidman

Bus Operations Analyst

Office of Operations Planning and Administrative Support (OPAS)

Washington Metropolitan Area Transit

Authority (WMATA)

600 Fifth Street, NW

Washington, DC 20001

Tel. (202) 962-2448

Fax. (202) 962-1277

Doggett, Rosalyn

From: Seidman, Todd
Sent: Thursday, November 13, 2008 11:52 AM
To: okarim@bannekerventures.com
Cc: Orr, Robert B.; Washington, Joel R.; Doggett, Rosalyn
Subject: Shaw/Howard and U Steet Metro Stations
Attachments: ShawHowardUStreetStations.xls

Mr. Karim

The attached file contains boarding and alighting counts by route and bus stop, for those stops in the immediate vicinity of Shaw/Howard University and U Street/Cardozo Metro Stations- including the stop at Georgia Ave//7th Street at Florida Avenue.

Todd Seidman
Bus Operations Analyst
Office of Operations Planning and Administrative Support (OPAS)

Washington Metropolitan Area Transit
Authority (WMATA)
600 Fifth Street, NW
Washington, DC 20001
Tel. (202) 962-2448
Fax. (202) 962-1277

Doggett, Rosalyn

From: <okarim@bannekerventures.com> [okarim@bannekerventures.com]
Sent: Thursday, November 13, 2008 10:50 AM
To: okarim@bannekerventures.com; Doggett, Rosalyn
Cc: Alston, Chamise; Hicks, Tiwana Clark; Smart, Eric; Washington, Joel R.
Subject: Re: Fwd: Ridership Information for Shaw/Howard Metro and UStreet Metro

Next Tues would be great. Anytime after 1 would be great.

Omar

Sent from my BlackBerry® smartphone with SprintSpeed

-----Original Message-----

From: "Rosalyn Doggett" <rdoggett@wmata.com>

Date: Thu, 13 Nov 2008 10:04:37

To: <okarim@bannekerventures.com>

Cc: <eric.smart@holansmart.com>; Joel R. Washington<jrWASHINGTON@wmata.com>

Subject: Re: Fwd: Ridership Information for Shaw/Howard Metro and U Street Metro

1
in case Joel Washington has not already sent this...

yes, we did get a response from FTA essentially we cannot reduce the rent to that below the next highest offer, irrespective of whether it included affordable housing while this can allow for some reduction in rent, it cannot achieve the targets you were looking for however, our consultant thinks that by reasonably changing some pro forma assumptions we can reach a midpoint that can serve us both otherwise, other subsidy would be required if you would like to get together to discuss this, say next Tuesday, I can try to arrange

>>> Robert E. Stedman 11/13/2008 9:11 AM >>>

>>> Joel R. Washington 11/10/08 2:06 PM >>>
Bob,

Can you provide the information requested from our selected development partner?

Joel

>>> "Omar A. Karim" <okarim@bannekerventures.com> 11/10/2008 1:30:46 PM
>>> >>>

Ms. Doggett and Mr. Washington, Can you please send us ridership information for the Shaw/Howard Metro stop (north-east entrance) and U Street/Cardozo Metro stop (11th Street entrance), as well as the bus ridership information for 7th and Florida Avenue. Thank you. Also, any word on your discussions with the FTA? Omar Omar A. KarimBanneker Ventures, LLC700 12th Street, NW, Suite 700Washington, DC 20005(202) 667-4110 office(301) 523-1810 cellokarim@bannekerventures.com

Doggett, Rosalyn

From: <okarim@bannekerventures.com> [okarim@bannekerventures.com]
Sent: Thursday, November 13, 2008 10:49 AM
To: okarim@bannekerventures.com; Washington, Joel R.
Cc: Doggett, Rosalyn
Subject: Re: Fwd: Ridership Information for Shaw/Howard Metro and UStreet Metro

Thank you!

Omar

Sent from my BlackBerry® smartphone with SprintSpeed

From: "Joel R. Washington" <jr.washington@wmata.com>
Date: Thu, 13 Nov 2008 10:29:48 -0500
To: Omar A. Karim <okarim@bannekerventures.com>
CC: Rosalyn Doggett <rdoggett@wmata.com>
Subject: Re: Fwd: Ridership Information for Shaw/Howard Metro and U Street Metro
Omar,

The rail data is attached.

Joel

>>> Robert E. Stedman 11/13/2008 9:11 AM >>>

>>> Joel R. Washington 11/10/08 2:06 PM >>>
Bob,

Can you provide the information requested from our selected development partner?

Joel

>>> "Omar A. Karim" <okarim@bannekerventures.com> 11/10/2008 1:30:46 PM >>>

Ms. Doggett and Mr. Washington, Can you please send us ridership information for the Shaw/Howard Metro stop (north-east entrance) and U Street/Cardozo Metro stop (11th Street entrance), as well as the bus ridership information for 7th and Florida Avenue. Thank you. Also, any word on your discussions with the FTA? Omar Omar A. Karim Banneker Ventures, LLC 700 12th Street, NW, Suite 700 Washington, DC 20005 (202) 667-4110 office (301) 523-1810 cell okarim@bannekerventures.com

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Thursday, November 13, 2008 10:30 AM
To: Karim, Omar A.
Cc: Doggett, Rosalyn
Subject: Re: Fwd: Ridership Information for Shaw/Howard Metro and U Street Metro
Attachments: Shaw n U St.xls

Omar,

The rail data is attached.

Joel

>>> Robert E. Stedman 11/13/2008 9:11 AM >>>

>>> Joel R. Washington 11/10/08 2:06 PM >>>
Bob,

Can you provide the information requested from our selected development partner?

Joel

>>> "Omar A. Karim" <okarim@bannekerventures.com> 11/10/2008 1:30:46 PM >>>

Ms. Doggett and Mr. Washington, Can you please send us ridership information for the Shaw/Howard Metro stop (north-east entrance) and U Street/Cardozo Metro stop (11th Street entrance), as well as the bus ridership information for 7th and Florida Avenue. Thank you. Also, any word on your discussions with the FTA? Omar Omar A. KarimBanneker Ventures, LLC700 12th Street, NW, Suite 700Washington, DC 20005(202) 667-4110 office(301) 523-1810 cell okarim@bannekerventures.com

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Thursday, November 13, 2008 10:26 AM
To: Karim, Omar A.; Doggett, Rosalyn
Subject: Fwd: Ridership Information for Shaw/Howard Metro and U Street Metro
Attachments: Fwd: Ridership Information for Shaw/Howard Metro and U Street Metro.txt

FYI

>>> Robert B. Orr 11/13/2008 8:59 AM >>>
Joel,

I forwarded this e-mail to Bob Stedman for the rail ridership and Todd Seidman for bus ridership yesterday 11/12/08.
Todd and Bob please answer the attached e-mail.

Thanks
Bob

Doggett, Rosalyn

From: Stedman, Robert E.
Sent: Thursday, November 13, 2008 9:11 AM
To: Orr, Robert B.; Washington, Joel R.
Cc: Doggett, Rosalyn
Subject: Re: Fwd: Ridership Information for Shaw/Howard Metro and U Street Metro
Attachments: Shaw n U St.xls

>>> Joel R. Washington 11/10/08 2:06 PM >>>
Bob,

Can you provide the information requested from our selected development partner?

Joel

>>> "Omar A. Karim" <okarim@bannekerventures.com> 11/10/2008 1:30:46 PM >>>

Ms. Doggett and Mr. Washington, Can you please send us ridership information for the Shaw/Howard Metro stop (north-east entrance) and U Street/Cardozo Metro stop (11th Street entrance), as well as the bus ridership information for 7th and Florida Avenue. Thank you. Also, any word on your discussions with the FTA? Omar Omar A. KarimBanneker Ventures, LLC700 12th Street, NW, Suite 700Washington, DC 20005(202) 667-4110 office(301) 523-1810 cellokarim@bannekerventures.com

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Monday, November 10, 2008 2:07 PM
To: Orr, Robert B.
Cc: Doggett, Rosalyn
Subject: Fwd: Ridership Information for Shaw/Howard Metro and U Street Metro

Bob,

Can you provide the information requested from our selected development partner?

Joel

>>> "Omar A. Karim" <okarim@bannekerventures.com> 11/10/2008 1:30:46 PM >>>
Ms. Doggett and Mr. Washington,

Can you please send us ridership information for the Shaw/Howard Metro stop (north-east entrance) and U Street/Cardozo Metro stop (11th Street entrance), as well as the bus ridership information for 7th and Florida Avenue. Thank you.

Also, any word on your discussions with the FTA?

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Monday, November 10, 2008 1:31 PM
To: Washington, Joel R.; Doggett, Rosalyn
Subject: Ridership Information for Shaw/Howard Metro and U Street Metro

Importance: High

Ms. Doggett and Mr. Washington,

Can you please send us ridership information for the Shaw/Howard Metro stop (north-east entrance) and U Street/Cardozo Metro stop (11th Street entrance), as well as the bus ridership information for 7th and Florida Avenue. Thank you.

Also, any word on your discussions with the FTA?

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Monday, November 10, 2008 12:31 PM
To: Doggett, Rosalyn
Subject: Re: Fwd: FL Ave

Hi Roz,

I have a couple of simple questions about this attachment. Can I come up and sit down with you for two seconds after you have had a chance to review?

Thanks!

Josh

>>> Rosalyn Doggett 11/7/2008 3:43:45 PM >>>

Our economic consultant has manipulated the Florida Avenue pro forma to see what is required to get both affordable housing and a value equal to or exceeding the net present value (NPV) of the next highest offeror. By adjusting certain variables within what he thinks is reason, Eric believes that we can still get the lion's share of what we were to get (except that base rent is \$430k instead of \$597k). What he shows is not the only way to skin the cat, but just an example that better conforms to the term sheet. (I haven't examined it in detail yet.)

>>> <eric.smart@bolansmart.com> 11/7/2008 2:51 PM >>>

Roz

Attached is Omar's latest proforma with a series of inputs marked by BSA that are either WMATA requirements and / or possible places for changes based on reasonable assumptions. Note that a required year one WMATA rent of \$430,000 escalated at 3.0% gets you to approximately the next highest proposal NPV, including adjusting the next highest proposal to assume a 2009 contract start date (deferred option payment from 2008 in earlier modeling).

Eric

--

Eric Smart, Bolan Smart Associates, Inc.
1250 24th Street, NW, Suite 300, Washington, DC 20037 202-776-7740 (direct), 202-841-2227
(cell), 202-371-1333 (BSA general) www.bolansmart.com

Doggett, Rosalyn

From: Waszczak, Joanne
Sent: Friday, November 07, 2008 5:03 PM
To: Doggett, Rosalyn
Subject: Re: Fwd: Florida Avenue - Blackline JDA / Lease

sounds good. i hope you have a good weekend, too. :)

>>> Rosalyn Doggett 11/7/2008 5:01 PM >>>
looks like there is time on any of those days let's see as the week progresses have a good weekend

>>> Joanne Waszczak 11/7/2008 4:55 PM >>>
Thanks for meeting with me today, Roz. I really appreciate your time.

I'll look over these items, as well as the rest of the package you gave me today.

Would there be a good time for you to talk more about Florida Ave on Wed, Thurs or Fri of next week?

Thanks,
Joanne

>>> Rosalyn Doggett 11/7/2008 11:48 AM >>>
fyi
Josh is the attorney on this project

>>> Joshua W. Montague 11/6/2008 5:41 PM >>>

Here are the Developer's responses to our initial JDA and Lease.

I have also included a table that I have drafted to compare the terms of the approved term sheet, our initial draft, and their blackline replies.

Josh

Doggett, Rosalyn

From: Waszczak, Joanne
Sent: Friday, November 07, 2008 4:55 PM
To: Doggett, Rosalyn
Subject: Re: Fwd: Florida Avenue - Blackline JDA / Lease

Thanks for meeting with me today, Roz. I really appreciate your time.

I'll look over these items, as well as the rest of the package you gave me today.

Would there be a good time for you to talk more about Florida Ave on Wed, Thurs or Fri of next week?

Thanks,
Joanne

>>> Rosalyn Doggett 11/7/2008 11:48 AM >>>

fyi
Josh is the attorney on this project

>>> Joshua W. Montague 11/6/2008 5:41 PM >>>

Here are the Developer's responses to our initial JDA and Lease.

I have also included a table that I have drafted to compare the terms of the approved term sheet, our initial draft, and their blackline replies.

Josh

Doggett, Rosalyn

From: <eric.smart@bolansmart.com> [eric.smart@bolansmart.com]
Sent: Friday, November 07, 2008 2:51 PM
To: Doggett, Rosalyn
Subject: FL Ave
Attachments: Jazz_-_Afford_Analysis_(6_OFAR_w_20%_afford)_as_of_10-27-08)(bsa alt).xls

Roz

Attached is Omar's latest proforma with a series of inputs marked by BSA that are either WMATA requirements and / or possible places for changes based on reasonable assumptions. Note that a required year one WMATA rent of \$430,000 escalated at 3.0% gets you to approximately the next highest proposal NPV, including adjusting the next highest proposal to assume a 2009 contract start date (deferred option payment from 2008 in earlier modeling).

Eric

--
Eric Smart, Bolan Smart Associates, Inc.
1250 24th Street, NW, Suite 300, Washington, DC 20037 202-776-7740 (direct), 202-841-2227
(cell), 202-371-1333 (BSA general) www.bolansmart.com

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Friday, November 07, 2008 8:53 AM
To: Doggett, Rosalyn
Subject: Florida Avenue question

Hi Rosalyn,

The Board minutes approving the Florida Avenue Developer state, "staff will provide documentation to the Board that clarifies the roles and responsibilities of the members of the development team."

Did we ever do this? What was the Board's intention in requesting this clarification?

As you will see on the Developer's blackline of the JDA/Lease, the Developer has removed all references to both District Development and Metropolis.

I am hoping to include this issue in my "material change" research.

Thanks,

Josh

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Thursday, November 06, 2008 5:41 PM
To: Heppen, Bruce P.; Doggett, Rosalyn
Subject: Florida Avenue - Blackline JDA / Lease
Attachments: Florida Avenue - altered terms.doc; DV_Comparison_#42197999v1_EAST_ - Development Agreement (Banneke-#42197999v3_EAST_ - Development Agreement (Banneke.doc; DV_Comparison_#42209240v1_EAST_ - Ground Lease [WMATA FORM]-#42202491v2_EAST_ - Banneker_WMATA Ground Lease (G.doc

Here are the Developer's responses to our initial JDA and Lease.

I have also included a table that I have drafted to compare the terms of the approved term sheet, our initial draft, and their blackline replies.

Josh

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Thursday, November 06, 2008 3:41 PM
To: Doggett, Rosalyn
Subject: Re: Wed a.m. meeting

Hi Rosalyn,

A couple of updates in reference to this Florida Avenue project:

1. Omar/DLA emailed their blackline comments to the JDA / Lease. I will forward to you.
2. In reference to #1 below, it is a bit of a gray area (of course!). At its heart, this is a business issue. But the legal side of this issue could be important procedurally and as negotiation leverage. I am putting together a memo that analyzes WMATA policy, FTA policy, and similar case law as to when an offer is so "materially changed" that it would require resolicitation. I will let you know what I find.

Josh

>>> Rosalyn Doggett 11/3/2008 12:39:29 PM >>>

I received your e-mail. Wed. a.m. about 10 would be good to get together. I have an 11 a.m. Joel just forwarded me a voice mail from FTA, to whom we asked a question about how far one could write down land per FTA policy, if any. This gist of the message:

1. Consult your attorney to see if we can accept a changed offer reflecting affordable housing without resoliciting.
2. If we can accept a changed offer, the present value cannot be lower than that of the next highest bidder, notwithstanding that that developer had no affordable housing.
3. If we decide to resolicit, we would have to get a new appraisal which appraisal could take into account an affordable housing requirement.

Obviously point 2 constrains any analysis that you might be doing. I will need to discuss it with Joel.

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Tuesday, November 04, 2008 3:51 PM
To: McLaughlin, Janice A.
Cc: Requa, Jack; Malasky, Gary; Burns, Bob; Bottigheimer, Nat; Doggett, Rosalyn
Subject: Status of Current Projects 8A revised 11_04_08.doc
Attachments: Status of Current Projects 8A revised 11_04_08.doc

Janice,

I revised the status report based on the comments I received in today's pre-brief.

Joel

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Monday, November 03, 2008 3:51 PM
To: Doggett, Rosalyn
Subject: Fwd: RE: Florida Avenue

FYI

>>> "Omar A. Karim" <okarim@bannekerventures.com> 11/3/2008 12:34:51 PM

>>> >>>

DLA is incorporating final comments to the first draft and we should be sending you a blacklined version of the docs by Wednesday.

Omar

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Monday, November 03, 2008 10:01 AM
Subject: Fwd: Metro News Clips - Monday, November 3, 2008
Attachments: dcexaminer1.pdf; dcexaminer2.pdf; WPOST3.pdf; WPOST4.pdf; WPOST5.pdf; wtopnews6.pdf; nytimes1.pdf; sfgate2.pdf

>>> Steven Taubenkibel 11/3/2008 8:45 AM >>>
To all:

Metro News

- 1) Metro Warns Of Slower Trains In Slippery Rail Season, Washington Examiner, November 3
- 2) Fairfax Eyes Raising Bus Fares, Washington Examiner, November 2
- 3) Letters To The Editor: A Sense Of Entitlement, Washington Post, November 3
- 4) D. Gridlock: Metro Searches Rankle Riders, Washington Post, November 2
- 5) Bruce Schnier Talks Metro Bag Searches, Washington Post, October 31
- 6) Metro Extends Monday Hours For Redskins Game, WTOP News, November 3

US Transit News

- 1) From Midwest To MTA, Pain From Global Gamble, New York Times, November 2
- 2) Protesting Teens Shut 3 BART Stations, San Francisco Chronicle, November 1

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Friday, October 31, 2008 4:46 PM
To: Doggett, Rosalyn
Subject: Florida Avenue

Hi Rosalyn,

I never heard from Omar Karim or his attorneys this week. Did you hear anything? I imagine it is going to take a little bit longer than they planned.

Have a good weekend!

Josh

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Friday, October 31, 2008 9:10 AM
Subject: Fwd: Metro News Clips - Friday, October 31, 2008
Attachments: WPOST1.pdf; WPOST2.pdf; dcexaminer3.pdf; dcexaminer4.pdf; reuters5.pdf; ap6.pdf; myfoxdc7.pdf; nydailynews1.pdf

>>> Steven Taubenkibel 10/31/2008 8:40 AM >>>
To all:

Happy Halloween!!

- Steven

Metro News

- 1) Bank Shelves Demand That Metro Pay Up, Washington Post, October 31
- 2) Robert Mathe: DC Engineer, Commissioner, Washington Post, October 31
- 3) Bank Agrees To Defer Claim For \$43 Million Metro Payment, Washington Examiner, October 31
- 4) Downtown Anacostia Added To Streetcar Line Proposal, Washington Examiner, October 31
- 5) Washington Transit Agency At Risk In AIG Fallout, Reuters, October 30
- 6) Judge Gives DC Transit Relief On \$43M Loan Payment, Associated Press, October 30
- 7) Judge Grants Temporary Relief On Bank Loan,
<http://www.myfoxdc.com/myfox/pages/News/Detail?contentId=7757583&version=3&locale=EN-US&layoutCode=TS1Y&pageId=3.2.1> (see news story), WTTG-TV 5, October 30

US Transit News

- 1) The Living Dead Buses In The Bronx, New York Daily News, October 31

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Thursday, October 30, 2008 9:51 AM
Subject: Fwd: Metro News Clips - Thursday, October 30, 2008
Attachments: WPOST1.pdf; WPOST2.pdf; WPOST3.pdf; voices.washingtonpost4.pdf; dcexaminer5.pdf; dcexaminer6.pdf; wjla7.pdf; wjla8.pdf; nbc4.com9.pdf; wusa9.com10.pdf; gazette11.pdf; newsday1.pdf; nydailynews2.pdf; nydailynews3.pdf; ajc4.pdf; chicagotribune5.pdf; philly6.pdf; dallasnews7.pdf

>>> Steven Taubenkibel 10/30/2008 9:08 AM >>>
To all:

Metro News

- 1) Metro Fighting Bank's Deadline, Washington Post, October 30
- 2) Letters To The Editor: Metro's Bag Searches, Washington Post, October 30
- 3) Arlington Voters Face \$170 Million In Bonds, Washington Post, October 30
- 4) Get There: Slippery Rails, Slippery Schedules, Washington Post, October 29
- 5) Metro Chief Orders Second Set Of Budget Cuts, Washington Examiner, October 30
- 6) Restraining Order Filed By Metro Against Belgian Bank, Washington Examiner, October 30
- 7) Metro Seeks Bank Restraining Order, WJLA-TV 7/Associated Press, October 29
- 8) Protestors oppose Metro Bag Searches, <http://www.wjla.com/news/stories/1008/565559.html> (see news story), WJLA-TV 7, October 29
- 9) Critics Protest Metro's Plan To Search Bags, [http://www.nbcwashington.com/news/local/Critics Protest Metros Plan to Search Bags.html](http://www.nbcwashington.com/news/local/Critics%20Protest%20Metros%20Plan%20to%20Search%20Bags.html) (see news story), WRC-TV 4, October 29
- 10) Metro Bus And Rail Operators Earning Six Figures, http://www.wusa9.com/rss/local_article.aspx?storyid=77704 (see news story), WUSA-TV 9, October 29
- 11) Second Metro Entrance Discussed, Gazette Newspapers, October 30

US Transit News

- 1) MTA: 2009 Budget Shortfall To Be Worse Than Expected, New York Newsday, October 30
- 2) Service Cuts looming, MTA Warns, New York Daily News, October 30
- 3) Cookies Grumble For MTA Honchos, New York Daily News, October 29
- 4) MARTA Seeks Piece Of Federal Bailout, Atlanta Journal Constitution, October 30
- 5) More Than 100 People Voice Opinions On CTA Fare Increases, Chicago Tribune, October 30
- 6) Editorial: US Support Of Amtrak, Philadelphia Inquirer, October 30
- 7) Advocate For Fathers Protest Ad Campaigns On Buses, Dallas Morning News, October 27

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Wednesday, October 29, 2008 1:53 PM
To: SAAM; Bottigheimer, Nat
Cc: Montague, Joshua W.; Welch, Kermit A.; Chu, Mable; Biondi, Marc E.; Dickerson, Tracie S.
Subject: Fwd: Economy halts developers' ballpark plans
Attachments: Economy halts developers' ballpark plans.txt

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Friday, October 24, 2008 4:14 PM
To: McLaughlin, Janice A.
Cc: Malasky, Gary; Montague, Joshua W.; Welch, Kermit A.; Chu, Mable; Biondi, Marc E.; Burns, Bob; Dickerson, Tracie S.; Johnson, Shariyka; Doggett, Rosalyn
Subject: FTA Quarterly Status of Current Projects 10-24-08__1.doc
Attachments: FTA Quarterly Status of Current Projects 10-24-08__1.doc

Janice,

I had to revise this report due to actions taken this afternoon.

Joel

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Friday, October 24, 2008 10:55 AM
To: Doggett, Rosalyn
Subject: Florida Avenue

You may be well aware of this, but I thought I should relay to you just in case. When we were walking out of the meeting last week, Omar informed me that he had entered into an agreement to purchase some of the land behind our property. He said that he would close on it simultaneously with our closing.

How does this affect any potential agreement with us? What if he has units that are partially on our land and partially on the land behind us?

Doggett, Rosalyn

From: <eric.smart@bolansmart.com> [eric.smart@bolansmart.com]
Sent: Thursday, October 23, 2008 4:07 PM
To: Doggett, Rosalyn
Subject: Florida IRR
Attachments: jazz IRR.pdf; jazz IRR WMATA.pdf

Roz

Per my phone message, as we progressed to sensitivity test the Jazz model we discovered what may be a pretty serious flaw in the IRR computations. It appears the developer is not including all of the interim net cash flow as part of the 17% return on equity. The attached PDFs summarize what happens if the IRR comps are corrected to reflect a 17% IRR, plus what happens to the returns if some of WMATA's deal structure is restored.

Let's discuss. Might be helpful in the interim if you sent something like the following to the developer:

In working through the provided proforma we discovered what we think are some computation problems regarding the IRR:

- 1) It appears that the Net Cash Flow to Equity may not be properly recognized for years 2013 to 2016.
- 2) Related to the above, if the total preferred return to equity is 17%, as indicated on the Summary page, realizing an actual IRR of 20.16% is excessive.
- 3) There seems to be no account for five years of paid down principal in the debt payment schedule.

While addressing these needed corrections we would ask that you also to conform the spreadsheets with the summary PDF pages presented to us earlier, in particular using a \$1.20 psf rent for the affordables, the annual WMATA lease payment and the prior project construction costs.

--

Eric Smart, Bolan Smart Associates, Inc.
1250 24th Street, NW, Suite 300, Washington, DC 20037 202-776-7740 (direct), 202-841-2227 (cell), 202-371-1333 (BSA general) www.bolansmart.com

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Tuesday, October 21, 2008 11:50 AM
To: Doggett, Rosalyn
Subject: Re: Fwd: Howard-Shaw/Florida Avenue Meeting

I am free.

>>> Rosalyn Doggett 10/21/2008 11:48 AM >>>
Josh- are you free Friday at 2. Joel is not but said to go on without him

>>> "Omar A. Karim" <okarim@bannekerventures.com> 10/20/2008 4:29 PM >>>
Ms. Doggett,

Last week when we discussed having the follow-up meeting this Thursday, I did not have my calendar with me. As I look at it for this week, I will not be able to meet with you all on Thursday. Would it be possible for us to meet on Wednesday (anytime) or Friday (anytime after 2pm). Thank you for your understanding.

Omar

Omar A. Karim

Banneker Ventures, LLC

700 12th Street, NW, Suite 700

Washington, DC 20005

(202) 667-4110 office

(301) 523-1810 cell

okarim@bannekerventures.com

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Tuesday, October 21, 2008 11:49 AM
To: Taiaia, Anabela; Malasky, Gary; Burns, Bob; McElhenny-Smith, Robin; Meister, Mark K.; Doggett, Rosalyn
Cc: Montague, Joshua W.; Welch, Kermit A.; Chu, Mable; Dickerson, Tracie S.; Scales, Phillip
Subject: Status of Current Projects 8A revised 10_21_08.doc
Attachments: Status of Current Projects 8A revised 10_21_08_1.doc

All,

Please review the attached status report, I edited the Rhode Island Station, Minnesota Avenue, U Street/Cardoza, and DC Land Swap items. The FTA Quarterly pre-brief is scheduled for Tuesday, November 4th. i need to submit the report to Jack Requa's office by this Friday.

Thanks,

Joel

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Monday, October 20, 2008 4:29 PM
To: Doggett, Rosalyn
Cc: Washington, Joel R.
Subject: Howard-Shaw/Florida Avenue Meeting

Ms. Doggett,

Last week when we discussed having the follow-up meeting this Thursday, I did not have my calendar with me. As I look at it for this week, I will not be able to meet with you all on Thursday. Would it be possible for us to meet on Wednesday (anytime) or Friday (anytime after 2pm). Thank you for your understanding.

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Monday, October 20, 2008 1:25 PM
Subject: Board Document Preparation Milestones - Updated 10/20/08
Attachments: Board Items Preparation Milestones - 2008.xls

FYI and action as appropriate.

The immediate focus are the 11/20/08 PD&RE Cmte and Board meetings.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Friday, October 17, 2008 4:45 PM
Subject: Board Documents Preparation Milestones - Updated 10/17/08
Attachments: Board Items Preparation Milestones - 2008.xls

Updated milestones are attached.

Doggett, Rosalyn

From: <eric.smart@bolansmart.com> [eric.smart@bolansmart.com]
Sent: Friday, October 17, 2008 4:06 PM
To: Doggett, Rosalyn
Subject: Re: Florida Avenue

Roz - How about 11:00 am for Tuesday, Oct 22 for a phone call? Eric

On Fri, 17 Oct 2008 1:23:20 -0500 (EST), "Rosalyn Doggett"
<rdoggett@wmata.com> wrote:
> likely to be Tuesday a.m.
> as of now, any time would be ok
>
> >>> <eric.smart@bolansmart.com> 10/17/2008 12:13 PM >>>
> Roz
>
> Thanks for Omar's spreadsheet. A quick review suggests should be
> fairly easy to work with. For now I will plan on a telephone call
> with you Monday pm or Tuesday am.
>
> Eric
>
>
> On Thu, 16 Oct 2008 1:15:58 -0500 (EST), "Rosalyn Doggett"
> <rdoggett@wmata.com> wrote:
> > Eric, thank you for the analysis which Joel and I used in speaking
> with
> > Omar Karim of Banneker.
> >
> > We have concluded, and Nat agrees with us, that reducing the rent
> > beyond land value for "affordable" units is really a Board policy
> > matter and that we should show implications of writedowns at various
> > percentages of affordability (maybe only 10% or 20%) at different
> > income
> > levels maybe 30, 50, 60, 80 % AMI.
> >
> > I asked Omar to send us his model, and he agreed. I would like to
> > get
> > together with you, go over his base development assumptions and see
> > if
> > we agree and then have you do some sensitivity analysis. We have
> > scheduled a meeting with Omar for Thursday at 11 a.m.
> >
> > It appears that some of our Board may think that WMATA should write
> > down the entire gap. We would like to have the Board take up this
> > issue
> > (as to what their policy would be) in December.
> >
> > Assuming Omar sends his model (and it is usable) by tomorrow, would
> > you
> > have time Monday afternoon or Tuesday morning to get together?
> > Maybe
> > we
> > can do it by phone. I'd have to wait to see what he sends.
> >
> > >>> <eric.smart@bolansmart.com> 10/15/2008 2:30 PM >>>
> > To: Roz
> > Re: Florida Ave revised proposal
> >
> > Three summary comments per yesterday's discussion:
> >
> > 1) Do not see why developer should get a LEEDS related credit when
> >
> > overall project cost is the same per square foot between the two
> > presented scenarios.
> >
> > 2) Obviously the recently submitted developer comparisons do not
> > permit easy comparison to the proforma data relied upon as part of
> > the
> >
> > initial developer designation. Without clarification of many

> changed

>> items it would not seem there is a basis provided to change the deal

>> structure, at least as it relates to the assumptions presented at

> the

>> time of the preliminary award.

>>

>> 3) Focusing on the 20% affordable housing component alone, we make

>>

>> the following observations:

>>

>> a) The developer's willingness to increase the ground rent

> structure

>> by

>> \$97,000 earlier in 2008 suggests, at least at some level, that they

>> valued the cost of providing 10 affordables at approximately 60% AMI

> in

>>

>> the range of \$10,000 per unit per year. Employing a 6.0% cap rate

>> would value the waived affordable subsidy in the range of \$165,000

>> per

> unit,

>> no

>> out of line with what an independent analysis would likely

>> substantiate.

>>

>> b) Unfortunately the above ratios cannot be applied as a constant

> when

>>

>> increasing the percentage of affordables, since at 20% vs. 10% there

>> are fewer market units per affordable to help offset the extra

>> costs.

> The

>>

>> simple math on this suggests that if there are 11.11% fewer market

>> units to be built relative to the number of affordables there is an

>> additional proportional developer cost needed to offset the extra

>> affordable on the order of \$11,250 per unit ($\$10,000 \times 9/8$).

>>

>> c) The drop of proforma affordables rent from \$1.50 to \$1.20 per FAR

>> appears to pretty much conform with going from a 60% AMI income to a

>> 50% AMI, assuming the affordable units' apt sizes average 95%

>> of

the

>> market

>> units (per DC standard requirements). This 20% drop in rents, other

>> things being constant, would increase the relative cost of the

>> affordables to the developer by 20%, or \$13,500 per unit compared

> with

>>

>> the initial \$10,000 cost per unit ($\$11,250 \times ((\$1.50 - \$1.20) / \$1.50)$).

>>

>> d) Figure that if you allow for a discount for the 29 affordables

>> totaling \$391,500 ($\$13,500 \times$

> 29 units), you will gross up the

> overall

>> rent structure to include the additional 43,338 FAR (178,752 gsf

> of

>> 135,414 gsf) valued at \$60 per FAR per the term sheet equaling

>> \$130,014

>>

>> per year ($\$2,600,280 \times .5.0\%$), or a total of \$727,014 ($\$597,000 +$

>> \$130,014), then perhaps offer to discount \$391,500 as a recognized

>> credit for the affordables, netting out at a base year ground rent

>> of

>> \$355,514

>>

>> (all else being held the same). This is probably much more than you

>> were thinking of conceding, so you can simplify based on whatever

> starting

>> point you wish.

>>

>>

>> Perhaps you can begin by simply saying, as I thought you were saying

>> yesterday, that you will credit them 20% on the grossed up land

> rent,

Doggett, Rosalyn

From: <eric.smart@bolansmart.com> [eric.smart@bolansmart.com]
Sent: Friday, October 17, 2008 12:13 PM
To: Doggett, Rosalyn
Subject: Re: Florida Avenue

Roz

Thanks for Omar's spreadsheet. A quick review suggests should be fairly easy to work with. For now I will plan on a telephone call with you Monday pm or Tuesday am.

Eric

On Thu, 16 Oct 2008 1:15:58 -0500 (EST), "Rosalyn Doggett"

<rdoggett@wmata.com> wrote:

> Eric, thank you for the analysis which Joel and I used in speaking
> with Omar Karim of Banneker.

>

> We have concluded, and Nat agrees with us, that reducing the rent
> beyond land value for "affordable" units is really a Board policy
> matter and that we should show implications of writedowns at various
> percentages of affordability (maybe only 10% or 20%) at different
> income levels maybe 30, 50, 60, 80 % AMI.

>

> I asked Omar to send us his model, and he agreed. I would like to get
> together with you, go over his base development assumptions and see if
> we agree and then have you do some sensitivity analysis. We have
> scheduled a meeting with Omar for Thursday at 11 a.m.

>

> It appears that some of our Board may think that WMATA should write
> down the entire gap. We would like to have the Board take up this
> issue (as to what their policy would be) in December.

>

> Assuming Omar sends his model (and it is usable) by tomorrow, would
> you have time Monday afternoon or Tuesday morning to get together?
> Maybe we can do it by phone. I'd have to wait to see what he sends.

>

>>> <eric.smart@bolansmart.com> 10/15/2008 2:30 PM >>>

> To: Roz

> Re: Florida Ave revised proposal

>

> Three summary comments per yesterday's discussion:

>

> 1) Do not see why developer should get a LEEDS related credit when

>

> overall project cost is the same per square foot between the two
> presented scenarios.

>

> 2) Obviously the recently submitted developer comparisons do not
> permit easy comparison to the proforma data relied upon as part of the

>

> initial developer designation. Without clarification of many changed
> items it would not seem there is a basis provided to change the deal
> structure, at least as it relates to the assumptions presented at the
> time of the preliminary award.

>

> 3) Focusing on the 20% affordable housing component alone, we make

>

> the following observations:

>

> a) The developer's willingness to increase the ground rent structure
> by \$97,000 earlier in 2008 suggests, at least at some level, that they
> valued the cost of providing 10 affordables at approximately 60% AMI
> in

>

> the range of \$10,000 per unit per year. Employing a 6.0% cap rate
> would value the waived affordable subsidy in the range of \$165,000 per
> unit, no out of line with what an independent analysis would likely
> substantiate.

>

> b) Unfortunately the above ratios cannot be applied as a constant when

>
> increasing the percentage of affordables, since at 20% vs. 10% there
> are fewer market units per affordable to help offset the extra costs.
> The
>
> simple math on this suggests that if there are 11.11% fewer market
> units to be built relative to the number of affordables there is an
> additional proportional developer cost needed to offset the extra
> affordable on the order of \$11,250 per unit ($\$10,000 \times 9/8$).
>
> c) The drop of proforma affordables rent from \$1.50 to \$1.20 per FAR
> appears to pretty much conform with going from a 60% AMI income to a
> 50% AMI, assuming the affordable units' apt sizes average 95% of the
> market units (per DC standard requirements). This 20% drop in rents,
> other things being constant, would increase the relative cost of the
> affordables to the developer by 20%, or \$13,500 per unit compared with
>
> the initial \$10,000 cost per unit ($\$11,250 \times ((\$1.50 - \$1.20) / \$1.50)$).
>
> d) Figure that if you allow for a discount for the 29 affordables
> totaling \$391,500 ($\$13,500 \times 29$ units), you will gross up the overall
> rent structure to include the additional 43,338 FAR (178,752 gsf @
> 135,414 gsf) valued at \$60 per FAR per the term sheet equaling
> \$130,014
>
> per year ($\$2,600,280 \times .5.0\%$), or a total of \$727,014 ($\$597,000 +$
> $\$130,014$), then perhaps offer to discount \$391,500 as a recognized
> credit for the affordables, netting out at a base year ground rent of
> \$355,514
>
> (all else being held the same). This is probably much more than you
> were thinking of conceding, so you can simplify based on whatever
> starting point you wish.
>
>
> Perhaps you can begin by simply saying, as I thought you were saying
> yesterday, that you will credit them 20% on the grossed up land rent,
> or \$581,600 ($\$727,014 \times 80\%$), then maybe work down to a more
> comprehensive
>
> number. For what it is worth, if need be we think you could fall back
> on the kind of basic analysis outlined above.
>
> Eric
>
>
>
> On Fri, 10 Oct 2008 4:13:14 -0500 (EST), "Rosalyn Doggett"
> <rdoggett@wmata.com> wrote:
> > I have sent you a barrage of e-mails and don't even know if you are
> around.
> > I would like to talk to you about Fl Ave on Tues. Essentially, this
>
> > developer is attempting to renege on a number of bases. Only a
> correction
> > for actual affordable housing makes sense to me. He is claiming he
> had
> 10%
> > work force only in his prior pro formas which you have and I will
> attempt to
> > look at this weekend along with 3 other work assignments!
> >
> >
> >
> >
> --
> Eric Smart, Bolan Smart Associates, Inc.
> 1250 24th Street, NW, Suite 300, Washington, DC 20037 202-776-7740
> (direct), 202-841-2227 (cell), 202-371-1333 (BSA general)
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>

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(cell), 202-371-1333 (BSA general) www.bolansmart.com

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Thursday, October 16, 2008 8:08 PM
To: Doggett, Rosalyn
Cc: Washington, Joel R.
Subject: Jazz @ Florida Avenue - Budget and Pro forma w/ Affordability Analysis
Attachments: Jazz - Afford Analysis (6 OFAR w 20% afford) as of 10-16-08 (Autosaved).xls
Importance: High

Ms. Doggett,

As promised at today's meeting, we attach for your review a copy of the budget and pro forma showing the affordable unit inclusion in the project and the impact thereof. For your convenience, I have highlighted in yellow cells on the Summary page which by changing them will show you the impact that the change will have on the entire pro forma. Please call or email me should you, Bolan or anyone else have questions. We look forward to discussing this with you next Thursday and hopefully getting to an agreement on these important terms in the coming weeks.

Thank you for all of your work in bringing this project along.

My sincerest thanks.

Omar

Omar A. Karim
Baneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, October 15, 2008 3:52 PM
Subject: Board Documents Preparation Milestones - Updated
Attachments: Board Items Preparation Milestones - 2008.xls

Latest update.

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, October 15, 2008 2:48 PM
To: Kennedy, Sean; Doggett, Rosalyn
Subject: Re: Fwd: PLJD Board Preparation Calendar - Updated 10/7/08
Attachments: Board Items Preparation Milestones - 2008.xls

Roz and Sean,

Guys, your e-mails are a bit inside baseballish. Assume I know absolutely nothing about this item, which is pretty much the truth, and let's please try this again:

When do you want to take this to the PD&RE Committee? 20 November 2008?

Action or information item? I sense action.

Who owns this item? PLAN (Sean) or SAAM (Roz)?

I see that the title of MEAD 100176 is "Prince George`s Plaza Retail Lease Amendment" and that Roz is the Originator; i.e., Roz is the only person who can edit it.

What is the official title of this item; i.e., the one you want to use for the Board Agenda Review (BAR)?

The pre-brief for Nat for the 11/20/08 PD&RE Cmte meeting is on 10/21/08 at 1:00 PM. Whoever owns this item needs to bring hard copies of the BAIS and PowerPoint presentation to the pre-brief.

Thanks.

Sid

>>> Rosalyn Doggett 10/15/2008 2:24 PM >>>
Joel says this will be a PDRE item since it is a jd contract amendment

>>> Rosalyn Doggett 10/15/2008 1:20 PM >>>
just to make sure, I am expecting you to do the power point but can shoot you a template if needed

>>> Sean Kennedy 10/15/2008 1:17 PM >>>
Excellent! Thanks Ros...

Sean Kennedy, AICP
Office of Long Range Planning
Washington Metropolitan Area Transit Authority
600 Fifth Street, NW
Washington, DC 20001
202-962-1575
202-962-1409 (fax)

>>> Rosalyn Doggett 10/15/2008 1:15 PM >>>
In answer to your question about MEAD 100176 and power point for PGP Marriott parking in the WMATA garage, I have done the MEAD (the BAIS is a derivative-- to use a dishonored word, now-- of the MEAD)

The attached calendar indicates that the briefings with Nat and Jack Requa are on Tuesday Oct 21 so the power point draft can be done probably on Monday the 20th-- early

I have asked Joel which committee this item would go to, I am thinking Ops and not PDRE but have asked Joel to confirm

I don't know if Sid has any updates about briefing dates and times.....

>>> Sid Mohsberg 10/7/2008 6:10 PM >>>
Attached.

Doggett, Rosalyn

From: <eric.smart@bolansmart.com> [eric.smart@bolansmart.com]
Sent: Wednesday, October 15, 2008 2:30 PM
To: Doggett, Rosalyn
Subject: Re: Florida Avenue

To: Roz
Re: Florida Ave revised proposal

Three summary comments per yesterday's discussion:

- 1) Do not see why developer should get a LEEDS related credit when overall project cost is the same per square foot between the two presented scenarios.
- 2) Obviously the recently submitted developer comparisons do not permit easy comparison to the proforma data relied upon as part of the initial developer designation. Without clarification of many changed items it would not seem there is a basis provided to change the deal structure, at least as it relates to the assumptions presented at the time of the preliminary award.
- 3) Focusing on the 20% affordable housing component alone, we make the following observations:

a) The developer's willingness to increase the ground rent structure by \$97,000 earlier in 2008 suggests, at least at some level, that they valued the cost of providing 10 affordables at approximately 60% AMI in the range of \$10,000 per unit per year. Employing a 6.0% cap rate would value the waived affordable subsidy in the range of \$165,000 per unit, no out of line with what an independent analysis would likely substantiate.

b) Unfortunately the above ratios cannot be applied as a constant when increasing the percentage of affordables, since at 20% vs. 10% there are fewer market units per affordable to help offset the extra costs. The simple math on this suggests that if there are 11.11% fewer market units to be built relative to the number of affordables there is an additional proportional developer cost needed to offset the extra affordable on the order of \$11,250 per unit ($\$10,000 \times 9/8$).

c) The drop of proforma affordables rent from \$1.50 to \$1.20 per FAR appears to pretty much conform with going from a 60% AMI income to a 50% AMI, assuming the affordable units' apt sizes average 95% of the market units (per DC standard requirements). This 20% drop in rents, other things being constant, would increase the relative cost of the affordables to the developer by 20%, or \$13,500 per unit compared with the initial \$10,000 cost per unit ($\$11,250 \times ((\$1.50 - \$1.20) / \$1.50)$).

d) Figure that if you allow for a discount for the 29 affordables totaling \$391,500 ($\$13,500 \times 29$ units), you will gross up the overall rent structure to include the additional 43,338 FAR (178,752 gsf - 135,414 gsf) valued at \$60 per FAR per the term sheet equaling \$130,014 per year ($\$2,600,280 \times .5.0\%$), or a total of \$727,014 ($\$597,000 + \$130,014$), then perhaps offer to discount \$391,500 as a recognized credit for the affordables, netting out at a base year ground rent of \$355,514 (all else being held the same). This is probably much more than you were thinking of conceding, so you can simplify based on whatever starting point you wish.

Perhaps you can begin by simply saying, as I thought you were saying yesterday, that you will credit them 20% on the grossed up land rent, or \$581,600 ($\$727,014 \times 80\%$), then maybe work down to a more comprehensive number. For what it is worth, if need be we think you could fall back on the kind of basic analysis outlined above.

Eric

On Fri, 10 Oct 2008 4:13:14 -0500 (EST), "Rosalyn Doggett"

<rdoggett@wmata.com> wrote:

- > I have sent you a barrage of e-mails and don't even know if you are around.
- > I would like to talk to you about FL Ave on Tues. Essentially, this
- > developer is attempting to renege on a number of bases. Only a correction
- > for actual affordable housing makes sense to me. He is claiming he
- > had
- > 10%
- > work force only in his prior pro formas which you have and I will

attempt to
> look at this weekend along with 3 other work assignments!
>
>
>
--

Eric Smart, Bolan Smart Associates, Inc.
1250 24th Street, NW, Suite 300, Washington, DC 20037 202-776-7740 (direct), 202-841-2227
(cell), 202-371-1333 (BSA general) www.bolansmart.com

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Friday, October 10, 2008 4:24 PM
To: okarim@bannekerventures.com
Cc: Devorah.Lewin@dlapiper.com; Bryant, Seth; Doggett, Rosalyn
Subject: Re: Florida Avenue: Draft of the JDA / Lease

Hi Omar,

This email is being sent to confirm that the Term Sheet's provisions relating to exclusive negotiation time period is being extended for one month, as discussed with Devorah Lewin this morning.

Hopefully everything will go so smoothly that we won't need it.

Hope you have a good weekend.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority 600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

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>>> "Omar A. Karim" <okarim@bannekerventures.com> 10/7/2008 5:50 PM >>>
Josh,

Please confirm that since there was a delay in getting the docs to us that the time period for getting this done (as per the Term Sheet) is extended.

Thanks.

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell

-----Original Message-----

From: "Joshua W. Montague" <jwmontague@wmata.com>

Date: Tue, 07 Oct 2008 10:49:26

To: <okarim@bannekerventures.com>

Cc: <Devorah.Lewin@dlapiper.com>; Rosalyn Doggett <rdoggett@wmata.com>

Subject: Florida Avenue: Draft of the JDA / Lease

Hi Omar,

Here is the draft of the Joint Development Agreement and Lease for the development of the Florida Avenue properties.

Please do not hesitate to contact me with any questions or comments.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority 600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

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Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekervertures.com]
Sent: Friday, October 10, 2008 1:09 PM
To: okarim@bannekervertures.com; Doggett, Rosalyn
Subject: Accepted: Shaw Howard Florida Avenue JDA and Lease Form
Attachments: meeting.ics

Doggett, Rosalyn

From: 5B Land Conference Room [Room JGB 5B Land Conference Room@wmata.com]
Sent: Friday, October 10, 2008 12:43 PM
To: Doggett, Rosalyn
Subject: Re: Shaw Howard Florida Avenue JDA and Lease Form

Please be advised that this space is designated for Planning and Joint Development.

Please contact Shariyka Johnson (Ext. 1273), Maria Wallace (Ext. 2330), or Sid Mohsberg (Ext. 1755) for availability.

>>> rdoggett 10/10/08 12:42 >>>

Omar, if you can have your attorneys provide a red line of the documents, it would be helpful. Please let me know.

Doggett, Rosalyn

Subject: Shaw Howard Florida Avenue JDA and Lease Form
Location: 5B Land Conference Room
Start: Thu 10/16/2008 12:33 PM
End: Thu 10/16/2008 2:33 PM
Show Time As: Tentative
Recurrence: (none)
Meeting Status: Not yet responded
Organizer: Doggett, Rosalyn

Omar, if you can have your attorneys provide a red line of the documents, it would be helpful. Please let me know.

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Friday, October 10, 2008 12:26 PM
To: Doggett, Rosalyn
Subject: Re: Florida Avenue

Hi Rosalyn,

The developer's attorney, Devorah Lewin, called me about extending the Term Sheet.

She asked for a one month extension. She also asked to get something in writing, though she said she would take an email confirmation.

How do we normally handle this?

Would it make sense to give them more than a one month extension in light of today's credit crisis?

Please let me know.

Thanks!

Josh

>>> Rosalyn Doggett 10/10/2008 10:20 AM >>>

I have made a tentative appointment with Omar Karim to go over the pro forma material he sent us and, I am assuming but will confirm, initial comments on jda. It is contingent on your availability.

1 p.m. Oct 16. Omar is out all the following week. And I am at a conference Oct 27-30. Tentatively we would meet again on the 31st. PLEASE LET ME KNOW.

I told him by phone that he was on his own on green building issues that he should have researched and that we would "consider" a rent reduction for affordable housing only but not all the other reductions he threw in. He was not happy, of course, and said that his previous rent proposal was for 10% work force housing which would be at a higher level than the affordable housing now being contemplated by his team. I still need to check that.

I further said that "I" would recommend a month's delay-- i.e. going to the Board in January instead of December-- owing to the time it took us to get a jda out.

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Friday, October 10, 2008 10:25 AM
To: Doggett, Rosalyn
Cc: Washington, Joel R.
Subject: Re: Florida Avenue

I am free the 16th and the 31st.

I would like to do a little research on the Affordable Housing issues prior to the meeting. Can you send me a copy of his latest pro forma material so that I can see where he is going with this?

Thanks!

Josh

>>> Rosalyn Doggett 10/10/2008 10:20 AM >>>

I have made a tentative appointment with Omar Karim to go over the pro forma material he sent us and, I am assuming but will confirm, initial comments on jda. It is contingent on your availability.

1 p.m. Oct 16. Omar is out all the following week. And I am at a conference Oct 27-30. Tentatively we would meet again on the 31st. PLEASE LET ME KNOW.

I told him by phone that he was on his own on green building issues that he should have researched and that we would "consider" a rent reduction for affordable housing only but not all the other reductions he threw in. He was not happy, of course, and said that his previous rent proposal was for 10% work force housing which would be at a higher level than the affordable housing now being contemplated by his team. I still need to check that.

I further said that "I" would recommend a month's delay-- i.e. going to the Board in January instead of December-- owing to the time it took us to get a jda out.

Doggett, Rosalyn

From: Rooths, Cathy
Sent: Wednesday, October 08, 2008 1:33 PM
To: Doggett, Rosalyn
Subject: Fwd: RE: RFP CQ8132/CPR Real Estate Consultant Svc.
Attachments: ERA_WMATA_Proposal_Supplement_2008_10_08.pdf

Attached is the additional information requested of ERA

Cathy Rooths
Contract Administrator
WMATA
600 Fifth Street, NW Room 3B-01
Washington, DC 20001
Telephone 202-962-2469
Fax 202-962-2038
Email crooths@wmata.com

>>> "Sands, Brian" <brian.sands@econres.com> 10/8/2008 12:36 PM >>>

Dear Ms. Rooths,

Please find attached our proposal supplement which includes the information you requested. Please contact me or W. Thomas Lavash at your convenience if you would like any additional information or clarification. Thank you for considering our proposal and we hope to be working with WMATA soon.

Kind regards,

Brian Sands

Brian D. Sands, AICP

Economics Research Associates

1101 Connecticut Ave. NW, Suite 750

Washington, DC 20036

Tel: 202.496.9870

Fax: 202.496.9877

Email: brian.sands@econres.com

www.econres.com

From: Cathy Rooths [<mailto:crooths@wmata.com>]
Sent: Monday, October 06, 2008 7:24 AM
To: Sands, Brian
Subject: RE: RFP CQ8132/CPR Real Estate Consultant Svc.

Requested information is required by 2 PM, October 8, 2008.

Thank You

Cathy Rooths
Contract Administrator
WMATA
600 Fifth Street, NW Room 3B-01
Washington, DC 20001

Telephone 202-962-2469
Fax 202-962-2038
Email crooths@wmata.com

>>> "Sands, Brian" <brian.sands@econres.com> 10/3/2008 5:00 PM >>>

Ms. Rooths,

Thank you for your email. I have been out of the office this afternoon, but will respond to your request on Monday.
Thanks for your patience and have a good weekend.

Brian

Brian D. Sands, AICP

Economics Research Associates

1101 Connecticut Ave. NW, Suite 750

Washington, DC 20036

Tel: 202.496.9870

Fax: 202.496.9877

Email: brian.sands@econres.com

www.econres.com

From: Cathy Rooths [<mailto:crooths@wmata.com>]
Sent: Friday, October 03, 2008 1:12 PM
To: Sands, Brian
Subject: RFP CQ8132/CPR Real Estate Consultant Svc.

The following information is hereby requested:

Please provide indicate, preferable through an organization chart, personnel assigned to each task (lead and backup) and, also the % of time of personnel devoted to each task. Provide additional information on backup personnel capability.

Please email information to crooths@wmata.com

Thank You

Cathy Rooths
Contract Administrator
WMATA
600 Fifth Street, NW Room 3B-01
Washington, DC 20001
Telephone 202-962-2469
Fax 202-962-2038
Email crooths@wmata.com

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Wednesday, October 08, 2008 12:02 PM
To: Doggett, Rosalyn
Subject: Fwd: Re: Florida Avenue: Draft of the JDA / Lease

Is this something we normally make official by putting in writing? We might want to take this opportunity to extend the return of the Proposal Security also.

>>> Rosalyn Doggett 10/8/2008 12:00:37 PM >>>
The JDS (solicitation) asks developers to allow 5 months for negotiation and approval of a contract. This has been informal board policy in the past (which we have used to prevent developers from extending negotiations forever). We need to talk to Omar anyway about his extensive rent reduction requests. So, I would be willing to grant an extension of a month so that we would finish negotiations by the end of November to take to the Board in January instead of December.

>>> Joshua W. Montague 10/8/2008 11:30 AM >>>
Hi Rosalyn,

I went through the Term Sheet and looked at the provisions for delay. Here is what I found:

1. Though Section 2 states that WMATA will prepare the JDA, no mention is made as to the timing.
2. The parties have 5 months after the execution of the Term Sheet to present the JDA to the BOD. No mention is made of extending this period. The only references to this time period concern 1) the Developer has the exclusive right to negotiate the JDA for these 5 months; and 2) if the JDA is not executed within said 5 months, WMATA must return the Proposal Security to the Developer (it appears that the Proposal Security must be returned whether the Term Sheet is terminated or not).
3. Section 7.8 of the Term Sheet addresses extensions due to "WMATA Delays". But, this section only allows for extending the maximum length of the Pre-stabilization period.

So, the Term Sheet does not effectively address a delay due to WMATA's tardiness in providing a draft of the JDA.

How have you handled this in the past?

Josh

>>> "Omar A. Karim" <okarim@bannekerventures.com> 10/7/2008 5:50:52 PM
>>> >>>
Josh,

Please confirm that since there was a delay in getting the docs to us that the time period for getting this done (as per the Term Sheet) is extended.

Thanks.

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell

-----Original Message-----

From: "Joshua W. Montague" <jwmontague@wmata.com>

Date: Tue, 07 Oct 2008 10:49:26

To: <okarim@bannekerventures.com>

Cc: <Devorah.Lewin@dlapiper.com>; Rosalyn Doggett<rdoggett@wmata.com>

Subject: Florida Avenue: Draft of the JDA / Lease

Hi Omar,

Here is the draft of the Joint Development Agreement and Lease for the development of the Florida Avenue properties.

Please do not hesitate to contact me with any questions or comments.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority 600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

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Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Wednesday, October 08, 2008 11:31 AM
To: Doggett, Rosalyn
Subject: Fwd: Re: Florida Avenue: Draft of the JDA / Lease

Hi Rosalyn,

I went through the Term Sheet and looked at the provisions for delay. Here is what I found:

1. Though Section 2 states that WMATA will prepare the JDA, no mention is made as to the timing.
2. The parties have 5 months after the execution of the Term Sheet to present the JDA to the BOD. No mention is made of extending this period. The only references to this time period concern 1) the Developer has the exclusive right to negotiate the JDA for these 5 months; and 2) if the JDA is not executed within said 5 months, WMATA must return the Proposal Security to the Developer (it appears that the Proposal Security must be returned whether the Term Sheet is terminated or not).
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So, the Term Sheet does not effectively address a delay due to WMATA's tardiness in providing a draft of the JDA.

How have you handled this in the past?

Josh

>>> "Omar A. Karim" <okarim@bannekerventures.com> 10/7/2008 5:50:52 PM
>>> >>>
Josh,

Please confirm that since there was a delay in getting the docs to us that the time period for getting this done (as per the Term Sheet) is extended.

Thanks.

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell

-----Original Message-----

From: "Joshua W. Montague" <jjwmontague@wmata.com>
Date: Tue, 07 Oct 2008 10:49:26
To: <okarim@bannekerventures.com>
Cc: <Devorah.Lewin@dlapiper.com>; Rosalyn Doggett<rdoggett@wmata.com>
Subject: Florida Avenue: Draft of the JDA / Lease

Hi Omar,

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Please do not hesitate to contact me with any questions or comments.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority 600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

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Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Tuesday, October 07, 2008 6:11 PM
Subject: PLJD Board Preparation Calendar - Updated 10/7/08
Attachments: Board Items Preparation Milestones - 2008.xls

Attached.

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Tuesday, October 07, 2008 5:51 PM
To: okarim@bannekerventures.com; Montague, Joshua W.
Cc: Devorah.Lewin@dlapiper.com; Bryant, Seth; Doggett, Rosalyn
Subject: Re: Florida Avenue: Draft of the JDA / Lease

Josh,

Please confirm that since there was a delay in getting the docs to us that the time period for getting this done (as per the Term Sheet) is extended.

Thanks.

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell

-----Original Message-----

From: "Joshua W. Montague" <jwmontague@wmata.com>

Date: Tue, 07 Oct 2008 10:49:26

To: <okarim@bannekerventures.com>

Cc: <Devorah.Lewin@dlapiper.com>; Rosalyn Doggett<rdoggett@wmata.com>

Subject: Florida Avenue: Draft of the JDA / Lease

Hi Omar,

Here is the draft of the Joint Development Agreement and Lease for the development of the Florida Avenue properties.

Please do not hesitate to contact me with any questions or comments.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority 600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

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Doggett, Rosalyn

From: Washington, Joel R.
Sent: Tuesday, October 07, 2008 1:15 PM
To: Malasky, Gary; Burns, Bob; McElhenny-Smith, Robin; Meister, Mark K.; Doggett, Rosalyn
Subject: Fwd: FTA Quarterly Review Meeting
Attachments: Draft Agenda.doc; 9A Status of Current Projects.doc; WMATA Quarterly Report Format.doc

FYI-- I believe I sent this email last week. I have Gary's edits, the file is on the shared drive under the JOINT DEVELOPMENT FILE folder.

>>> Janice A. McLaughlin 10/1/2008 4:55:16 PM >>>
Joel,

I have attached a form from Brian Glenn, but I am not sure that pertains to you.

The next FTA Quarterly Review Meeting is scheduled for **Wednesday, November 12, 2008**, at 1:30 p.m. in the lobby level Training Room. Pre-brief for this meeting will be **Tuesday, November 4, 2008 at 2:00 p.m.** in the General Manager's Conference Room.

Attached is a copy of the draft agenda and the response(s) submitted for the August 2008 FTA meeting. Please update this information using the attached form(s) and forward your response(s) to me no later than Noon on **Friday, October 24, 2008**, to allow time for coordination and review prior to pre-brief and advance mail out to Brian Glenn.

Should you have any questions, please feel free to contact me on extension 2470.

Thanks,
Janice

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Tuesday, October 07, 2008 11:56 AM
To: Malasky, Gary; Burns, Bob; McElhenny-Smith, Robin; Doggett, Rosalyn
Subject: Status of Current Projects 8A revised 7_22_08.doc
Attachments: Status of Current Projects 8A revised 7_22_08.doc

We need to update this report for the upcoming FTA Quartely meeting. The file is on the shared drive at JOINT DEVELOPMENT FILE/Status of Current Projects 8A revised 7_22_08.doc.

Thanks,

joel

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Tuesday, October 07, 2008 10:54 AM
To: Montague, Joshua W.
Cc: Devorah.Lewin@dlapiper.com; Doggett, Rosalyn
Subject: RE: Florida Avenue: Draft of the JDA / Lease

Thank you. We will review and get back with you in the coming days/week.

Omar

-----Original Message-----

From: Joshua W. Montague [mailto:jwmontague@wmata.com]
Sent: Tuesday, October 07, 2008 10:49 AM
To: okarim@bannekerventures.com
Cc: Devorah.Lewin@dlapiper.com; Rosalyn Doggett
Subject: Florida Avenue: Draft of the JDA / Lease

Hi Omar,

Here is the draft of the Joint Development Agreement and Lease for the development of the Florida Avenue properties.

Please do not hesitate to contact me with any questions or comments.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority 600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

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Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Tuesday, October 07, 2008 10:49 AM
To: okarim@bannekerventures.com
Cc: Devorah.Lewin@dlapiper.com; Doggett, Rosalyn
Subject: Florida Avenue: Draft of the JDA / Lease
Attachments: Shaw-Howard Joint Development Agreement - Draft 100708.doc; Shaw-Howard Lease - Draft 100708.DOC

Hi Omar,

Here is the draft of the Joint Development Agreement and Lease for the development of the Florida Avenue properties.

Please do not hesitate to contact me with any questions or comments.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority 600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

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Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Monday, October 06, 2008 5:07 PM
To: Doggett, Rosalyn
Subject: Re: Updated docs for Florida Avenue
Attachments: Shaw-Howard Lease - Draft 100608.DOC; Shaw-Howard Joint Development Agreement - Draft 100608.doc

It should be highlighted. I have re-attached.

The changes in the documents encompass your comments. I will bring your tabbed documents back up so that you can find easily.

Let me know if you still can't see the highlights.

>>> Rosalyn Doggett 10/6/2008 5:00:58 PM >>>
Josh, where did you make changes, i.e., where should I look?

>>> Joshua W. Montague 10/6/2008 4:52 PM >>>
Hi Rosalyn,

Here are blackline versions of the JDA/Lease. Please take a look and let me know what you think.

Josh

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Monday, October 06, 2008 4:52 PM
To: Doggett, Rosalyn
Subject: Updated docs for Florida Avenue
Attachments: Shaw-Howard Joint Development Agreement - Draft 100608.doc; Shaw-Howard Lease - Draft 100608.DOC

Hi Rosalyn,

Here are blackline versions of the JDA/Lease. Please take a look and let me know what you think.

Josh

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Monday, October 06, 2008 1:47 PM
To: Doggett, Rosalyn
Subject: FW: Follow-up re: LEED Certification and Affordability Impact on Florida Avenue Project Jazz - Analysis (6.0FAR w LEED certification and 20% affordable units).pdf; Jazz - Analysis (4.5FAR w no LEED certification and all market-rate units).pdf
Attachments:

Importance: High

Ms. Doggett,

Any word on when we might receive the draft JDA and Lease? One of our counsel will be out of town all next week and we would love to get the negotiations going as soon as possible.

Thanks.

Omar

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Thursday, October 02, 2008 7:09 PM
To: 'Rosalyn Doggett'
Cc: 'Joel R. Washington'
Subject: Follow-up re: LEED Certification and Affordability Impact on Florida Avenue Project
Importance: High

Ms. Doggett,

As a follow-up to our meeting last Friday, attached please find an updated analysis of the impact of the LEED certification and affordable unit inclusion on the Jazz @ Florida Avenue project. In sum, based on the LEED and affordable requirements imposed on the project, to keep us in the same financial situation that we were in prior to these impositions, the following changes would have to be made:

- Project would increase from 4.5 FAR to 6.0 FAR w/ no impact to any payments to WMATA
- Affordable Units: Increase from 0% affordable units to 20% affordable at 50% AMI
- Rents: Decrease from \$3/SF to \$2.70/SF (market rate) and \$1.20/SF (affordable units)
- LEED Certification: 2.5% of hard costs which is \$959k reduction in available proceeds
- WMATA Share of Profit upon sale of Project: Decrease from 10% to 0% of potential profit
- Annual Lease Payment: Decrease from \$597k/year to \$205k/year
- Security Deposit: Decrease from \$250k to \$50k
- Pre-Lease Payment: Decrease from \$345k to \$100k

We would like to schedule a follow-up meeting next week to discuss these impacts. Also, when should we expect to receive drafts of the JDA and lease?

Looking forward to speaking with you soon.

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Rooths, Cathy
Sent: Monday, October 06, 2008 7:21 AM
To: Doggett, Rosalyn
Subject: Fwd: RE: RFP CQ8132/CPR Real Estate Consultant Svc.
Attachments: WMATA_Proposal_081002_Experience.pdf

According to Cushman and Wakefield, the information that you requested is included in their technical proposal. They have attached below.

Cathy Rooths
Contract Administrator
WMATA
600 Fifth Street, NW Room 3B-01
Washington, DC 20001
Telephone 202-962-2469
Fax 202-962-2038
Email crooths@wmata.com

>>> "Lisa Olson" <Lisa.Olson@cushwake.com> 10/3/2008 4:22 PM >>>
Ms. Rooths,
The team is unclear about what information you are seeking. In an attempt to answer your question, I have attached a PDF with the relevant pages from Cushman & Wakefield's proposal. These pages describe C&W's actual involvement in projects cited in the Experience section as well as outlining the specific roles that each team member will play for WMATA. I have also included the team's resumes.
Please contact Brian McVay if you have further questions.
Thank you,
Lisa Olson

Lisa A. Olson
Marketing Associate, U.S. Marketing
Cushman & Wakefield, Inc.
1717 Pennsylvania Ave, NW
Fifth Floor
Washington, DC 20006

Tel: (202) 739-0874
Fax: (202) 857-0255
Email: lisa.olson@cushwake.com
www.cushmanandwakefield.com

Please consider your environmental responsibility before printing this email

----- Original Message -----
From: Cathy Rooths <crooths@wmata.com>
To: Brian McVay
Sent: Fri Oct 03 13:07:00 2008
Subject: RFP CQ8132/CPR Real Estate Consultant Svc.

The following information is hereby requested:

Please provide resumes for personnel who will be involved in this assignment, highlighting actual involvement in projects cited in the Experience section of technical proposal.

Please email information to crooths@wmata.com

Thank You

Cathy Rooths
Contract Administrator
WMATA
600 Fifth Street, NW Room 3B-01
Washington, DC 20001

Telephone 202-962-2469
Fax 202-962-2038
Email crooths@wmata.com

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Thursday, October 02, 2008 7:09 PM
To: Doggett, Rosalyn
Cc: Washington, Joel R.
Subject: Follow-up re: LEED Certification and Affordability Impact on Florida Avenue Project
Attachments: Jazz - Analysis (6.0FAR w LEED certification and 20% affordable units).pdf; Jazz - Analysis (4.5FAR w no LEED certification and all market-rate units).pdf

Importance: High

Ms. Doggett,

As a follow-up to our meeting last Friday, attached please find an updated analysis of the impact of the LEED certification and affordable unit inclusion on the Jazz @ Florida Avenue project. In sum, based on the LEED and affordable requirements imposed on the project, to keep us in the same financial situation that we were in prior to these impositions, the following changes would have to be made:

- Project would increase from 4.5 FAR to 6.0 FAR w/ no impact to any payments to WMATA
- Affordable Units: Increase from 0% affordable units to 20% affordable at 50% AMI
- Rents: Decrease from \$3/SF to \$2.70/SF (market rate) and \$1.20/SF (affordable units)
- LEED Certification: 2.5% of hard costs which is \$959k reduction in available proceeds
- WMATA Share of Profit upon sale of Project: Decrease from 10% to 0% of potential profit
- Annual Lease Payment: Decrease from \$597k/year to \$205k/year
- Security Deposit: Decrease from \$250k to \$50k
- Pre-Lease Payment: Decrease from \$345k to \$100k

We would like to schedule a follow-up meeting next week to discuss these impacts. Also, when should we expect to receive drafts of the JDA and lease?

Looking forward to speaking with you soon.

Omar

Omar A. Karim
Baneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Wednesday, October 01, 2008 4:59 PM
To: Malasky, Gary; Scales, Phillip; Meister, Mark K.; Doggett, Rosalyn
Subject: Fwd: FTA Quarterly Review Meeting
Attachments: Draft Agenda.doc; 9A Status of Current Projects.doc; WMATA Quarterly Report Format.doc

FYI

>>> Janice A. McLaughlin 10/1/2008 4:55:16 PM >>>
Joel,

I have attached a form from Brian Glenn, but I am not sure that pertains to you.

The next FTA Quarterly Review Meeting is scheduled for **Wednesday, November 12, 2008**, at 1:30 p.m. in the lobby level Training Room. Pre-brief for this meeting will be **Tuesday, November 4, 2008 at 2:00 p.m.** in the General Manager's Conference Room.

Attached is a copy of the draft agenda and the response(s) submitted for the August 2008 FTA meeting. Please update this information using the attached form(s) and forward your response(s) to me no later than Noon on **Friday, October 24, 2008**, to allow time for coordination and review prior to pre-brief and advance mail out to Brian Glenn.

Should you have any questions, please feel free to contact me on extension 2470.

Thanks,
Janice

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Wednesday, October 01, 2008 12:29 PM
To: Doggett, Rosalyn
Subject: Updated JDA/Lease - Florida Avenue
Attachments: Shaw-Howard Joint Development Agreement - Draft 100108.doc; Shaw-Howard Lease - Draft 100108.DOC

Here are blackline versions of both the JDA and Lease. I did make some minor adjustments to the JDA since I sent it to you this morning.

Please let me know what you think.

Thanks!

Josh

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Wednesday, October 01, 2008 10:21 AM
To: gale.brown@dot; Chisholm, Ann; Welch, Kermit A.; Biondi, Marc E.; Lawson, Arturo V.; Bottigheimer, Nat; Doggett, Rosalyn
Subject: Fwd: FW: INVITE: The next Happy Hour will be Friday, October 3 at Ibiza Nightclub, 1222 First Street, NE

FYI

>>> "Gada, Ketan (EOM)" <Ketan.Gada@dc.gov> 9/30/2008 2:45 PM >>>
All it that time of the month again for happy hour. look forward to seeing you guys there.

Ketan Gada

Project Manager

District of Columbia Government

Office of the Deputy Mayor for Planning and Economic Development (DMPED)

The John A. Wilson Building

1350 Pennsylvania Avenue NW, Suite 317

Washington, D.C. 20004

O: (202) 727-6778

M: (202) 538-1259

E: ketan.gada@dc.gov

From: Jannarone, David (EOM)
Sent: Monday, September 29, 2008 3:39 PM
To: Jannarone, David (EOM); SantosYoung, Valerie (EOM); Greg O'Dell (godell@dcconvention.com)
Cc: Albert, Neil (EOM)
Subject: INVITE: The next Happy Hour will be Friday, October 3 at Ibiza Nightclub, 1222 First Street, NE WDC 20002

Please join us for the next Happy Hour, details below:

Date:
Friday, October 3rd, 6pm - 9pm

Where:
Ibiza Nightclub, 1222 First Street, NE WDC 20002
www.ibizadc.com

It's at the corner of Patterson St. NE (between M and N St NE) and 1st Street NE near the New York/Florida Ave Metro Station. Parking is available.

Please forward to those I missed. Look forward to seeing you all.

-Dave

David Jannarone
Director of Development
Government of the District of Columbia
Office of the Deputy Mayor for Planning and Economic Development
The John A. Wilson Building
1350 Pennsylvania Avenue, NW, Suite 317
Washington, DC 20004
202-727-6365 phone

EMAIL: david.iannarone@dc.gov

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Wednesday, October 01, 2008 9:27 AM
To: Doggett, Rosalyn
Subject: Updated JDA
Attachments: Shaw-Howard Joint Development Agreement - Draft 100108.doc

The blackline lease will be following shortly. Please let me know what you think.

Thanks,

Josh

Doggett, Rosalyn

From: ngw@postmaster.po
Sent: Tuesday, September 30, 2008 2:45 PM
To: Doggett, Rosalyn
Subject: FW: INVITE: The next Happy Hour will be Friday, October 3 at Ibiza Nightclub, 1222 First Street, NE WDC 20002

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Ketan Gada

Project Manager

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Director of Development
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Office of the Deputy Mayor for Planning and Economic Development
The John A. Wilson Building
1350 Pennsylvania Avenue, NW, Suite 317
Washington, DC 20004
202-727-6365 phone
EMAIL: david.jannarone@dc.gov

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Monday, September 29, 2008 12:10 PM
To: Doggett, Rosalyn
Subject: Re: Florida Avenue Lease

How about I come up at 1:30? Let me know if that does not work. Otherwise I will see you then.

>>> Rosalyn Doggett 9/29/2008 12:09 PM >>>
Are you available at 1 or 1:30 to go over these?

>>> Joshua W. Montague 9/29/2008 8:44 AM >>>
Hi Rosalyn,

One issue I want to direct your attention to as you begin to review the Florida Avenue Lease document.

Section 7.3.1 of the Term Sheet had a typo as to the Initial Escalation Factor. Please review section and let me know what the initial escalation was supposed to be in the Lease (I just filled it in with my best guess).

Thanks,

Josh

Doggett, Rosalyn

From: Malasky, Gary
Sent: Monday, September 29, 2008 10:09 AM
To: Kniech, Robin; Washington, Joel R.; Scales, Phillip; Doggett, Rosalyn
Subject: RE: Fwd: request for information, follow-up to earlier conversation

The clarification below is helpful. The projects I cited are all WMATA joint development projects.

Gary

Gary Malasky
WMATA
600 Fifth Street NW
Washington, DC 20001
202-962-1504
gmalasky@wmata.com

>>> "Robin Kniech" <rkniech@fresc.org> 9/26/2008 5:22 PM >>>
Thank you all for this project information.

I want to clarify just one point. I am not terribly concerned about attributing affordable housing in a transit agency project to a city policy or a transit agency policy - in most cases across the country the answer is almost always a blend (i.e. the transit agency required it because the city needed it and they work together, or all parties knew that inclusionary zoning ordinance would require it so the transit agency didn't have to say anything about it in the RFP etc.). At the level of project examples, we find value in documenting all projects that were (1) joint development with the transit agency (through sale or lease of agency land typically) and (2) included affordable housing (regardless of exactly why it ended up there).

So, with that in mind, when I read the comments below about housing not being the result of a "WMATA program" I take that to mean that the *project* was still a WMATA joint development project, its just that you're attributing the *housing requirement* to something outside of the agency. In which case I should count those projects in my database of examples.

If any of the projects you list below are in fact totally separate from the agency, i.e. private deals or done on land sold or leased by the city or some other entity where WMATA was not a party, and you just noted them because they are TODs, then I should NOT count them for this particular study.

So please let me know if any of the projects you listed in the emails are NOT WMATA joint development. I'll assume all others are and work to follow-up from there.

I might follow up with a couple of you individually just clarify some of the shorthand details you provided once I finalize the project list.

Thank you again for your help, the information is very valuable.

Robin

-----Original Message-----

From: Gary Malasky [mailto:gmalasky@wmata.com]
Sent: Friday, September 26, 2008 2:01 PM
To: Joel R. Washington; Phillip Scales; Rosalyn Doggett
Cc: Robin Kniech
Subject: Re: Fwd: request for information, follow-up to earlier conversation

Yes, I did not mention White Flint. The first building is open and the affordable units are all rented. But that is not the result of a WMATA program. The developer met the requirements of Montgomery County in obtaining its entitlements. Soon it is likely all the jurisdictions here will have affordable housing requirements as part of their zoning or building permit process. The Navy Yard requirement was written because DC had not yet passed its Inclusionary Zoning statute.

Gary

Gary Malasky
WMATA

600 Fifth Street NW
Washington, DC 20001
202-962-1504
gmalasky@wmata.com

>>> Rosalyn Doggett 9/26/2008 3:30 PM >>>
Twinbrook (city of Rockville 15 %), Dunn Loring (Fairfax County - combination of "affordable" and "workforce"-- I'd need to recheck proffers 8-12%), Rhode Island Ave has some if DCHFA is financing it 20%-40%, not sure which, Minnesota Ave will have affordable housing per city RFP rpts which, I think, are 20-30%. If inclusionary zoning finally comes through, Navy Yard Chiller site will have @ 10% I assume that White Flint must meet Montgomery All my numbers need verification, but the projects do have or will have affordable housing. I do not know about Wheaton.

>>> Joel R. Washington 9/26/2008 3:07 PM >>>
All,

I am only aware of the Florida Avenue properties, which we have a term sheet but no JDA, that involves affordable housing. Are you aware of any past or current project that involves an affordable housing component?

Joel

Joel R. Washington
Director, Office of Station Area Planning and Asset Management Department of Planning and Joint Development Washington Metropolitan Area Transit Authority 600 Fifth Street, NW
Washington, DC 20001
202-962-2616
202-962-2396-Fax
jrwwashington@wmata.com

>>> "Robin Kniech" <rkniech@fresc.org> 9/24/2008 3:32:16 PM >>>

Dear Joel and Nat, Below is correspondence from my research assistant Amy from last Spring working to connect us. I've left several voice mails to try to connect over the summer without success, so am writing one last time to request an opportunity to speak with you regarding any specific WMATA joint development projects that have resulted in affordable housing. Nat provided Amy with the policy approach WMATA takes, which was very helpful, thank you. But we have been unable to acquire a list of any project examples to accompany this overview. We have project examples from every transit agency in the country who has done a project involving affordable, with the exception of WMATA, and I am concerned about finalizing our research without including your work. If you have project information and/or any statistics related to housing production that would be very helpful. However, we know many agencies don't have that information in writing so I would be more than happy to set up a time to talk and take notes on any information you could provide verbally. I'm also happy to discuss what we have found so far, how Denver is approaching the issue, and any other questions you may have. I would be most appreciative if you could contact me this week or next at the latest, as our goal is to wrap the research up in time for Railvolution where I'll be mentioning the research in a presentation coordinated by Sam Zimmerman of Reconnecting America/Center for TOD. (I've copied some background below to refresh you on the project). Thank you very much for any information or possible times to contact you. Sincerely, Robin Kniech As you may know, the Denver region is embarking upon a major (\$6 billion) transit build-out. Our transit agency is in the early phases of understanding and developing policies regarding joint development, including how it should approach affordable housing. To help them understand the best practices of peer agencies across the country, my organization has been working with a local Enterprise Community Partners chapter to do what we believe is the first comprehensive survey of national transit agency best practices related to affordable housing. As we've talked with colleagues from elsewhere, we also realize there is a desire for this information across the country, so we also intend to share our results more broadly. I have an upcoming presentation at the Railvolution conference where I'll be mentioning this work, and am hoping to finalize a few gaps in the research prior to the late October conference. Robin
KniechProgram DirectorFRESCOffice 303-477-6111x16Cell 720-203-9565Fax
303-477-6123rkniech@fresc.org Visit The New FRESC.ORG From: Amy Beres
[mailto:amyberes@gmail.com]
Sent: Monday, April 07, 2008 10:54 AM
To: Nat Bottigheimer
Cc: Robin Kniech
Subject: Re: WMATA joint development

Nat:Thank you for passing on Joel's information; I will give him a call. I am also ccing Robin Kniech, FRESC's Program Director, on this e-mail so that the two of you can connect -

she will be out of town this week but would be happy to talk with you sometime the week of April 14th about the work going on in Denver.

Thanks again for your help!

Best,

Amy On Fri, Apr 4, 2008 at 4:59 AM, Nat Bottigheimer <nbottigheimer@wmata.com> wrote: Hi, Amy--

I wanted to quickly acknowledge your email and voice mail messages. This has been a crazy week, so I've gotten a bit behind.

We'd be delighted to help out with your research needs. I'd like to refer you first for an initial conversation to Joel Washington who is now running the joint development office here. Joel's cc'd on this email and can be reached at 202-962-2616.

I'm also interested in following up with you myself as well to learn a little bit more about what you all are doing in Denver and your perspective on things there. If possible, perhaps we could get together by phone some time next week or the week after?

Thanks for your call and email, and look forward to talking soon,

Nat Bottigheimer

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Monday, September 29, 2008 8:44 AM
To: Doggett, Rosalyn
Subject: Florida Avenue Lease

Hi Rosalyn,

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Thanks,

Josh

Doggett, Rosalyn

From: Robin Kniech [rkniech@fresc.org]
Sent: Friday, September 26, 2008 5:23 PM
To: Malasky, Gary; Washington, Joel R.; Scales, Phillip; Doggett, Rosalyn
Subject: RE: Fwd: request for information, follow-up to earlier conversation

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Robin

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Cc: Robin Kniech
Subject: Re: Fwd: request for information, follow-up to earlier conversation

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Gary

Gary Malasky
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600 Fifth Street NW
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>>> Rosalyn Doggett 9/26/2008 3:30 PM >>>
Twinbrook (city of Rockville 15%), Dunn Loring (Fairfax County - combination of "affordable" and "workforce"-- I'd need to recheck proffers 8-12%), Rhode Island Ave has some if DCHFA is financing it 20%-40%, not sure which, Minnesota Ave will have affordable housing per city RFP rpts which, I think, are 20-30%. If inclusionary zoning finally comes through, Navy Yard Chiller site will have @ 10% I assume that White Flint must meet Montgomery All my numbers need verification, but the projects do have or will have affordable housing. I do not know

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All,

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Joel R. Washington
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Washington, DC 20001
202-962-2616
202-962-2396-Fax
jr.washington@wmata.com

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Kniech Program Director FRESOffice 303-477-6111x16Cell 720-203-9565Fax
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Sent: Monday, April 07, 2008 10:54 AM

To: Nat Bottigheimer

Cc: Robin Kniech

Subject: Re: WMATA joint development

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Nat Bottigheimer

Doggett, Rosalyn

From: Malasky, Gary
Sent: Friday, September 26, 2008 4:01 PM
To: Washington, Joel R.; Scales, Phillip; Doggett, Rosalyn
Cc: Kniech, Robin
Subject: Re: Fwd: request for information, follow-up to earlier conversation

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Joel

Joel R. Washington
Director, Office of Station Area Planning and Asset Management Department of Planning and Joint Development Washington Metropolitan Area Transit Authority 600 Fifth Street, NW
Washington, DC 20001
202-962-2616
202-962-2396-Fax
jrwashington@wmata.com

>>> "Robin Kniech" <rkniech@fresc.org> 9/24/2008 3:32:16 PM >>>

Dear Joel and Nat, Below is correspondence from my research assistant Amy from last Spring working to connect us. I've left several voice mails to try to connect over the summer without success, so am writing one last time to request an opportunity to speak with you regarding any specific WMATA joint development projects that have resulted in affordable housing. Nat provided Amy with the policy approach WMATA takes, which was very helpful, thank you. But we have been unable to acquire a list of any project examples to accompany this overview. We have project examples from every transit agency in the country who has done a project involving affordable, with the exception of WMATA, and I am concerned about finalizing our research without including your work. If you have project information and/or any statistics related to housing production that would be very helpful. However, we know many agencies don't have that information in writing so I would be more than happy to set up a time to talk and take notes on any information you could provide verbally. I'm also happy to discuss what we have found so far, how Denver is approaching the issue, and any other questions you may have. I would be most appreciative if you could contact me this week or next at the latest, as our goal is to wrap the research up in time for Railvolution where I'll be mentioning the research in a presentation coordinated by Sam Zimmerman of Reconnecting America/Center for TOD. (I've copied some background below to refresh you on the project). Thank you very much for any information or possible times to contact you. Sincerely, Robin Kniech As you may know, the Denver region is embarking upon a major (\$6 billion) transit build-out. Our transit agency is in the early phases of understanding and

developing policies regarding joint development, including how it should approach affordable housing. To help them understand the best practices of peer agencies across the country, my organization has been working with a local Enterprise Community Partners chapter to do what we believe is the first comprehensive survey of national transit agency best practices related to affordable housing. As we've talked with colleagues from elsewhere, we also realize there is a desire for this information across the country, so we also intend to share our results more broadly. I have an upcoming presentation at the Railvolution conference where I'll be mentioning this work, and am hoping to finalize a few gaps in the research prior to the late October conference. Robin Kniech Program Director FRESOffice 303-477-6111x16 Cell 720-203-9565 Fax 303-477-6123 rkniech@fresc.org Visit The New FRES.C.ORG From: Amy Beres [mailto:amyberes@gmail.com]
Sent: Monday, April 07, 2008 10:54 AM
To: Nat Bottigheimer
Cc: Robin Kniech
Subject: Re: WMATA joint development

Nat: Thank you for passing on Joel's information; I will give him a call. I am also ccing Robin Kniech, FRES's Program Director, on this e-mail so that the two of you can connect - she will be out of town this week but would be happy to talk with you sometime the week of April 14th about the work going on in Denver.
Thanks again for your help!

Best,

Amy On Fri, Apr 4, 2008 at 4:59 AM, Nat Bottigheimer <nbottigheimer@wmata.com> wrote: Hi, Amy--

I wanted to quickly acknowledge your email and voice mail messages. This has been a crazy week, so I've gotten a bit behind.

We'd be delighted to help out with your research needs. I'd like to refer you first for an initial conversation to Joel Washington who is now running the joint development office here. Joel's cc'd on this email and can be reached at 202-962-2616.

I'm also interested in following up with you myself as well to learn a little bit more about what you all are doing in Denver and your perspective on things there. If possible, perhaps we could get together by phone some time next week or the week after?

Thanks for your call and email, and look forward to talking soon,

Nat Bottigheimer

Doggett, Rosalyn

From: Malasky, Gary
Sent: Friday, September 26, 2008 3:35 PM
To: Washington, Joel R.; Scales, Phillip; Doggett, Rosalyn
Cc: Kniech, Robin
Subject: Re: Fwd: request for information, follow-up to earlier conversation

Joel--

Yes, Navy Yard West. This is an office building project built over our Navy Yard Station, but as part of our approval, we obtained developer agreement for an affordable housing component on adjacent residential buildings to be built by the developer on its own land. I would caution that this was written with the assumption that our rights would be assigned to the District of Columbia. WMATA, at least currently, has no staff or expertise to administer such a program. The office building is nearing completion and our renovated station is open, but the residential buildings are on hold pending better economic times.

Gary

Gary Malasky
WMATA
600 Fifth Street NW
Washington, DC 20001
202-962-1504
gmalasky@wmata.com

>>> Joel R. Washington 9/26/2008 3:07 PM >>>
All,

I am only aware of the Florida Avenue properties, which we have a term sheet but no JDA, that involves affordable housing. Are you aware of any past or current project that involves an affordable housing component?

Joel

Joel R. Washington
Director, Office of Station Area Planning and Asset Management Department of Planning and Joint Development Washington Metropolitan Area Transit Authority 600 Fifth Street, NW
Washington, DC 20001
202-962-2616
202-962-2396-Fax
jrWASHINGTON@wmata.com

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Thanks for your call and email, and look forward to talking soon,

Nat Bottigheimer

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Friday, September 26, 2008 3:08 PM
To: Malasky, Gary; Scales, Phillip; Doggett, Rosalyn
Cc: Kniech, Robin
Subject: Fwd: request for information, follow-up to earlier conversation
Attachments: IMAGE.jpeg; Joel R. Washington1.vcf

All,

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Joel

Joel R. Washington
Director, Office of Station Area Planning and
Asset Management
Department of Planning and Joint Development
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Transit Authority
600 Fifth Street, NW
Washington, DC 20001
202-962-2616
202-962-2396-Fax
irwashington@wmata.com

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Robin Kniech
Program Director
FRESC

Office 303-477-6111x16
Cell 720-203-9565
Fax 303-477-6123
rkniech@fresc.org



Visit The New FRESC.ORG

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Cc: Robin Kniech
Subject: Re: WMATA joint development

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Best,
Amy

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Thanks for your call and email, and look forward to talking soon,

Nat Bottigheimer

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Wednesday, September 24, 2008 3:22 PM
To: Doggett, Rosalyn
Subject: Florida Avenue Update

Hi Rosalyn,

I was hoping that we could touch base today about the status of the Florida Avenue JDA/Lease review.

I will probably need to speak to the developer/attorney at some point today to let them know where we stand.

What do you think?

Please let me know!

Josh

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, September 24, 2008 11:22 AM
Subject: Board Preparation Milestones - 9/24/08 11:20 AM Status
Attachments: Board Items Preparation Milestones - 2008.xls

All,

Attached is the status of PLJD's preparation for the 9/08 and 10/08 committees and Boards.

Sid

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekervertures.com]
Sent: Wednesday, September 24, 2008 9:43 AM
To: okarim@bannekervertures.com; Doggett, Rosalyn
Subject: Accepted: Florida Avenue
Attachments: meeting.ics

Doggett, Rosalyn

Subject: Florida Avenue
Location: 5B Land Conference Room
Start: Fri 9/26/2008 9:30 AM
End: Fri 9/26/2008 10:30 AM
Show Time As: Tentative
Recurrence: (none)
Meeting Status: Not yet responded
Organizer: Doggett, Rosalyn

Doggett, Rosalyn

From: Heppen, Bruce P.
Sent: Tuesday, September 23, 2008 12:10 PM
To: Washington, Joel R.
Cc: Montague, Joshua W.; Doggett, Rosalyn
Subject: follow up

Joel: I left a message for you yesterday. We (Josh, COK and myself) need to meet with you, Ros and Nat about a key issue involving Shaw/Florida Avenue - we need to how to respond to the developer's request that their leasehold become effective upon the approval of the JDA. This was not contemplated by the term sheet and we have concerns about granting such a concession to the developer.

On another matter, I also need to hear back from you about the issue of an agreement with the State of Maryland regarding the terms applicable to their consultant who may be working here one day a week.

Doggett, Rosalyn

From: Dommers, Christa [CDommers@seyfarth.com]
Sent: Tuesday, September 23, 2008 9:50 AM
To: Chu, Mable; Doggett, Rosalyn
Cc: harveytaylor@earthlink.net; jentdl@earthlink.net
Subject: 16th Amendment; First Amend. to Interim Parking Plan; Guaranty
Attachments: DC1-30238841-v1-Belcrest - Guaranty - revised draft.DOC; DC1-30235803-v4-Sixteenth (16th) Amendment to Joint Development Master Leasing Agreement.DOC; DC1-30237448-v3-Belcrest - First Amend to Interim Parking Plan.DOC; DC1-30235803-vDOC-Sixteenth (16th) Amendment to Joint Development Master Leasing Agreement.DOC; DC1-30237448-vDOC-Belcrest - First Amend to Interim Parking Plan.DOC

Mable and Roz,

Attached hereto are the following documents for your review and approval:

- 1) clean and redlined copy of 16th Amendment
- 2) clean and redlined copy of the First Amendment to Interim Parking Plan (we have not heard back re: parking charges, so those items remain blank)
- 3) clean draft of person Guaranty from Harvey Taylor for construction of the Remaining Replacement Spaces.

Please call me should you have any questions or concerns.

Sincerely,

Christa

CHRISTA L. DOMMERS | SEYFARTH SHAW LLP
815 Connecticut Ave., N.W., Suite 500, Washington, DC 20006
Phone: (202) 828-3521 | Fax: (202) 641-9211 cdommers@seyfarth.com | www.seyfarth.com

<<DC1-30238841-v1-Belcrest - Guaranty - revised draft.DOC>> <<DC1-30235803-v4-Sixteenth (16th) Amendment to Joint Development Master Leasing Agreement.DOC>> <<DC1-30237448-v3-Belcrest - First Amend to Interim Parking Plan.DOC>> <<DC1-30235803-vDOC-Sixteenth (16th) Amendment to Joint Development Master Leasing Agreement.DOC>> <<DC1-30237448-vDOC-Belcrest - First Amend to Interim Parking Plan.DOC>>

Any tax information or written tax advice contained herein (including any attachments) is not intended to be and cannot be used by any taxpayer for the purpose of avoiding tax penalties that may be imposed on the taxpayer.
(The foregoing legend has been affixed pursuant to U.S. Treasury Regulations governing tax practice.)

The information contained in this transmission is attorney privileged and/or confidential information intended for the use of the individual or entity named above.
If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited.

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Tuesday, September 23, 2008 9:00 AM
To: Erion, David F.; Sevier, John; Talaia, Anabela; Burns, Bob; Haldeman, Kristin M.; Meister, Mark K.; Doggett, Rosalyn
Cc: Hughes, James; Washington, Joeí R.; Harrington, Thomas
Subject: 9/25/08 PD&RE Cmte and Board Meetings: Dry run for Emeka and Nat
Attachments: Board Items Preparation Milestones - 2008.xls; BAR 9-23-08.pdf

All,

For the benefit of Emeka and Natt, this morning at 11:00 AM in the SAAM conference room there will be a dry run for this Thursday's (9/25/08) PD&RE Cmte and Board meetings.

Please bring 15 copies (5 color, 10 black and white) of your presentation, BAIS, resolution, etc. to this meeting.

Please see the SEP08 tab of the attached spreadsheet for who owns which of the eight items:

Committees:

PD&RE Cmte: 6

Board:

PD&RE: 6

FAO: 1

Admin: 1

Total: 8

Thanks.

Sid

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Monday, September 22, 2008 1:05 PM
To: Doggett, Rosalyn
Subject: Updated JDA - Florida Avenue
Attachments: Shaw-Howard Joint Development Agreement - Draft 092208.doc

Hi Rosalyn,

I met with Carol and Bruce this morning. Here is an updated JDA incorporating their comments. Please delete the previous version. There were no changes to the Lease at this time.

Hope you had a nice trip!

Josh

Doggett, Rosalyn

From: Washington, Joel R.
Sent: Monday, September 22, 2008 10:16 AM
To: Doggett, Rosalyn
Subject: Re: Florida Avenue JDA and Form Lease

I called Bruce this morning and left a message.

Joel

>>> Rosalyn Doggett 9/19/2008 3:19 PM >>>

Do you get a chance to talk to Bruce about the schedule for completing the review of Josh Montague's draft and the effect of the delays on our commitments?

Doggett, Rosalyn

From: Bottigheimer, Nat
Sent: Sunday, September 21, 2008 7:54 PM
To: Pant, Shiva K.; Moneme, Emeka
Cc: Marshall, Malcolm; Burns, Bob; Lawson, Arturo V.; Heppen, Bruce P.; O'Keeffe, Carol B.; Washington, Joel R.; Meister, Mark K.; Doggett, Rosalyn
Subject: Fwd: Marcus WMATA Easement Valuation Report for 7th & S Streets
Attachments: Mail.txt

Shiva--

I wanted to make sure that John knows prior to the pre-brief that there is a potential issue relating to the sale of property of ours at the Shaw - Howard station to Broadcast Partners / Radio One.

The Mayor has set an October 20th deadline for sale of District land to Broadcast Partners / Radio One. DC owns almost an entire block at Shaw Howard, and we own a small piece of land that is, essentially, our station exit. A precondition of sale of DC land to Broadcast Partners / Radio One was a deal between us and Broadcast Partners / Radio One.

We asked for an item to be placed on the September PDRE meeting -- a request for the Board to authorize us to negotiate and execute a contract with Broadcast Partners / Radio One. This would have been possible, in my view, if we and Broadcast Partners / Radio One had been closer to one another in terms of the value of our property.

I feel that we have been very accommodating in setting a Board date and in communicating terms we would accept, but I observe based on the attached email I'm forwarding that Broadcast Partners / Radio One is going in the opposite direction. To a lower assessment of the property's value than even they had estimated previously. My good will has therefore evaporated -- however, I recognize we don't need yet another spat with the District.

I spoke with Emeka on Friday, and he indicated that he would contact Neil Albert about this. We agreed that the message should be as follows:

" We would really like to be able to take an item to the Board on Thursday - we want to respect the Mayor's October 20th deadline for a deal, and we've been trying to meet that, both from a scheduling point of view and from a negotiating point of view.

"However, we are frankly insulted by the proposal that has been presented to us by Broadcast Partners / Radio One, and as staff can not represent that it is a fair deal to Metro. More importantly, there are reasons to believe the Board would not approve this - it is unprecedented to request authorization to negotiate and execute a land sale, the Board always approves terms and never gives us a blank check. It's hard to imagine the Board approving a blank check when the parties are not even close. In addition, we're not at all confident that FTA would approve a sale at the price proposed. Therefore, we are not confident that this item can or should go forward at all on Thursday. Neil, what can you do to help us move this forward?"

The other approach would be to simply pull the item without consulting Mr. Albert. This is a staff forwarded item, there is no written communication from the District to the GM specifically requesting anything related to this project, and so we could simply not forward to the Board something we're this uncomfortable with.

Shiva, I would like your counsel, and Emeka I would like your feedback from Neil, as soon as possible. Of course, since this property is in Mr. Graham's ward, so there is that dynamic, too. There is also the dynamic that Art has articulated, specifically that Radio One is troubled anyway, why should Metro be the fall guy for something that might not ever happen anyway?

Thanks,

Nat

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Friday, September 19, 2008 4:11 PM
To: Doggett, Rosalyn
Subject: Florida Ave Documents for your review
Attachments: Florida Avenue Current Issues.doc; Shaw-Howard Joint Development Agreement - Draft 091908.doc; Shaw-Howard Lease and Construction Agreement - Draft 091908.DOC

Hi Rosalyn,

Here are the documents. Please let me know what you think.

Thanks,

Josh

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Friday, September 19, 2008 12:18 PM
To: Bottigheimer, Nat
Cc: Marshall, Malcolm; Burns, Bob; Washington, Joel R.; Doggett, Rosalyn
Subject: Fwd: Marcus WMATA Easement Valuation Report for 7th & S Streets
Attachments: Report_Broadcast_Center_One_Easement_Draft.pdf

Nat,

See Malcolm's email below. Recommend a meeting early next week with Malcolm, Ros and Bob to discuss where we go from here and what to tell the Board.

Mark

>>> Malcolm Marshall 9/19/2008 11:33 AM >>>

The concluded value of the proposed acquisition in the above appraisal is \$133,000 as compared with the previous appraisal performed by another appraiser that concluded a value of \$2,413,000. Part of this difference may be explained by a reduction in the area of the air rights to be acquired, and the subsurface rights are not evaluated in the Marcus report. A cursory review of the appraisal raises the following issues:

1. The scope of work asks for the fair market value of the WMATA interests before and after the proposed disposition, and neither value is provided. These values must be addressed in any appraisal involving a partial acquisition.
2. A more detailed highest and best use (HBU) analysis is necessary with an explanation as to why the HBU is not considered to be assemblage when, in fact, the purpose of the proposed acquisition is for assemblage for the proposed development. There is no highest and best use analysis before and after the proposed disposition.
3. The appraiser concludes that the maximum height for development of the sites is two stories when the remainder of the block has apparently been approved for 8 stories and a 6.3 FAR. He further concludes, without explanation, that any use (building, sign, billboard, etc.) of the larger WMATA site containing the escalator would be limited to 2 stories.
4. None of the comparable sales are located in the immediate vicinity of the subject property. A prior appraisal performed by another appraiser provided sales information on a property located 2 blocks from the subject property that sold for a price of \$129 per sq. ft. of FAR. Marcus concludes that the FAR value of the property is \$62 per sq. ft. of FAR.

It appears that even if the above issues are addressed and the areas of the acquisition are revised for both appraisals, revised appraisal reports by the two appraisers will likely continue to result in very divergent concluded values for the WMATA interests proposed for disposition.

>>> Mark K. Meister 9/18/2008 10:29 AM >>>

Our first work product from M&B. No surprises here.

>>> "Cassell, Steven" < scassell@fourpointsllc.com > 9/18/2008 10:05 AM

>>> >>>

Gentlemen,

Please see the attached (Draft) Easement Report on Broadcast Center One from M & B Appraisal Services. They will be issuing the final report later today with their signatures without any modifications. Please let me know if you would like to schedule a call or meeting to discuss their findings.

Best regards,

Steven C. Cassell
Four Points, LLC
202-521-2529 (O)
202-250-1709 (C)
scassell@fourpointsllc.com

Doggett, Rosalyn

From: Marshall, Malcolm
Sent: Friday, September 19, 2008 11:34 AM
To: Meister, Mark K.
Cc: Burns, Bob; Washington, Joel R.; Doggett, Rosalyn
Subject: Marcus WMATA Easement Valuation Report for 7th & S Streets
Attachments: Report_Broadcast_Center_One_Easement_Draft.pdf

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Best regards,

Steven C. Cassell
Four Points, LLC
202-521-2529 (O)
202-250-1709 (C)
scassell@fourpointslc.com

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Thursday, September 18, 2008 12:15 PM
To: Doggett, Rosalyn
Subject: Florida Avenue

Hi Rosalyn,

Please let me know if you get any free time today so that I could run up and speak to you for 5 minutes about Florida Avenue.

Doggett, Rosalyn

From: Cassell, Steven [scassell@fourpointslc.com]
Sent: Thursday, September 18, 2008 10:05 AM
To: Welch, Kermit A.; Burns, Bob; Washington, Joel R.; Meister, Mark K.; Doggett, Rosalyn
Cc: Voudrie, Stan; Buerger, Christian A.
Subject: FW: WMATA Easement Valuation Report
Attachments: Report_Broadcast_Center_One_Easement_Draft.pdf

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Four Points, LLC
202-521-2529 (O)
202-250-1709 (C)
scassell@fourpointslc.com

Doggett, Rosalyn

From: Mohnsberg, Sid
Sent: Monday, September 15, 2008 9:57 AM
To: Erion, David F.; Hughes, James; Sevier, John; Burns, Bob; Haldeman, Kristin M.; Meister, Mark K.; Doggett, Rosalyn
Cc: Washington, Joel R.; Harrington, Thomas; Bottigheimer, Nat
Subject: 9/25/08 Board Meeting Supporting Documents
Attachments: Board Items Preparation Milestones - 2008-1.xls

All,

Please see the attached list, which shows highlighted in GREEN the PLJD ACTION items going to the Board on 9/25/08.

If you own one of those, please come to the GM Board Final Review this morning, 9/15/08, at 1000 in the GM's conference room and be prepared to back up Nat's discussion of these items.

The only document the Board will see is the BAIS (which includes a resolution, if applicable). As long as the BAIS for your item in the Board package is correct, you only need to bring yourself to the GM Board Final Review.

If the BAIS for your item in the Board package is not correct, bring 25 copies of the correct BAIS to the GM Board Final Review.

Regret short fuze.

Thanks.

Sid

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Thursday, September 11, 2008 12:02 PM
To: Heppen, Bruce P.; Doggett, Rosalyn
Subject: Florida Avenue - ROE
Attachments: ROE draft - FLAve 0911108.doc

Please review the attached.

I would love to be able to provide this to the developer some time today.

Let me know what you think!

Josh

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, September 10, 2008 5:18 PM
Subject: Updated PLJD Board Preparation Calendar
Attachments: Board Items Preparation Milestones - 2008.xls

All,

Attached.

Thanks.

Sid

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Tuesday, September 09, 2008 10:23 AM
To: Doggett, Rosalyn
Subject: Florida Avenue question

Good morning Rosalyn,

One issue that I was trying to hold off until you review the documents relates to the requirements of the Guarantor.

The term sheet states, "The Definitive Agreement will include minimum financial tests to be met by Guarantors, which will exceed the estimated costs of the aggregate payment and performance obligations under the Definitive Agreement by a reasonable margin. The adequacy of security and need for this Guarantee to be further discussed in Definitive Agreement."

Does SAAM have standard requirements for guarantors? What is your opinion on this?

Please let me know and I will try to effectively resolve this issue while we are awaiting my approvals.

Thanks,

Josh

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, September 03, 2008 5:10 PM
Subject: Status of Committee and Board Documents Preparation
Attachments: Board Items Preparation Milestones - 2008.xls

All,

Attached is the latest status.

Please provide any missing MEAD numbers; e.g., under 10/08: "Authorize Public Hearing to Discontinue Non-Regional Bus Routs 2W; 12A, C, D-G,L,M,R,S; 20F,W,X, Y"

Thanks.

Sid

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Thursday, August 28, 2008 10:29 AM
To: Doggett, Rosalyn
Subject: Florida Avenue

Rosalyn,

Can we reschedule from 9-10 to 9:30-10:30.

Thanks.

Omar

Omar A. Karim

Banneker Ventures, LLC

700 12th Street, NW, Suite 700

Washington, DC 20005

(202) 667-4110 office

(301) 523-1810 cell

okarim@bannekerventures.com

New Meeting Time Proposed:

Friday, August 29, 2008 9:30 AM-10:30 AM (GMT-05:00) Eastern Time (US & Canada).

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Thursday, August 28, 2008 9:21 AM
Subject: Fwd: Metro News Clips - Thursday, August 28, 2008
Attachments: dcexaminer1.pdf; dcexaminer2.pdf; WPOST3.pdf; WPOST4.pdf; WPOST5.pdf; WPOST6.pdf; wtopnews7.pdf; wjla8.pdf; ny1.com1.pdf; ny1.com2.pdf

>>> Steven Taubenkibel 8/28/2008 9:02 AM >>>

To all:

Metro News

- 1) Train Operators Opening Doors To Soon, Washington Examiner, August 28
- 2) Metro Farecard Investigation Expands Into Immigration Fraud, Washington Examiner, August 28
- 3) Killing Tied To Dispute Over Double Parking, Washington Post, August 28
- 4) District Briefing: Engine Of Metrobus Catches Fire In Northwest, Washington Post, August 28
- 5) Dr. Gridlock: Readers Opinions' Run Every Which Way, Washington Post, August 28
- 6) Weekend Track Work Is Expected To Disrupt Trips To National Airport, Washington Post, August 27
- 7) Plan To Hoof It To FedEx Field, WTOP News, August 28
- 8) Preliminary Work Starts In Tysons On Metrorail Expansion, <http://www.wjla.com/news/stories/0808/548105.html> (see news story), WJLA-TV 7, August 27

US Transit News

- 1) MTA's Plan To Prevent Flooding Faces Opposition, http://www.ny1.com/content/news_beats/transit/85193/mta-s-plan-to-prevent-flooding-faces-opposition/Default.aspx (see news story), New York 1, August 27
- 2) Transit Worker Claims He Must Choose Between Using The Bathroom, Keeping His Job, http://www.ny1.com/content/news_beats/transit/85212/transit-worker-claims-he-must-choose-between-using-the-bathroom--keeping-his-job/Default.aspx (see news story), New York 1, August 27

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Tuesday, August 26, 2008 12:38 PM
Subject: PLJD Preparation for 9/08 Board Committees
Attachments: Board Items-Preparation Milestones - 2008.xls

The latest status is attached.

Next milestone: e-mail updated PowerPoint presentation and resolution (if applicable) to Michelle Bellamy by noon this Friday, 8/29/08. The BAIS needs to be updated by that time as well.

Sid

Doggett, Rosalyn

From: Harry D. Sewell [hsewell@dchfa.org]
Sent: Tuesday, August 26, 2008 9:48 AM
To: Doggett, Rosalyn
Subject: RE: Dinner

Roz:

Just you, Ken and I. See you there.

H

-----Original Message-----

From: Rosalyn Doggett [mailto:rdoggett@wmata.com]
Sent: Tuesday, August 26, 2008 8:43 AM
To: Harry D. Sewell
Subject: Re: Dinner

excellent, see you there
is Fran coming too?

>>> "Harry D. Sewell" <hsewell@dchfa.org> 8/25/2008 5:24 PM >>>
Rosalyn:

We have dinner reservations at the Capital Grille 6th and Pennsylvania NW for 6:00 PM tomorrow. Looking forward to it.

H

Harry D. Sewell | Executive Director |
815 Florida Avenue, NW | Washington, DC 20001 |
Phone: 202-777-1601 | Fax: 202-986-6736 | www.dchfa.org |

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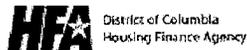
Doggett, Rosalyn

From: Harry D. Sewell [hsewell@dchfa.org]
Sent: Monday, August 25, 2008 5:24 PM
To: Doggett, Rosalyn
Subject: Dinner
Attachments: dchfa.jpg

Rosalyn:

We have dinner reservations at the Capital Grille 6th and Pennsylvania NW for 6:00 PM tomorrow. Looking forward to it.

H



Harry D. Sewell | Executive Director
815 Florida Avenue, NW | Washington, DC 20001 |
Phone: 202-777-1601 | Fax: 202-986-6736 | www.dchfa.org |

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Doggett, Rosalyn

From: Moddie Turay [moddie@moddieturay.com]
Sent: Friday, August 22, 2008 4:04 PM
To: Doggett, Rosalyn
Cc: Washington, Joel R.
Subject: RE: [SPAM] Re: Confirm Mtg

We are available on Wednesday morning. Please let me know what time works best.

Thank you

-----Original Message-----

From: Rosalyn Doggett [mailto:rdoggett@wmata.com]
Sent: Friday, August 22, 2008 11:12 AM
To: moddie@moddieturay.com
Subject: [SPAM] Re: Confirm Mtg

Moddie, I am very sorry, but thought that I had given you a tentative time and, not having heard back, made a commitment I now cannot change to be out of the office on Monday. Is there another time that week, say Wednesday or Friday morning-- any time-- that we could substitute?

>>> "Moddie Turay" <moddie@moddieturay.com> 8/22/2008 11:08 AM >>>

I hope all is well. I just wanted to confirm that we (MTC/Clark) are still on for Monday 9am at WMATA regarding Florida Avenue property.

Thanks

Moddie Turay

Moddie Turay Company, LLC

www.moddieturay.com

No virus found in this outgoing message.

Checked by AVG.

Version: 7.5.524 / Virus Database: 270.6.6/1627 - Release Date: 8/22/2008 6:48 AM

No virus found in this incoming message.

Checked by AVG.

Version: 7.5.524 / Virus Database: 270.6.6/1627 - Release Date: 8/22/2008 6:48 AM

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Friday, August 22, 2008 1:49 PM
Subject: Status of PLJD Preparation for 9/08 Committees & Board
Attachments: Board Items Preparation Milestones - 2008.xls

All,

Attached is the current status.

if you have not already e-mailed input for your item to the appropriate committee coordinator, then bring to the respective pre-briefs on 9/25/08 twenty-five hard copies of the BAIS, and if applicable the resolution, and PowerPoint presentation (10 color, 15 black and white).

Questions? Please see me.

Thanks.

Sid

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Thursday, August 21, 2008 8:59 AM
To: Doggett, Rosalyn
Cc: Ackerman, Heidi; Meister, Mark K.
Subject: Fwd: RE: WMATA development project - ROE (revised)

In my conversations with the Developer's attorney, they have expressed concern about testing needs that might extend over a weekend. Specifically they mentioned the need to leave equipment on the property. In any event, it is reasonable that there could be some (minimal) conflict between the interests of the developer and the licensees.

While I agree that the ROE will make it clear that the developer's ROE rights in the property are absolutely minimal, I do not think that they will back off of addressing any potential conflict.

Just a couple of ideas off the top of my head:

In the past have we ever required the ROE permittee to remove all equipment from the property so as not to conflict with a licensee?

Would it be feasible to include language in which the developer has to notify/request use of the property over a weekend(s), in which case WMATA would notify/request to the licensees that they cannot use the property for that weekend(s)?

Any other ideas?

Please let me know what you think.

Josh

>>> Rosalyn Doggett 8/21/2008 8:43:25 AM >>>
The Florida Avenue permittee has no "interest" in the property other than the ability to conduct tests which we should limit to times when the licensee (and the new licensee to whom Heidi is sending a permit) is not operating the flea market or parking operation. Other than that they are entitled to no indemnity, insurance, etc.

Once they sign a lease, which can be a couple of years from now, we will terminate the flea market and parking agreements. This is what we have done in other cases.

>>> Joshua W. Montague 8/20/2008 5:29 PM >>>
For your review.

>>> "Lewin, Devorah" <Devorah.Lewin@dlapiper.com> 8/20/2008 3:55 PM >>>

Josh,

Per our conversation, attached is a clean and marked version of the Right of Entry.

The document is acceptable to us and we have added an appropriate provision discussing the flea market license. Please let us know when the license was last renewed and the current term.

As discussed, our client would like the ROE signed as soon as possible and must present a signed copy of it to the lender in connection with the closing of our pre-development loan no later than Friday afternoon.

Our client has requested that WMATA deliver drafts of the JDA and Lease, which, as you know, we have been awaiting for over 2 weeks, along with the signed ROE by Friday.

Thanks.

Devorah

Devorah M. Lewin

DLA Piper US LLP
The Marbury Building
6225 Smith Avenue
Baltimore, MD 21209-3600
410.580.4397 T
410.580.3397 F
devorah.lewin@dlapiper.com
www.dlapiper.com

Admitted in New York and Maryland.

-----Original Message-----

From: Joshua W. Montague [<mailto:jwmontague@wmata.com>]
Sent: Thursday, August 14, 2008 12:50 PM
To: Lewin, Devorah
Cc: Flynn, Guy
Subject: RE: WMATA development project - ROE comments and fleamarketLicense

Hi Devorah,

Here is the redacted copy of the flea market license. As you will see, the consideration, identification of the party, and signatures were redacted pursuant to WMATA's Public Access to Records Policy (PARP).

As I mentioned to you on the phone yesterday, it is my understanding that the licensee will be very accomodating to your due diligence efforts so that they may be able to keep operating the flea market on the property as long as possible.

Please let me know if you have any questions.

Thank you,

Josh

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Thank you.

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Wednesday, August 20, 2008 1:05 PM
Subject: Status of PLJD Preparation for 9/08 Committees and Board
Attachments: Board Items Preparation Milestones - 2008.xls

All,

As the attached status report indicates, several items require a lot of work to be done prior to the 8/25/08 (next Monday) pre-briefs for Jack Requa (OPRS) for the PD&RE Cmte and Carol Kissal (CFO) for the FAO Cmte.

See in particular the color coded blocks at the right side of the spreadsheet.

Please let me know of any errors, omissions, corrections, etc.

Thanks.

Sid

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Wednesday, August 20, 2008 10:14 AM
To: Pohl, Mark R.
Cc: Doggett, Rosalyn
Subject: Fwd: WMATA/ Banneker- Florida Avenue Project

Hi Mark,

The developer's attorney on the Shaw-Howard project has a few tax-related questions that I would like to discuss with you. Please take a look at the email below and then let me know when you are free.

Thanks!

Josh

>>> "Myers, Paul B." <paul.myers@dlapiper.com> 8/19/2008 3:34 PM >>>
Josh,

Following up on our brief conversation from the week before last (I apologize, BTW, for the delay), I just wanted to give you a heads up about the fundamental tax issues we are thinking about in terms of the Florida Avenue project.

At bottom, the issues are (i) whether Developer will be treated as the lessee of the land for federal tax purposes and (ii) who will be the owner of the improvements for federal tax purposes?

Long term land leases are typically structured so that the lessor retains title for tax purposes of the underlying land (consistent with the form of the transaction) and the lessee never relinquishes title to the improvements. It is quite possible that WMATA has done multiple deals as I have described above and that the Florida Avenue project is intended to be treated consistently. We would like to know whether or not WMATA has considered this issue, and if it has, what is the intended tax characterization from WMATA's perspective?

If WMATA has not considered the issue, the most important factors to consider are:

(i) Is the lease stream for the land at market rates? To the extent that the Developer can be viewed as overpaying for the land the lease can be reconstrued for federal tax purposes as a sale, and the payments under the lease could be reconstrued as seller take back financing.

(ii) Is the land subject to a below market option in Developer's favor at term? Again, if Developer is able to procure title at term for a below market price, this could cause the transaction to be recast as a sale with take back financing.

(iii) What happens with the improvements at term? This will obviously be an important economic issue, but its resolution could have tax consequences as well. If the building reverts to the lessor at termination of the lease (without market consideration) then it is possible that the improvements could be viewed as belonging to WMATA from the inception.

Please let us know if you have considered these issues, and any conclusions you may have drawn. We are certainly happy to discuss any of this further with you.

Thanks,

Paul

<<http://www.dlapiper.com/>>
Paul B. Myers
DLA Piper US LLP
6225 Smith Avenue
Baltimore, Maryland 21209-3600
410.580.4822 T
410.580.3822 F
paul.myers@dlapiper.com
www.dlapiper.com <<http://www.dlapiper.com/>>

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Thank you.

Doggett, Rosalyn

From: Harry D. Sewell [hsewell@dchfa.org]
Sent: Monday, August 18, 2008 3:27 PM
To: Doggett, Rosalyn
Subject: Rhode Island
Attachments: dchfa.jpg

Roz:

Below are items I am told are in WMATA for review and approval in order for the deal to close:

- Covenants, Conditions and Restrictions
- Construction Drawings
- Project Coordination Agreement

As I indicated in the phone call, we are looking to close by September 30, 2008. Realistic?

H



District of Columbia
Housing Finance Agency

Harry D. Sewell | Executive Director |
815 Florida Avenue, NW | Washington, DC 20001 |
Phone: 202-777-1601 | Fax: 202-986-6736 | www.dchfa.org |

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Doggett, Rosalyn

From: Meister, Mark K.
Sent: Monday, August 18, 2008 8:42 AM
Subject: Fwd: Metro News Clips - Monday, August 18, 2008
Attachments: WPOST1.pdf; WPOST2.pdf; dcexaminer3.pdf; baltimoresun1.pdf; bostonherald2.pdf; boston3.pdf; philly4.pdf

>>> Steven Taubenkibel 8/18/2008 8:35 AM >>>
To all:

Metro News

- 1) Regional Briefing: Red Line Train Evacuated, Washington Post, August 18
- 2) Rise In Metal Prices Fuels Spate Of Catalytic Converter Thefts, Washington Post, August 17
- 3) VRE Eyes Hiking Fares Of 10 Percent Or More, Washington Examiner, August 17

US Transit News

- 1) Ravens Fans May Miss The Bus, Baltimore Sun, August 16
- 2) MBTA Worker Nabbed In Drop-Box Scheme, Boston Herald, August 18
- 3) MBTA Warns Workers To Be Vigilant, Boston Globe, August 16
- 4) Editorial: SEPTA's Expansion, Philadelphia Inquirer, August 17

Doggett, Rosalyn

From: Harry D. Sewell [hsewell@dchfa.org]
Sent: Friday, August 15, 2008 11:10 AM
To: Doggett, Rosalyn
Subject: RE: RI closing

Roz:

We're the dedicated (read crazy) ones. Have a good weekend.

H

Harry D. Sewell | Executive Director |
815 Florida Avenue, NW | Washington, DC 20001 |
Phone: 202-777-1601 | Fax: 202-986-6736 | www.dchfa.org |

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From: Rosalyn Doggett [<mailto:rdoggett@wmata.com>]
Sent: Friday, August 15, 2008 11:06 AM
To: Harry D. Sewell
Subject: RI closing

It may take until Monday to give you an answer. Everyone seems to be out today. Why are we at our desks?

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Thursday, August 14, 2008 12:28 PM
To: Doggett, Rosalyn
Subject: Fwd: Florida Avenue Properties
Attachments: Florida Avenue Properties.txt; Flea Market Lease.Redacted.pdf

Hi Rosalyn,

Did you get a copy of the redacted flea market lease for the Shaw-Howard transaction?

The developer's attorney has asked for a copy so that they can assess any liability concerns with the ROE. As you are probably aware, I have worked with Anabela and Keysia Thom (our PARP expert) to come up with a redacted copy that will provide the flea market lease info but also protect our commercial advantage interests.

I got an "OK" from Keysia and Anabela. If you are OK with this, then I will send to Guy Flynn.

Please let me know.

Josh

Doggett, Rosalyn

From: Talaia, Anabela
Sent: Thursday, August 14, 2008 12:22 PM
To: Montague, Joshua W.
Cc: Meister, Mark K.; Doggett, Rosalyn
Subject: Florida Avenue Properties

Ok with the redacted lease. By copy of this e-mail to R. Dogget, I am asking her if the Right of Entry Permit has been signed, and if so, may I have a copy.

You don't coordinate between Sussman and Developer. Roz will do that.

I'll call Sussman and inform him of what has transpired to-date.

A.

>>> Joshua W. Montague 8/14/2008 11:12 AM >>>
Hi Anabela,

Here is an updated version of the redacted flea market lease. Our PARP expert down here made two minor changes (crossed out all singatures and scaled back the consideration redactions to delete only the dollar amounts).

I just wanted to give you a chance to look it over before I sent it out to the Developer.

Also, did we give Mr. Sussman the "professional courtesy" call? I also wanted to give him the warning that the Right of Entry agreement will be coming (hopefully) soon. Is this something I should be doing?

Thanks again for all of your input!

Josh

>>> Anabela Talaia 8/13/2008 3:25 PM >>>
We don't need Sussman's approval so long as it is redacted. We don't need his approval if it isn't, but were we to send it out unredacted (is this redundant?), it would be a professional courtesy to inform him of the fact.

The thing is that we do not want the developer assuming rights it certainly does not have, one of which is its ability to discuss lease terms, negotiate entry rights, etc. with WMATA's tenant. There is no relationship between your developer and our tenant.

Here is the doc.

A.

>>> Joshua W. Montague 8/13/2008 2:51 PM >>>
Hi Anabela,

I remembered my last question for you! If we were to give the developer a redacted version of the license agreement, would it be possible for you to run this by Mr. Sussman to get his approval?

Please let me know what you think.

Josh

>>> Anabela Talaia 8/13/2008 2:03:38 PM >>>
Historically, leases have not been subject to PARP. Let me know.

>>> Joshua W. Montague 8/13/2008 2:01 PM >>>
Hi Anabela,

I just found out that we may have to turn over the flea market lease/license pursuant to the PARP rules.

I am checking with the PARP administrator down here. Just wanted to give you a heads up.

Will let you know when I know more.

Josh

>>> Anabela Talaia 8/11/2008 9:25:33 AM >>>

>>> Marc E. Biondi 8/8/2008 4:52 PM >>>
The lease would be with Anabela Talaia in SAAM.

She is copied on this email.

Marc

>>> Joshua W. Montague 8/8/2008 2:27 PM >>>
Do you know where I would find a copy of the final lease for the Flea Market?

Thanks!

Josh

>>> Marc E. Biondi 8/5/2008 12:51:39 PM >>>
FYI - another wrinkle for Fl. Ave.

>>> Anabela Talaia 8/5/2008 12:34:24 PM >>>
As you may know, we currently have a lease for a weekend flea market on the two smaller lots. Abstract attached. What do we do about it? We can terminate, we can leave things as is, we can do something else that you recommend. At some point we would be receiving rent from two different entities for the same property, but that's not a particularly significant issue so long as your developer doesn't need the property on weekends during their permitting process.

What do you advise?

A.

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Tuesday, August 12, 2008 2:07 PM
To: Doggett, Rosalyn
Subject: Re: JDA Draft
Attachments: Shaw-Howard Joint Development Agreement - Draft.DOC

Here is the corrected JDA. Sorry for any confusion.

Thanks!

Josh

>>> Rosalyn Doggett 8/12/2008 9:36:49 AM >>>
cool

>>> Joshua W. Montague 8/12/2008 9:35 AM >>>
I sent Guy an email this morning. As soon as I hear back, I will send it out. I will cc you on that email.

Josh

>>> Rosalyn Doggett 8/12/2008 9:27:41 AM >>>
I will look at this, hopefully later today. In the meantime, are you sending out the ROE?

>>> Joshua W. Montague 8/11/2008 6:01 PM >>>
Hi Rosalyn,

Here is a draft of the JDA agreement.

Please take a close look since I am a little new to the way WMATA does business.

The parts highlighted in gray were unclear to me. Maybe you could run over these with me when you get a free moment.

Thanks!

Josh

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Monday, August 11, 2008 6:01 PM
To: Doggett, Rosalyn
Subject: JDA Draft
Attachments: Shaw-Howard Joint Development Agreement - Draft.DOC

Hi Rosalyn,

Here is a draft of the JDA agreement.

Please take a close look since I am a little new to the way WMATA does business.

The parts highlighted in gray were unclear to me. Maybe you could run over these with me when you get a free moment.

Thanks!

Josh

Doggett, Rosalyn

From: Bushnaq, Tariq
Sent: Monday, August 11, 2008 5:08 PM
To: Stephanie#032#Farrell#032#
Cc: Ladislav#032#Domen#032#; Sherief#032#Elfar#032#; Doggett, Rosalyn
Subject: Fwd: WMATA As-built Info requested for the Jazz - Florida Avenue JD
Attachments: WMATA As-built Info requested for the Jazz - Florida Avenue JD.txt; PlanRequestForm.pdf

Stephanie,

See first attachment for info that you have requested.

Please have your team complete Plan Request Form (shown in Second Attachment) so we can process and place in file. After they complete it, please compile and forward to me.

Let me if you have any questions or need further info...Thanks..Tariq

Tariq,
I am following up on our email below concerning The Jazz at Florida Avenue. Can you give us any info on the status of our requests for information? Please let us know and give me a call if there are any questions.

Thanks,
Stephanie

Stephanie Farrell, LEED AP
Torti Gallas and Partners
1300 Spring Street, Suite 400
Silver Spring, MD 20910
Phone: 301-588-4800
Fax: 301-650-2255
Direct Dial: 240-645-1258
www.tortigallas.com

From: Stephanie Farrell
Sent: Wednesday, July 30, 2008 5:20 PM
To: 'tbushnaq@wmata.com'
Cc: 'okarin@bannekerventures.com'; 'abarrow@dcengineers4u.com'; Sherief Elfar; Ladislav Domen
Subject: The Jazz - Florida Avenue

Tariq,
Thank you for meeting with us last week regarding the Jazz at Florida Avenue project. We look forward to working with you. Below are our questions/ requests for information regarding the site.

Surveying/Civil,

- 1) WMATA horizontal and vertical control information, description of its locations and sketches.
- 2) Minimum of four WMATA control stations. Controls located around the vicinity of the project site, if possible, benchmarks within 800 feet to the project site.

Geotechnical/Environmental

- 1) Any existing geotechnical data including boring location sketches, soil type/water encountered depth, any existing utilities, etc.

Structural

- 1) Any available as built structural information at the location of the subject sites (between 7 to 9 street)
- 2) Any available information for tunnel foundation and depth, foundation sizes and loading conditions, surcharge loads, etc.
- 3) Provide web-link for WMATA Adjacent Construction guidelines.
- 4) Confirmation of the depth of the tunnel below grade as well as any easements adjacent to the tunnel.

Please let me know if you have any questions.

Thank you,
Stephanie

Stephanie Farrell, LEED AP
Torti Gallas and Partners
1300 Spring Street, Suite 400
Silver Spring, MD 20910
Phone: 301-588-4800
Fax: 301-650-2255
Direct Dial: 240-645-1258
www.tortigallas.com

Tariq Bushnaq, PE
Project Manager - Joint Development
Office of Joint Development & Adjacent Construction WMATA 600 Fifth Street, NW Washington, DC
20001
(202) 962-2043 Voice
(202) 962-1105 Fax
tbushnaq@wmata.com
www.wmata.com

Doggett, Rosalyn

From: Harry D. Sewell [hsewell@dchfa.org]
Sent: Monday, August 11, 2008 2:39 PM
To: Doggett, Rosalyn
Subject: RE: dinner

Rosalyn:

The 26th looks good for me.

H

Harry D. Sewell | Executive Director |
815 Florida Avenue, NW | Washington, DC 20001 |
Phone: 202-777-1601 | Fax: 202-986-6736 | www.dchfa.org |

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From: Rosalyn Doggett [<mailto:rdoggett@wmata.com>]
Sent: Monday, August 11, 2008 2:35 PM
To: Harry D. Sewell
Subject: dinner

how about the 19th or 26th of August?

Doggett, Rosalyn

From: ngw@postmaster.po
Sent: Monday, August 11, 2008 11:06 AM
To: Washington, Joel R.
Cc: Biondi, Marc E.; Doggett, Rosalyn
Subject: RE: Re: Fw: Broadcast Center One Information
Attachments: Parcel 33 Appraisal Report - May 2007.pdf

Joel,

Per your request, please find attached a PDF copy of the appraisal for the District owned site. I want to emphasize again that this is a fee simple appraisal (not an Air Rights/TDR appraisal) for Parcel 33 (District owned site) and DOES NOT discount for any special construction cost which will have to be factored when building right over the WMATA Escalator parcel. Feel free to call me should you have any questions. I will see you tomorrow.

Regards,

Ketan

Ketan Gada

Project Manager

District of Columbia Government

Office of the Deputy Mayor for Planning and Economic Development (DMPED)

The John A. Wilson Building

1350 Pennsylvania Avenue NW, Suite 317

Washington, D.C. 20004

O: (202) 727-6778

M: (202) 538-1259

E: ketan.gada@dc.gov

From: Joel R. Washington [<mailto:jrwashington@wmata.com>]
Sent: Monday, August 11, 2008 10:07 AM
To: Gada, Ketan (EOM)
Cc: Marc E. Biondi; Rosalyn Doggett
Subject: RE: Re: Fw: Broadcast Center One Information

I need to get concurrence from the Chief Counsel's office that I can share the appraisal.

Joel

>>> "Gada, Ketan (EOM)" <Ketan.Gada@dc.gov> 8/11/2008 10:03 AM >>>

Joel,

As I said I have the document in hard copy so let me see if I can make an electronic copy of the same or get a word copy from the source. In the meantime could you please send me a copy of the appraisal that WMATA commissioned please?

Thanks,

Ketan

Ketan Gada

Project Manager

District of Columbia Government

Office of the Deputy Mayor for Planning and Economic Development (DMPED)

The John A. Wilson Building

1350 Pennsylvania Avenue NW, Suite 317

Washington, D.C. 20004

O: (202) 727-6778

M: (202) 538-1259

E: ketan.gada@dc.gov

From: Joel R. Washington [<mailto:jrwashington@wmata.com>]
Sent: Monday, August 11, 2008 9:58 AM
To: Gada, Ketan (EOM)
Subject: Fwd: Re: Fw: Broadcast Center One Information

FYI-- We would need to see the comparables, unit values and other data analyzed to arrive at the \$47 per square foot value.

Joel

>>> Malcolm Marshall 8/11/2008 9:27 AM >>>

This appraisal report appears to contain only a draft of the transmittal letter to the report. The last paragraph of the letter states that the letter "is invalid as an opinion of value if detached from the report, which contains the text, exhibits, and Addenda." Can we get a final draft of the full report?

>>> Joel R. Washington 8/8/2008 5:44 PM >>>

-----Original Message-----

From: "Gada, Ketan (EOM)" <Ketan.Gada@dc.gov>
Cc: Morris, Emily (OAG) <emily.morris@dc.gov>
Cc: Issembert, Matthew (OAG) <matthew.issembert@dc.gov>
To: Washington, Joel R. <jrwashington@wmata.com>
Cc: <rdoggett@wmata.gov>

Sent: 8/8/2008 5:09:19 PM
Subject: Broadcast Center One Information

Joel,

Per your request please find attached the Summary of the Appraisal Report which was commissioned May 2007 and Land Disposition Agreement Extension for the project. The LDA had to be extended since they were unable to meet the closing conditions including settlement with WMATA the first time around. Again, I just want to reiterate the importance of getting this project to closing in next two months so the Shaw and LeDroit Park community can finally see their favorite project break ground. The community at large has been waiting for this for a long time and collectively we should help meet that goal sooner. Please share

these documents with Nat (and other people in your office) since he was keen on seeing the LDA expiration date. Also I wanted to ask you if you could share the Appraisal which was commissioned by WMATA for this site and I promise it will not be shared with anyone.

Have a nice weekend.

Regards,

Ketan

Ketan Gada

Project Manager

District of Columbia Government

Office of the Deputy Mayor for Planning and Economic Development (DMPED)

The John A. Wilson Building

1350 Pennsylvania Avenue NW, Suite 317

Washington, D.C. 20004

O: (202) 727-6778

M: (202) 538-1259

E: ketan.gada@dc.gov

Doggett, Rosalyn

From: Bottigheimer, Nat
Sent: Friday, August 08, 2008 3:37 PM
To: ascott@mdot.state.md.us; Ashby, Clayton; Schmitt, Patrick; Kennedy, Sean; Robinson, Thomas; Malasky, Gary; Hamre, James; Burns, Bob; Wilson, Sara; Lawson, Arturo V.; Jones, Catherine; Scott, Charlie; Magarelli, John A.; Washington, Joel R.; Haldeman, Kristin M.; Burns, Ramona M.; McElhenny-Smith, Robin; Benson, Sara E.; Peterson, Scott; Bushnaq, Tariq; Harrington, Thomas; Jia, Wendy; Hendren, Patricia; Doggett, Rosalyn
Subject: Fw: The Results Are In: TODs Really do Produce Fewer Car Trips
Attachments: Mail.txt

Fyi

-----Original Message-----

From: "Arrington, GB" <Arrington@pbworld.com>
To: Cummings, Adam <Adam@AdamHCummings.com>
To: Shoemaker, Bill <convene@aol.com>
To: Weaver, Rich <rweaver@apta.com>
To: Millar, Bill <wmillar@apta.com>
To: Garrett, June <jgarret@bart.gov>
To: Ordway, Jeff <jordway@bart.gov.>
To: Cox-Blair, Catherine <catherine.cox-blair@ci.denver.co.us>
To: Dotterrer, Steve <sdotterrer@ci.portland.or.us>
To: Shrout, Tom <tshrout@cmt-stl.org>
To: O'Donnell, Theresa <theresa.odonnell@dallascityhall.com>
To: Thomas, Gary <gthomas@dart.org>
To: Wierzenski, Jack <wierzens@dart.org>
To: Knowles, David <DKnowles@deainc.com>
To: Kemp, Diane Legge <dleggekemp@dlkinc.com>
To: Mendes, Diana <diana.mendes@dmjmharris.com>
To: Stallsmith, Effie <effie.stallsmith@dot.gov>
To: Pugh, Sharon <sharon.pugh@dot.gov>
To: Ohland, Gloria <gloriaohland@earthlink.net>
To: Egan, Kristina <Kristina.Egan@eot.state.ma.us>
To: Fontanella, Todd <todd.fontanella@eot.state.ma.us>
To: Dixon, David <david.dixon@goodyclancy.com>
To: Boothe, Jeff <jeff.boothe@hklaw.com>
To: Holmes, Natasha <Natashia.Holmes@Illinois.gov>
To: Scott, Bev <BScott@itsmarta.com>
To: Connelley, Darryl <dconnelly@itsmarta.com>
To: Zykofsky, Paul <pyzkofsky@lgc.org>
To: Blizzard, Meeky <meeiky.blizzard@mail.house.gov>
To: Kay, Henry <hkay@mdot.state.md.us>
To: Snook, Jamie <snookj@metro.dst.or.us>
To: Cardoso, Diego <cardosod@metro.net>
To: Roybal, Dolores <roybald@metro.net>
To: Snoble, Roger <snobler@metro.net>

Sent: 8/8/2008 2:01:52 PM

Subject: The Results Are In: TODs Really do Produce Fewer Car Trips

Many of you have been interested in getting a copy of our research for the Transit Cooperative Research Program (TCRP) documenting that TOD housing produces significantly fewer automobile trips than conventional development. I'm happy to report the research completed by PB PlaceMaking, Dr Robert Cervero, The Urban Land Institute and the Center for Transit Oriented Development is now available. The TCRP Report 128 Effects of TOD on Housing, Parking, and Travel is expected to be available in mid-October. A copy of what we submitted to TCRP is attached for your use.

The next step is to get ITE and ULI to use this research to change industry standards for parking TODs. I'll be presenting the research to ITE in a week to start that process.

An in my opinion piece summarizing the results of the research follows.
<<FinalReportTCRP128.Aug08.pdf>>
See you in San Francisco

The Results Are In: TODs Really do Produce Fewer Car Trips

You drink the Kool-Aid; you know that if you link transit and land use to create transit-oriented development (TOD) the result is fewer car trips and a host of benefits. From Portland to Miami, Boston to Los Angeles, a record number of TODs are being built in the US. Yet most bankers, developers and regulators are drinking from a different cup. As a result the majority of new development adjacent to transit stops in America has been built in a manner oblivious to the fact that a rail stop is nearby. Therefore many of the hoped for benefits (less time stuck in traffic and lower housing costs to name two) are not being realized from a public investment of nearly \$75 billion dollars in rail transit over the past 11 years.

New Research

New research recently completed for the Transit Cooperative Research Program provides the ammunition to build TODs that take the benefits of transit into account. The study completed by PB PlaceMaking, Dr Robert Cervero, The Urban Land Institute and the Center for Transit Oriented Development looked at how automobile use of residential TODs compared to conventional development.

Our research looks at the actual transportation performance of 17 built TOD projects. This was done by counting the passage of motorized vehicles using pneumatic tubes stretched across the driveways of TOD housing projects of varying sizes in four urbanized areas of the country: Philadelphia/N.E. New Jersey; Portland, Oregon; metropolitan Washington D.C.; and the East Bay of the San Francisco Bay Area.

Suburban Bias

One motivation for this research was to provide original and reliable data to help seed new professional guidance for building TODs. In part that means an update of the Institute of Transportation Engineers (ITE) trip generation and parking generation rates, from which local traffic and parking impacts are typically derived and impact fees are set.

Some analysts have identified a serious "suburban bias" in the current ITE rates. Most of the empirical data used to set generation rates are drawn from suburban areas with free and plentiful parking and low-density single land uses. Moreover, since ITE's auto trip reduction factors, to reflect internal trip capture, are based on only a few mixed-use projects in Florida; there has been little or no observation of actual TODs. The end result is that auto trip generation is likely to be overstated for TODs. This can mean that TOD developers end up paying higher impact fees, proffers and exactions than they should since such charges are usually tied to ITE trip rates.

TODs Produce 50% Fewer Trips

In fact, the results of this research clearly show TOD-housing produces fewer automobile trips in the four urbanized areas. The research confirms the ITE trip generation and parking generation rates over estimate automobile trips for TOD housing.

The ITE manual presents "weighted averages" of trip generation that this study showed to be flawed for TODs. The weighted average vehicle trip rates for this study were computed for all 17 projects combined for weekday, AM peak, and PM peak. Over a typical weekday period, the 17 surveyed TOD-housing projects averaged 44% fewer vehicle trips than that estimated by the ITE manual (3.754 versus 6.715 daily trips per unit). The weighted average differentials were even larger during peak periods - 49% lower rates during the A.M. peak and 48% lower rates during the P.M. peak.

Peak hour impact fees and traffic impact studies based on the ITE manual could be overstating the congestion-inducing effects of TOD-housing by as much as 50%. One result may also be unnecessary impact mitigation and roadway improvements. This means that policy makers and planners can "afford" to give TODs as much as 50% lower fees than traditional developments with no adverse effects on other areas of government budgets caused by traffic impacts.

New Standards Needed to Reflect Reality

Existing suburban standards assume virtually everyone drives. It should now be indisputable: TODs perform differently than conventional development. New parking and trip generation rates are necessary to reflect reality. Implementing the findings of this research will allow communities across America to capture the benefits of TOD and reap additional benefits from the substantial investment in transit.

New standards could result in wholesale changes in how we address the cost, impact and feasibility of residential development near transit. The implications of new standards are varied:

* Local officials and neighborhoods may be more apt to support increases in residential densities near transit if they are shown proof significantly fewer trips result from TODs than in conventional development.

Doggett, Rosalyn

From: Talaia, Anabela
Sent: Tuesday, August 05, 2008 3:36 PM
To: Doggett, Rosalyn
Cc: Montague, Joshua W.; Biondi, Marc E.
Subject: Florida Avenue Properties

ok.

>>> Rosalyn Doggett 8/5/2008 3:32 PM >>>

Josh is the new attorney for Florida Avenue and is drawing up an agreement. We will try to work it out so that we continue to allow the flea market AND collect the rent while the developer is permitting..... I believe that this is what Carol suggested.

>>> Anabela Talaia 8/5/2008 12:34 PM >>>

As you may know, we currently have a lease for a weekend flea market on the two smaller lots. Abstract attached. What do we do about it? We can terminate, we can leave things as is, we can do something else that you recommend. At some point we would be receiving rent from two different entities for the same property, but that's not a particularly significant issue so long as your developer doesn't need the property on weekends during their permitting process.

What do you advise?

A.

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Tuesday, August 05, 2008 2:20 PM
To: Montague, Joshua W.
Cc: Flynn, 'Guy; Bryant', 'Seth; Washington, Joel R.; Doggett, Rosalyn
Subject: RE: Florida Avenue project - Draft JDA/Lease

Josh,

Sounds fine. Thanks. Please let us know if you have any questions.

Omar

-----Original Message-----

From: Joshua W. Montague [<mailto:jwmontague@wmata.com>]
Sent: Tuesday, August 05, 2008 2:08 PM
To: okarim@bannekerventures.com
Cc: Guy Flynn; Seth Bryant; Joel R. Washington; Rosalyn Doggett
Subject: Re: Florida Avenue project - Draft JDA/Lease

Hi Omar,

I am still getting up to speed. I am hoping to have a draft for you before the end of the week.

Please let me know if this will cause problems.

Thank you,

Josh Montague

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Tuesday, August 05, 2008 2:08 PM
To: okarim@bannekerventures.com
Cc: Flynn, Guy; Bryant, Seth; Washington, Joel R.; Doggett, Rosalyn
Subject: Re: Florida Avenue project - Draft JDA/Lease

Hi Omar,

I am still getting up to speed. I am hoping to have a draft for you before the end of the week.

Please let me know if this will cause problems.

Thank you,

Josh Montague

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Tuesday, August 05, 2008 2:07 PM
To: okarim@bannekerventures.com; Montague, Joshua W.
Cc: Flynn, Guy; Bryant, Seth; Washington, Joel R.; Doggett, Rosalyn
Subject: Re: Florida Avenue project - Draft JDA/Lease

Josh,

As a follow-up to Marc's email, please advise when we might receive the draft Joint Development Agreement/Lease.

Thank you in advance.

Omar

-----Original Message-----

From: Marc E. Biondi
Sender:
To: Omar A. Karim
To: Joshua W. Montague
Cc: Guy Flynn
Cc: Seth Bryant
Cc: Joel Washington
Cc: Rosslyn Doggett
Sent: Aug 5, 2008 8:56 AM
Subject: Re: Florida Avenue project - Draft JDA/Lease

Omar / Guy,

Thanks for the follow-up. Unfortunately, I don't have an answer to your question.

This project has been transferred to a different attorney in our office. Josh Montague (jwmontague@wmata.com) will be handling this project from here.

I have copied him on this email and forwarded Guy's comments on the Right of Entry.

Marc

Marc Biondi
Assistant General Counsel
Washington Metropolitan Area Transit Authority 600 Fifth Street, NW Washington, DC 20001

Direct Dial: 202-962-1011
Fax: 202-962-2550
mebiondi@wmata.com

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>>> "Omar A. Karim" <okarim@bannekerventures.com> 8/4/2008 4:39:05 PM
>>> >>>
Marc,

Welcome back. Any word on the draft JDA/Lease for the Howard-Shaw/Florida Avenue project?

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell

Doggett, Rosalyn

From: Talaia, Anabela
Sent: Tuesday, August 05, 2008 12:34 PM
To: Doggett, Rosalyn
Cc: Biondi, Marc E.; Meister, Mark K.
Subject: Florida Avenue Properties
Attachments: Flea.Current.pdf

As you may know, we currently have a lease for a weekend flea market on the two smaller lots. Abstract attached. What do we do about it? We can terminate, we can leave things as is, we can do something else that you recommend. At some point we would be receiving rent from two different entities for the same property, but that's not a particularly significant issue so long as your developer doesn't need the property on weekends during their permitting process.

What do you advise?

A.

Doggett, Rosalyn

From: Biondi, Marc E.
Sent: Tuesday, August 05, 2008 8:57 AM
To: Karim, Omar A.; Montague, Joshua W.
Cc: Flynn, 'Guy'; seth.bryant@dlapiper.com; Washington, Joel R.; Doggett, Rosalyn
Subject: Re: Florida Avenue project - Draft JDA/Lease

Omar / Guy,

Thanks for the follow-up. Unfortunately, I don't have an answer to your question.

This project has been transferred to a different attorney in our office. Josh Montague (jwmontague@wmata.com) will be handling this project from here.

I have copied him on this email and forwarded Guy's comments on the Right of Entry.

Marc

Marc Biondi
Assistant General Counsel
Washington Metropolitan Area Transit Authority 600 Fifth Street, NW Washington, DC 20001

Direct Dial: 202-962-1011
Fax: 202-962-2550
mebiondi@wmata.com

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>>> "Omar A. Karim" <okarim@bannekerventures.com> 8/4/2008 4:39:05 PM
>>> >>>
Marc,

Welcome back. Any word on the draft JDA/Lease for the Howard-Shaw/Florida Avenue project?

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Monday, August 04, 2008 4:39 PM
To: Biondi, Marc E.
Cc: Flynn, 'Guy'; seth.bryant@dlapiper.com; Washington, Joel R.; Doggett, Rosalyn
Subject: Florida Avenue project - Draft JDA/Lease

Marc,

Welcome back. Any word on the draft JDA/Lease for the Howard-Shaw/Florida Avenue project?

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Monday, August 04, 2008 10:32 AM
Subject: Board Items Preparation Milestones - 2008.xls
Attachments: Board Items Preparation Milestones - 2008.xls

All,

The latest update is attached.

For those preparing an item for the 9/08 committees and/or Board, please e-mail me the number of your MEAD as soon as you start it. Please note that all committee and Board items, both information and action, now require a MEAD.

Thanks.

Sid

Doggett, Rosalyn

From: Bushnaq, Tariq
Sent: Friday, August 01, 2008 3:22 PM
To: Doggett, Rosalyn
Subject: Fwd: The Jazz - Florida Avenue
Attachments: The Jazz - Florida Avenue.txt

FYI

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Thursday, July 31, 2008 6:01 PM
Subject: Fwd: September 2008 Committee and Board Preparation Milestones
Attachments: Board Items Preparation Milestones - 2008.xls

All,

Quick update: the date of the FAO Cmte, PD&RE Cmte, and Admin items pre-brief for Nat is hot off the press and has been added: 5/18/08 at 1000.

Please note that the PD&RE Cmte materials are due to Michelle Bellamy the very next day, 5/19/08, at noon.

Why? Because the pre-brief for Jack Requa is scheduled for the day after that, 8/20/08, at 1030.

Please be sure that you bring a complete package (MEAD, BAIS, PowerPoint presentation, resolution [if applicable]) for each of your items to Nat's pre-brief rather than showing up simply to express your intention to complete them.

Thanks.

Sid

>>> Sid Mohsberg 7/31/2008 5:39 PM >>>

All,

The updated subject milestones are attached.

Please let me know if there are any errors or omissions.

So far, we have six items going to a committee and/or the Board.

The attached spreadsheet only shows one MEAD: 100051 for "SLMBE Program for Joint Development Activities".

Please let me know the remaining five MEAD numbers now.

Who will be preparing the Committee materials for "Adjustments to Metrobus Routes N22 and 98"?

Thanks.

Sid

Doggett, Rosalyn

From: Mohsberg, Sid
Sent: Thursday, July 31, 2008 5:40 PM
Subject: September 2008 Committee and Board Preparation Milestones
Attachments: Board Items Preparation Milestones - 2008.xls

All,

The updated subject milestones are attached.

Please let me know if there are any errors or omissions.

So far, we have six items going to a committee and/or the Board.

The attached spreadsheet only shows one MEAD: 100051 for "SLMBE Program for Joint Development Activities".

Please let me know the remaining five MEAD numbers now.

Who will be preparing the Committee materials for "Adjustments to Metrobus Routes N22 and 98"?

Thanks.

Sid

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Thursday, July 31, 2008 5:16 PM
To: Doggett, Rosalyn
Subject: Re: Shaw-Howard / Florida Avenue

Sounds good! I will come up to your office.

Thanks,

Josh

>>> Rosalyn Doggett 7/31/2008 5:15 PM >>>
yes, how about 2 pm

>>> Joshua W. Montague 7/31/2008 5:12 PM >>>
Hi Rosalyn,

Are you available to meet with me sometime tomorrow to go over the basics of this transaction?

Thanks,

Josh

Doggett, Rosalyn

From: Montague, Joshua W.
Sent: Thursday, July 31, 2008 5:13 PM
To: Doggett, Rosalyn
Subject: Shaw-Howard / Florida Avenue

Hi Rosalyn,

Are you available to meet with me sometime tomorrow to go over the basics of this transaction?

Thanks,

Josh

Doggett, Rosalyn

From: Shears, Nicholas C.
Sent: Monday, July 28, 2008 1:21 PM
To: Evans, Eleanor; Doggett, Rosalyn
Subject: Re: Fwd: Shaw Howard Florida Avenue Joint Development Site

Done.

-Nick

>>> Eleanor Evans 07/28/08 1:09 PM >>>

Hi,

Per Rosalyn's request below, could one of you remove the pdf and the link "Current Joint Development opportunities" on this page: <http://www.wmata.com/bus2bus/jd/jointdev.cfm>

I didn't see any language that reference "current joint development opportunities" but please amend the language if you think of another place where it might be referenced.

Thanks,
Eleanor

>>> Sydney E. Garriss 7/28/2008 11:50:50 AM >>>
FYI

Syd Garriss
Electronic Comm. Media Mgr
IT/EWPG
202.962.2389

>>> Rosalyn Doggett 7/28/2008 11:47 AM >>>
Please remove this from the WMATA web site. We have selected a developer, and it is no longer available.
Thanks.

Doggett, Rosalyn

From: Evans, Eleanor
Sent: Monday, July 28, 2008 1:05 PM
To: Doggett, Rosalyn
Subject: Re: Fwd: Shaw Howard Florida Avenue Joint Development Site

Wow, that is buried! I found it, and will have someone remove right away.

Thanks,
Eleanor

>>> Rosalyn Doggett 7/28/2008 12:41:20 PM >>>
It's on the internet under about us, business opportunities, metro real estate, joint development opps., current joint development opps.

Let me know if you cannot find it still.....

Rosalyn

>>> Eleanor Evans 7/28/2008 12:17 PM >>>
Hi Rosalyn,
I've taken on responsibility for the web changes/updates. Can you tell me where this page is located? Perhaps you could provide the URL. I've looked in a couple "obvious" spots, but haven't been able to find it.

Thanks,
Eleanor Evans
Sr. Web Program Manager
WMATA - IT
x1139

>>> Sydney E. Garriss 7/28/2008 11:50:50 AM >>>
FYI

Syd Garriss
Electronic Comm. Media Mgr
IT/EWPG
202.962.2389

>>> Rosalyn Doggett 7/28/2008 11:47 AM >>>
Please remove this from the WMATA web site. We have selected a developer, and it is no longer available.
Thanks.

Doggett, Rosalyn

From: Evans, Eleanor
Sent: Monday, July 28, 2008 12:17 PM
To: Doggett, Rosalyn
Subject: Fwd: Shaw Howard Florida Avenue Joint Development Site

Hi Rosalyn,
I've taken on responsibility for the web changes/updates. Can you tell me where this page is located? Perhaps you could provide the URL. I've looked in a couple "obvious" spots, but haven't been able to find it.

Thanks,
Eleanor Evans
Sr. Web Program Manager
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Electronic Comm. Media Mgr
IT/EWPG
202.962.2389

>>> Rosalyn Doggett 7/28/2008 11:47 AM >>>
Please remove this from the WMATA web site. We have selected a developer, and it is no longer available.
Thanks.

Doggett, Rosalyn

From: Flynn, Guy [guy.flynn@dlapiper.com]
Sent: Friday, July 25, 2008 12:51 AM
To: Biondi, Marc E.; Washington, Joel R.; Doggett, Rosalyn
Cc: Karim, Omar A.; warren@bannekerventures.com; Bryant, Seth
Subject: FW: Access to Shaw-Howard/Florida Avenue site to perform Alta/Topo Surveys
Attachments: WMATA Real Estate Permit (Florida Avenue Parcels).doc

Attached FYI is the ROE previously marked up by Banneker and DLA Piper that Omar received in late June and which Omar forwarded to Mark Meister and Joel on July 2.

See everyone in the morning.

Guy Flynn
DLA Piper
410-580-4149

-----Original Message-----

From: Omar A. Karim [mailto:okarim@bannekerventures.com]
Sent: Wednesday, July 02, 2008 12:37 PM
To: 'Mark K. Meister'
Cc: 'Joel R. Washington'; Flynn, Guy; Bryant, Seth; warren@bannekerventures.com; 'Joshua Kern'; phinisjones@comcast.net
Subject: RE: Access to Shaw-Howard/Florida Avenue site to perform Alta/Topo Surveys

Mark,

As promised, we attach for your review a revised copy of the Right to Entry Permit for the Shaw-Howard/Florida Avenue Joint Development Project.

There are a number of places in the Permit that we had questions which are spelled out in the attached document. Upon review, please call so that we can clear up. If possible, we would love to get the Permit executed by Monday.

Thank you in advance.

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

-----Original Message-----

From: Joel R. Washington [mailto:jrwashington@wmata.com]
Sent: Monday, June 30, 2008 5:30 PM
To: okarim@bannekerventures.com
Cc: Mark K. Meister
Subject: Re: Access to Shaw-Howard/Florida Avenue site to perform Alta/Topo Surveys

Omar,

We can execute a right of entry permit. Send the copy over, I will have Mark Meister work with you to execute it.

Joel

-----Original Message-----

From: "Omar A. Karim" <okarim@bannekerventures.com>
To: Washington, Joel R. <jrwashington@wmata.com>
CC: warren@bannekerventures.com
'Flynn, Guy' <guy.flynn@dlapiper.com>
Bryant', 'Seth <seth.bryant@dlapiper.com> Creation Date: 6/27 10:38 am
Subject: Access to Shaw-Howard/Florida Avenue site to perform Alta/Topo Surveys

Mr. Washington,

While we wait for Rosalyn to return from out of the country, in order to

stay on the schedule that we all discussed back in March, we would like to move forward with getting ALTA and Topo surveys done on the Shaw-Howard/Florida Avenue site. Would it be possible for us to execute the

Right-of-Entry permit (a copy of which we have and are prepared to execute)

so that this can happen next week? Thank you in advance.

Omar

Omar A. Karim

Banneker Ventures, LLC

700 12th Street, NW, Suite 700

Washington, DC 20005

(202) 667-4110 office

(301) 523-1810 cell

okarim@bannekerventures.com

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Thank you.

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerverventures.com]
Sent: Thursday, July 24, 2008 2:29 PM
To: Doggett, Rosalyn
Cc: warren@bannekerverventures.com; guy.flynn@dlapiper.com; seth.bryant@dlapiper.com; Biondi, Marc E.; Washington, Joel R.
Subject: RE: Howard-Shaw/Florida Avenue Kick-Off Meeting

Rosalyn,

We have executed the Term Sheet and will bring an original to the meeting along with the \$100k Option Fee. Just wanted to make sure we put it on the Agenda to get the signed doc and fee to you all.

As for the ROE Permit, can you resend the document that you sent earlier in MS Word format. We don't have Word Perfect on our systems. Also, does the document reflect our comments sent over a few weeks ago? Not sure if you got them. We believe you may have still been out of town. Finally, would we be receiving a draft of the JDA and Lease tomorrow?

Thanks.

Omar

-----Original Message-----

From: Rosalyn Doggett [<mailto:rdoggett@wmata.com>]
Sent: Thursday, July 24, 2008 1:29 PM
To: Omar A. Karim
Cc: Joel R. Washington; Marc E. Biondi
Subject: Re: Howard-Shaw/Florida Avenue Kick-Off Meeting

Omar, this agenda looks fine. We have expected that you will be providing the executed Term Sheet and Option Fee tomorrow rather than discussing them! So, I hope that we are in agreement on that item.

Also, I have attached a draft Right of Entry Permit with information for the Florida Avenue site, as well as recent "boilerplate" modifications, incorporated - for your review prior to tomorrow's meeting. Of course, we could not execute this agreement prior to receiving the executed term sheet and the option fee.

Looking forward to seeing you tomorrow, Rosalyn

>>> "Omar A. Karim" <okarim@bannekerverventures.com> 7/24/2008 12:34 PM

>>>

Ms. Doggett,

Below please find a draft of what we hope to discuss tomorrow:

- I. Providing Executed Term Sheet & Option Fee

- II. Overview of Project Schedule

- III. Right of Entry Permit
 - a. Comments
 - b. Insurance requirements

- IV. Development Agreement and Lease
 - a. Draft
 - b. Negotiations

c. Major issues

V. Project Design

a. Development Plan

b. Engineering Issues, etc.

VI. Other Issues

We plan on having someone from Torti Gallas and LEAD Engineering (civil and structural firm), in addition to our counsel from DLA Piper, be present tomorrow. Will someone from your design/engineering department be present to answer general questions about design/engineering issues that may be raised? Also, will you have a draft of the JDA and lease to provide us or do you want to send it prior to the meeting? Finally, have you all had an opportunity to review our comments to the ROE permit?

Looking forward to seeing you tomorrow.

Omar

Omar A. Karim

Banneker Ventures, LLC

700 12th Street, NW, Suite 700

Washington, DC 20005

(202) 667-4110 office

(301) 523-1810 cell

okarim@bannekerventures.com

Doggett, Rosalyn

From: Omar A. Karim [okarim@bannekerventures.com]
Sent: Thursday, July 24, 2008 12:34 PM
To: Doggett, Rosalyn
Subject: Howard-Shaw/Florida Avenue Kick-Off Meeting

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 - b. Negotiations
 - c. Major issues
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 - b. Engineering Issues, etc.
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Looking forward to seeing you tomorrow.

Omar

Omar A. Karim
Banneker Ventures, LLC
700 12th Street, NW, Suite 700
Washington, DC 20005
(202) 667-4110 office
(301) 523-1810 cell
okarim@bannekerventures.com

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Wednesday, July 23, 2008 11:07 AM
Subject: Fwd: Metro Daily News Clips- Wednesday, July 23
Attachments: WashPost1.pdf; WashPost2.pdf; WashPost3.pdf; WashPost4.pdf; WashPost5.pdf; WashPost6.pdf; Gazette1.pdf; WashExam1.pdf; WashExam2.pdf; WashExam3.pdf; WashExam4.pdf; Fox1.pdf; ABC1.pdf; ABC2.pdf; ABC3.pdf; NBC1.pdf; WUSA1.pdf; WUSA2.pdf

>>> Cathy Asato 7/23/2008 10:44 AM >>>

Metro News:

- 1) Metrobuses Get a makeover, Washington Post, July 22
- 2) Metro's New Ride at a Glance, Washington Post, July 22
- 3) Computer and Electrical Issues Slow Thousands of Commuters, Washington Post, July 23
- 4) Orange Line Delays in Virginia, Washington Post, July 21
- 5) Get There: New rules on Metro Farecard Trade, Washington Post, July 21
- 6) Mixed Results on Metro Communication, Washington Post, July 22
- 7) Council to continue fighting townhouses near Metro, Gazette, July 16
- 8) New Metro bus style gets public debut, Washington Examiner, July 22
- 9) Metro riders could see major delays on red line, Washington Examiner/ Associated Press, July 23
- 10) Metro scam is worst kind, at worst time for agency, Washington Examiner, July 23
- 11) Red Line riders face major delays as four-year repair project looms, Washington Examiner, July 23
- 12) Metro Suffers Power Problems During Evening Rush, Fox 5, July 21
<http://www.myfoxdc.com/myfox/pages/Home/Detail;jsessionid=67F5B2CF9E14858234208D9C8ABA00E9?contentId=7032255&version=2&locale=EN-US&layoutCode=VSTY&pageId=1.1.1&sflg=1>
- 13) Power Outage Snarls Metro's Orange Line for Hours, ABC News, July 22
http://www.wjla.com/news/stories/0708/537376_video.html?ref=newsstory
- 14) Metro Riders Suffer in Heat, ABC News, July 22
http://www.wjla.com/news/stories/0708/537586_video.html?ref=newsstory
- 15) Metro's Red Line Could See Major Delays, ABC News, July 23
- 16) Signaling Problem Causes System-Wide Metro Delays, NBC 4, July 21
- 17) Metro Upgrades Bus Fleet, WUSA 9, July 22
- 18) New Parking Headaches For Metro Neighbors, WUSA 9, July 22
http://www.wusa9.com/rss/local_article.aspx?storyid=74202

Doggett, Rosalyn

From: Meister, Mark K.
Sent: Wednesday, July 23, 2008 10:35 AM
Subject: Fwd: Mass Transit News Update - July 23, 2008

>>> "Mass Transit" <webmaster@cygnusb2b.com> 7/23/2008 10:18 AM >>>
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Mass Transit Magazine

Wednesday, July 23, 2008

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http://ad2.firehousezone.com/RealMedia/ads/click_nx.ads/www.masstransitmag.com/newsletterJuly08@Newsletter1

Daktronics
http://ad2.firehousezone.com/RealMedia/ads/click_nx.ads/www.masstransitmag.com/newsletterJuly08@Newsletter3

Top Mass Transit News

Autopsy Shows Heart Attack Claimed Driver Hit by Train:
<http://www.masstransitmag.com/publication/article.jsp?siteSection=3&id=6569>
A Des Plaines, Ill., man whose taxicab was struck by a train Thursday evening died from a heart attack, not the collision with a commuter train, the Cook County medical examiner's office.

Bus and Train Fares Could Increase by October in South Florida:
<http://www.masstransitmag.com/publication/article.jsp?siteSection=3&id=6568>
With the increase of gas prices, many South Floridians have found alternate ways of commuting across town without spending money on gas.

Officials Chosen to Advise Transit Board on New Projects in Minneapolis:
<http://www.masstransitmag.com/publication/article.jsp?siteSection=3&id=6565>
City officials representing Minneapolis, St. Paul and metro-area suburbs were selected Monday to serve on an advisory committee to the new County Transit Improvement Board.

Chicago Urged to Fix Evacuation Plans:
<http://www.masstransitmag.com/publication/article.jsp?siteSection=3&id=6567>
An evacuation amid the chaos following a major terrorist attack or natural disaster in Chicago would leave the elderly and disabled especially vulnerable, according to a federal report.

Plan Revived to Banish Cars on Part of Market in San Francisco:
<http://www.masstransitmag.com/publication/article.jsp?siteSection=3&id=6566>

The CTA Will Save Us In an Emergency:
<http://www.masstransitmag.com/publication/article.jsp?siteSection=3&id=6563>

Hackers 'Prove Oyster Cards Could be Cloned':
<http://www.masstransitmag.com/publication/article.jsp?siteSection=3&id=6564>

10 Passenger Cars Added to Commuter Train Service in New Mexico:
<http://www.masstransitmag.com/publication/article.jsp?siteSection=3&id=6561>

More Daily-Updated Mass Transit News:
http://www.masstransitmag.com/online/archives_topnews.jsp?siteSection=3

Mass Transit Industry Headlines

Alstom and IED Launch a Design Competition on the Theme of Urban Transport:
<http://www.masstransitmag.com/publication/article.jsp?siteSection=1&id=6559>
Destination 2018. Urban transport of the future, between reality and imagination: tramways for Milan, Turin and Rome

CNG and LNG Vehicle Safety Training:
<http://www.masstransitmag.com/publication/article.jsp?siteSection=1&id=6558>
Registration open now; early registration discounts end Friday.

\$1 Million Grant to Help Reduce the Leading Causes of Rail-Related Deaths:
<http://www.masstransitmag.com/publication/article.jsp?siteSection=1&id=6547>
Deputy Secretary of Transportation Barrett announces \$1 million grant to help reduce the leading causes of rail-related deaths.

Clean Diesel Emerging Technology Grant Funding Now Available :
<http://www.masstransitmag.com/publication/article.jsp?siteSection=1&id=6546>
The U.S. Environmental Protection Agency (EPA) plans to award approximately \$3.4 million in grants to establish projects using emerging technologies to reduce emissions from the nation's existing fleet of diesel engines.

More Industry Business Updates:
http://www.masstransitmag.com/online/archives_indusAnnounc.jsp?siteSection=1

Mass Transit: Opinion Poll

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Web Extras

People

James P. Bernacchi Appointed President of BusWest:

<http://www.masstransitmag.com/publication/article.jsp?siteSection=16&id=6560>
BusWest, headquartered in Carson, Calif., announces the appointment of James P. Bernacchi to president effective immediately.

Two Traffic Experts selected to Group Developing New "Manual of Transportation Engineering Studies":
<http://www.masstransitmag.com/publication/article.jsp?siteSection=16&id=6499>
Two of STV's traffic engineers have been selected from thousands of engineers in the public and private sectors to participate in the development of the second edition of the Institute of Transportation Engineers' (ITE) "Manual of Transportation Engineering Studies."

The T Appoints JD Smith as Information Technology Director :
<http://www.masstransitmag.com/publication/article.jsp?siteSection=16&id=6443>
The Fort Worth Transportation Authority has appointed JD Smith as director of information technology, with responsibility for all activities associated with the agency's information technology needs, including voice, data, network, fiber, software applications, passenger information system, ticket vending machines, customer notifications and Homeland Security cameras.

ESR Technology Appoints New CEO:
<http://www.masstransitmag.com/publication/article.jsp?siteSection=16&id=6431>
Pat Lawless to lead technical consultancy into next phase of growth.

More People in the News:
http://www.masstransitmag.com/online/archives_people.jsp?siteSection=16

=====

Online Exclusives
CNG Hybrid-Electric Buses:
[http://www.masstransitmag.com/web/online/Online-Exclusives/CNG-Hybrid-Electric-Buses/5\\$6180](http://www.masstransitmag.com/web/online/Online-Exclusives/CNG-Hybrid-Electric-Buses/5$6180)
Combining Two Clean, Fuel-Saving Technologies

Capital Metro Implementing Multi-Modal Fleet Management and ITS Systems to Increase the Quality of its Services:
[http://www.masstransitmag.com/web/online/Online-Exclusives/Capital-Metro-Implementing-Multi-Modal-Fleet-Management-and-ITS-Systems-to-Increase-the-Quality-of-its-Services/5\\$5940](http://www.masstransitmag.com/web/online/Online-Exclusives/Capital-Metro-Implementing-Multi-Modal-Fleet-Management-and-ITS-Systems-to-Increase-the-Quality-of-its-Services/5$5940)

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Contact Us

Editor: Fred Jandt
[Mailto:Fred.Jandt@cygnusb2b.com](mailto:Fred.Jandt@cygnusb2b.com)

Associate Editor: Leah Harnack
<mailto:Leah.Harnack@cygnusb2b.com>

Publisher: John Hollenhorst - 800.547.7377 x 1650 <mailto:John.Hollenhorst@cygnusb2b.com>

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Doggett, Rosalyn

From: Biondi, Marc E.
Sent: Tuesday, July 22, 2008 11:45 AM
To: Doggett, Rosalyn
Cc: Washington, Joel R.
Subject: GRD LEASE AGREE 072208.doc
Attachments: GRD LEASE AGREE 072208.doc

Roz,

First draft of the FL. Ave. Ground lease is attached. As you will note from the highlights/redlines, I have some information that was not at my finger tips to look up. I'll be working on draft two tomorrow.

Marc

Marc Biondi
Assistant General Counsel
Washington Metropolitan Area Transit Authority 600 Fifth Street, NW Washington, DC 20001

Direct Dial: 202-962-1011
Fax: 202-962-2550
mebiondi@wmata.com

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Doggett, Rosalyn

From: Johnson, Shariyka
Sent: Monday, July 21, 2008 2:39 PM
To: Doggett, Rosalyn
Subject: Re: Fwd: Shaw/Howard/Florida Avenue project - cancellation of letter of credit

No. Sorry!

>>> Rosalyn Doggett 7/21/2008 2:35 PM >>>
Do you?

>>> Joel R. Washington 7/21/2008 2:07 PM >>>
I think Shariyka has a copy.

Joel

>>> Rosalyn Doggett 7/21/2008 1:36 PM >>>
This looks ok to me. Unfortunately, I did not keep a copy of the original LOC that I sent back so cannot verify the number, but, under the circumstances, I am sure that it is.

>>> Joel R. Washington 7/21/2008 1:30 PM >>>

>>> < Jessica.Hubley@clarkus.com > 7/21/2008 1:11 PM >>>

Hi Joel,
I hope you are having a nice summer. Thanks so much for returning the letter of credit to us relating to the Shaw-Howard/ Florida Avenue project. In order to cancel the letter of credit, Wachovia Bank will need a letter from WMATA, as beneficiary, directing them to do so. I've drafted a letter you can use below. Would you take a look at this letter and if it looks acceptable, sign it and return it to me. Then, I can mail your letter to them with the original letter of credit and officially have them cancel it. Thanks in advance for your help with this! Please call me if you have any questions or concerns. Thanks!!

Jessica M. Hubley
Assistant General Counsel
Phone : 301-657-7155
Fax : 301-654-2564 Clark Enterprises, Inc.
7500 Old Georgetown Road, 15th Floor
Bethesda, Maryland 20814
jessica.hubley@clarkus.com

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Doggett, Rosalyn

From: Washington, Joel R.
Sent: Monday, July 21, 2008 2:08 PM
To: Doggett, Rosalyn
Cc: Biondi, Marc E.
Subject: Re: Fwd: Shaw/Howard/Florida Avenue project - cancellation of letter of credit

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>>> Rosalyn Doggett 7/21/2008 1:36 PM >>>

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>>> <Jessica.Hubley@clarkus.com> 7/21/2008 1:11 PM >>>

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Jessica M. Hubley
Assistant General Counsel
Phone : 301-657-7155
Fax : 301-654-2564 Clark Enterprises, Inc.
7500 Old Georgetown Road, 15th Floor
Bethesda, Maryland 20814
jessica.hubley@clarkus.com

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Doggett, Rosalyn

From: Washington, Joel R.
Sent: Monday, July 21, 2008 1:31 PM
To: Doggett, Rosalyn
Subject: Fwd: Shaw/Howard/Florida Avenue project - cancellation of letter of credit
Attachments: Cancellation of LOC.doc

>>> <Jessica.Hubley@clarkus.com> 7/21/2008 1:11 PM >>>

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Jessica M. Hubley
Assistant General Counsel
Phone : 301-657-7155
Fax : 301-654-2564

Clark Enterprises, Inc.
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Bethesda, Maryland 20814
jessica.hubley@clarkus.com

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Shaw Howard
Mailbox

To RPD

Doggett, Rosalyn

From: Thom, Keysia A.
Sent: Wednesday, September 21, 2011 6:15 PM
To: Doggett, Rosalyn; Wallace, Maria A
Cc: Dickerson, Tracie S.
Subject: FW: PARP 11-0124 - Shaw Howard Joint Development
Attachments: 11-0124 Kwamina Thomas Williford.pdf; 11-0124 Holland & Knight 2.pdf; PARP Worksheet.doc

Roz,

I understand that you are revising your estimate. Please send the revised estimate to Tracie Dickerson and discuss the next steps with her. I will be out of the office from September 23 – October 4.

Thanks

Keysia A. Thom
PARP/Privacy Policy Administrator
WMATA Office of General Counsel
600 5th Street, NW
Washington, DC 20001
202.962.2058 (direct line)
202.962.2550 (facsimile)

THIS E-MAIL MESSAGE IS PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE RECIPIENT NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE NAMED RECIPIENT, OR THE AGENT RESPONSIBLE TO DELIVER IT TO THE NAMED RECIPIENT, YOU ARE NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, COPYING OR OTHER USE OF THIS INFORMATION/COMMUNICATION IS STRICTLY PROHIBITED AND NO PRIVILEGE IS WAIVED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY THE ABOVE-NAMED INDIVIDUAL IMMEDIATELY.

From: Thom, Keysia A.
Sent: Tuesday, September 13, 2011 8:47 AM
To: Wallace, Maria A; Bushnaq, Tariq; Montague, Joshua W.; Heppen, Bruce P.; Sequeira, Loyda
Cc: Doggett, Rosalyn; Dickerson, Tracie S.
Subject: PARP 11-0124 - Shaw Howard Joint Development

Good morning everyone,

Holland and Knight has provided the advance payment to process the request for records regarding the Shaw/Howard Joint Development. Please note that there are two requests attached. The request dated, July 15, 2011 is a narrowed form of the request that was submitted on April 25, 2011. Both requests should be incorporated into the response. Please complete the attached PARP Worksheet and provide it with the records by 9/20/11. Please remember to keep track of the actual time that it takes to retrieve and review the records for responsiveness and exempt material.

In accordance with the PARP, we can withhold records if they contain the following: (1) information that could compromise WMATA's infrastructure or security; (2) contractor proprietary information; (3) internal deliberations on policy matters; (4) attorney-client privileged communications; (5) information that if released would cause a clearly unwarranted invasion of personal privacy; (6) certain information compiled for law enforcement purposes; and (7) SmarTrip and customer financial information. Let me know if you believe any of these exemptions apply or if you have any other concerns regarding disclosure of the records.

Thanks,

Keysia A. Thom
PARP/Privacy Policy Administrator
WMATA Office of General Counsel
600 5th Street, NW
Washington, DC 20001
202.962.2058 (direct line)
202.962.2550 (facsimile)

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Doggett, Rosalyn

From: Meister, Mark K.
Sent: Thursday, July 28, 2011 10:21 AM
To: Goldin, Steven; Bottigheimer, Nat
Cc: Doggett, Rosalyn; Montague, Joshua W.
Subject: RE: Florida Avenue - Document / Closing issues
Attachments: FTA Letter Florida Avenue Sale.pdf

Josh, with any needed assistance from Roz. I sent the letter to FTA on 7/5/11 (see attached). To date, I have received no response from FTA, but the letter did not request their approval since the property was acquired using 2/3-1/3 appropriated funds, which requires FTA notification only.

From: Goldin, Steven
Sent: Thursday, July 28, 2011 9:56 AM
To: Meister, Mark K.; Bottigheimer, Nat
Cc: Doggett, Rosalyn
Subject: RE: Florida Avenue - Document / Closing issues

Who is going to handle this in your absence? Did we get all sign-offs we need from FTA?

From: Meister, Mark K.
Sent: Thursday, July 28, 2011 9:55 AM
To: Goldin, Steven; Bottigheimer, Nat
Cc: Doggett, Rosalyn
Subject: RE: Florida Avenue - Document / Closing issues

We don't have final, approved plats and descriptions for the reserved tunnel easements, and JGB has a few remaining comments on the Deed they want to discuss with COUN.

From: Goldin, Steven
Sent: Thursday, July 28, 2011 9:49 AM
To: Meister, Mark K.; Bottigheimer, Nat
Cc: Doggett, Rosalyn
Subject: Re: Florida Avenue - Document / Closing issues

Why are we pushing this back when they are ready to close?

From: Meister, Mark K.
To: Bottigheimer, Nat; Goldin, Steven
Cc: Doggett, Rosalyn
Sent: Thu Jul 28 09:13:14 2011
Subject: FW: Florida Avenue - Document / Closing issues
FYI.

From: Abraham J. Greenstein [mailto:AJG@gdlaw.com]
Sent: Thursday, July 28, 2011 7:19 AM
To: Montague, Joshua W.
Cc: Meister, Mark K.; bhopp@jbg.com; ljezienicki@jbg.com; mkelly@jbg.com; kreynolds@jbg.com; aherman@jbg.com; bcummings@jbg.com; swebb@citic.com; Roger N. Simon
Subject: Re: Florida Avenue - Document / Closing issues

Josh-

JBG is okay with a one week extension. When you send the document that you mentioned preparing, please include my colleague, Roger Simon (rns@gdlaw.com), as I will be in Michigan today and tomorrow.

Thanks very much.

Abe

Abraham J. Greenstein
Greenstein DeLorme & Luchs, P.C.
1620 L Street, N.W.

Suite 900
Washington, D.C. 20036
Phone: 202.452.1400 x5678
Fax: 202.452.1410
E-mail: ajg@gdllaw.com

From: Montague, Joshua W. [mailto:jwmontague@wmata.com]
Sent: Wednesday, July 27, 2011 01:59 PM
To: Abraham J. Greenstein
Cc: Meister, Mark K. <MMeister@wmata.com>
Subject: Florida Avenue - Document / Closing issues

Abe,

First, the updated Deed/CCR is attached. Please take a look and let me know if you have any comments. Also, we should have the comments on the Owner's Affidavit to JBG's title agent by the end of the day.

We are still working to get final comments on the updated survey and legal descriptions from WMATA's survey review department. As WMATA's tunnel easements are a critical issue, we want to push back the closing so that these documents can be properly approved. Would JBG be amenable to pushing the closing date back a week? Of course, if we get approval before then we could go sooner.

If you agree, we can draw up a simple amendment pursuant to Section B.12 of the contract document.

Let me know. Thanks.

Sincerely,

Josh Montague

Assistant General Counsel
Washington Metropolitan Area Transit Authority
600 Fifth Street, N.W.
Washington, DC 20001
phone: (202) 962-1275

The information contained in this email may be confidential and/or legally privileged. It has been sent for the sole use of the intended recipient(s). If the reader of this message is not an intended recipient, you are hereby notified that any unauthorized review, use, disclosure, dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please contact the sender by reply email and destroy all copies of the original message.

Doggett, Rosalyn

From: Thom, Keysia A.
Sent: Thursday, July 21, 2011 5:17 PM
To: Heppen, Bruce P.; Montague, Joshua W.; Doggett, Rosalyn; Bushnaq, Tariq
Cc: Dickerson, Tracie S.; Wallace, Maria A; O'Keeffe, Carol B.
Subject: FW: PARP Request #11-0124
Attachments: 11-0124 Kwamina Thomas Williford.pdf; PARP Estimate Worksheet.doc; 11-0124 Holland & Knight 2.pdf

Please provide the revised Estimates by 7/27/11.

Hello Everyone,

This is regarding the request for records regarding the Shaw/Howard Joint Development. We submitted the estimate that was provided by you all. Holland & Knight has contacted us stating that they believe that the estimate is too high. Holland & Knight also attempted to limit the request some (see attached PDF Holland & Knight -- page 2 , bullets in the 3rd paragraph). Please take a look at the letter and revise your estimates accordingly. Also, please let me know whether there is a clerk or admin who is able to retrieve and/or review the records at a lower salary rate.

Thanks

Keysia A. Thom
PARP/Privacy Policy Administrator
WMATA Office of General Counsel
600 5th Street, NW
Washington, DC 20001
202.962.2058 (direct line)
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From: Thom, Keysia A.
Sent: Tuesday, May 10, 2011 3:37 PM
To: Pant, Shiva K.; Heppen, Bruce P.; Montague, Joshua W.; Robinson, Thomas; Bushnaq, Tariq; Lawson, Arturo V.; Debose-Wilson, Terressa; Biondi, Marc E.
Cc: Barr, Cassandra; O'Keeffe, Carol B.; Viner, Louis R.
Subject: PARP Request #11-0124

Hello everyone,

Attached is a request for records regarding the Shaw-Howard/Florida Avenue Joint Development Solicitation. FYI, this request was already sent to SECT and PLJD for a response. At this point, I am only gathering estimates of the costs to retrieve the records and review them for exempt material. Please complete the attached PARP Estimate Worksheet and provide it to me by May 13, 2011. If your Office does not have any records that are responsive to this request, please contact me immediately.

Thanks

Keysia A. Thom
PARP/Privacy Policy Administrator
WMATA Office of General Counsel
600 5th Street, NW
Washington, DC 20001
202.962.2058 (direct line)
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Doggett, Rosalyn

From: Dittmeier, John
Sent: Tuesday, July 19, 2011 1:14 PM
To: Ahmed, Nazim; Antos Justin; Ashe, James A.; Benson, Sara E.; Burns, Ramona M.; Carthorn, Debbie D.; Doggett, Rosalyn; Goldin, Steven; Haldeman, Kristin M.; Hamre, James; Harrington, Thomas; Hershorn, Julie G.; Jia, Wendy; Johnston, Kasondra; Kellogg, Mark; Kemp, Dale; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; McElhenny-Smith, Robin; Mehta, Purnanshu; Meseret, Girum; Mohsberg, Sid; Riley, Edward J.; Roberson, Jerry; Schmitt, Patrick; Stallworth, Douglas; Stepney, Sam; Thomas, John D.; Wesolek, Danielle; Zych, Matthew
Subject: FW: Invitation to Procurement Information Make Up Session -- July 21, 2011
Attachments: Invitation to Procurement Information Make Up Session.docx.pdf
Importance: High

If you have not already received Debbie's notice before...
Project managers of AECOM task orders are to attend the Procurement Information Session.

From: Carthorn, Debbie D.
Sent: Tuesday, July 19, 2011 10:23 AM
To: Abass, Niyi; Ackerman, Heidi; Allen, Vernetta L.; Antos Justin; Bellamy, Michelle A.; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Clark, Janice D.; Cox-Lassiter, Daphne D.; Dahlberg, Erik; Dittmeier, John; Doggett, Rosalyn; Eichler, Michael; Goldin, Steven; Haldeman, Kristin M.; Harrington, Thomas; Healy, Rachel; Hicks, Ima; Jachles, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Johnston, Kasondra; Jones, Catherine; Kellogg, Mark; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Mohsberg, Sid; Price-Richardson, Rhonda; Schmitt, Patrick; Talaia, Anabela; Wallace, Maria A; Wesolek, Danielle; Zych, Matthew
Subject: FW: Invitation to Procurement Information Make Up Session -- July 21, 2011
Importance: High

Good Morning,

Attached is information regarding a Procurement Information Make-Up Session scheduled for this Thursday, July 21, 2011 from 9:00 am to 11:00 am in JGB Room 5D02 to discuss the delegation of authority and the proposed workflow for procurement requests. Attendance at one of the Procurement Information Sessions is required for all persons involved in the procurement process, including Project Managers, Contracting Officer's Technical Representatives, Contracting Officer's Representatives, Contracting Officers, and Executive Leadership Team Members.

In order to register, please contact Tonda Savoy-Middleton in PRMT via email at tsavoymiddleton@wmata.com or call x2-1719.

Thanks.

Debbie

From: Carthorn, Debbie D.
Sent: Wednesday, July 06, 2011 3:05 PM
To: Abass, Niyi; Ackerman, Heidi; Allen, Vernetta L.; Antos Justin; Bellamy, Michelle A.; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Clark, Janice D.; Cox-Lassiter, Daphne D.; Dahlberg, Erik; Dittmeier, John; Doggett, Rosalyn; Eichler, Michael; Goldin, Steven; Haldeman, Kristin M.; Harrington, Thomas; Healy, Rachel; Hicks, Ima; Jachles, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Johnston, Kasondra; Jones, Catherine; Kellogg, Mark; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Mohsberg, Sid; Price-Richardson, Rhonda; Schmitt, Patrick; Talaia, Anabela; Wallace, Maria A; Wesolek, Danielle; Zych, Matthew
Subject: FW: Invitation to Procurement Information Sessions
Importance: High

Good Afternoon,

Attached is a reminder from Heather Obora, Chief Procurement Officer, regarding the Procurement Information Sessions.

Debbie

From: Carthorn, Debbie D.
Sent: Tuesday, July 05, 2011 9:20 AM
To: Abass, Niyi; Ackerman, Heidi; Allen, Vernetta L.; Antos Justin; Bellamy, Michelle A.; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Clark, Janice D.; Cox-Lassiter, Daphne D.; Dahlberg, Erik; Dittmeier, John; Doggett, Rosalyn; Eichler, Michael; Goldin, Steven; Haldeman, Kristin M.; Harrington, Thomas; Healy, Rachel;

Hicks, Ima; Jachles, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Johnston, Kasondra; Jones, Catherine; Kellogg, Mark; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Mohsberg, Sid; Price-Richardson, Rhonda; Schmitt, Patrick; Talaia, Anabela; Wallace, Maria A; Wesolek, Danielle; Zych, Matthew

Subject: FW: Invitation to Procurement Information Sessions

Importance: High

Good Morning,

Attached is information from PRMT regarding "Procurement Information Sessions" that have been scheduled to discuss the delegation of authority and the proposed workflow for procurement requests. Participation in one of the session is required for all persons involved in the procurement process, including Project Managers, Contracting Officer's Technical Representatives, Contracting Officer's Representatives, Contracting Officers, and Executive Leadership Team Members. Attendance is essential to achieving Metro's procurement goals for FY2012.

There are four (4) information sessions, two (2) of which are held in JGB on Thursday, July 14, 2011. The sessions are two (2) hours in length.

In order to register, log on to TSONline: <http://wddpcf1/tsonline/Start1.cfm>. Enter course code HPAWPINFOS, "Procurement Information Session", to schedule your session preference.

Debbie

From: Savoy-Middleton, Tonda

Sent: Friday, July 01, 2011 4:29 PM

To: Abass, Niyi; Abramovich, Ramon G.; Albright, Wesley; Aleem-Hilton, Katara; Antos Justin; Arnold, Mark; Audette, Stephanie; Avery, Sheila E.; Bailey, Michael E.; Banks, Malinda; Barnes, Anthony; Bauer, Mary M.; Baumann, Cecilia; Bennett, Renee; Bercher, John; Best, Darlene Q.; Bhandari, Surinder K.; Bhatti, Gurminder S.; Bigelow, Alicia; Biggans, Joseph; Bilbrue, Lovie; Biro, Charles; Boissonneault, Ray; Bolander Jr., Wayne; Borders, Scottie; Bottigheimer, Nat; Bowman, Paul; Bray, Anderson T.; Brennan, Lisa; Brewer, Nicole; Briscoe, Charles; Britt, Terrence; Brooks, Gaetano; Brown, Elsie; Brown, Kim; Brown, Laverne; Brown, Shirley D.; Brown, Sterling E.; Bunting, Clay; Burns, Ramona M.; Byrd, Toni; Cabrera, Angel; Caldwell, Debbie; Cannon, Damon D.; Carthorn, Debbie D.; Chaudhry, Zafar; Chew, Wayne; Choudhury, Saurav Ghosh; Clarke, Brian; Cochrane, Celena; Coley, Ruby S.; Collier, Ina R; Collings, Sherrie; Conley, Anthony O.; Coon, John E.; Cooper-Lucas, Lisa; Correia, Paul; Crone, Tom; Cummings, John; Cuque, Marvin; Daniel, Roland; Darby, Joe; Davis, Hakim; Davis, Judy A.; Davis, Sharon; Delgado, Jorge; Dent, Wallace; Dimitracopoulos, Nicolas; Dittmeier, John; Doggett, Rosalyn; Dong, Chun; Duarte, Jeffrey; Durham, Elizabeth; Edwards, Sylvia; Eley, Sherri; Epler, Marshall; Etherly, Leon; Evans, Eleanor; Flemons, Keith M.; Fletcher, George W; Foster, Toni; Fox, Hugh; Fraser, Royland; Fries, Mike; Gannaway, Cynthia C.; Garback, Gregory; Garzone, Eugene; Gentry, Alison; George, Daniel; Geroux, William; Gibson, Doug; Golden, Robert; Gomillion, Cynthia; Gopaul, Ivone A.; Grano, Carla; Graves-Mayo, Lora; Green, Kevin; Green-Thompson, Claudette; Greubel, Phillip F.; Grey, Joe; Griebel, Gary M.; Griffin, Jeff F.; Grimes, Victor; Gross, Kevin K.; Gudiswitz, Sheila A.; Guzman, Derrick; Hafeez, Fawzia; Haldeman, Kristin M.; Hamilton, Jim; Hamre, James; Harcum, Richard P.; Harrington, Thomas; Harriott, Kenneth L.; Heid, Edward J.; Hemphill, Rae A.; Hershorn, Julie G.; Hilliard, Paulette H.; Hillman, Amanda; Hiskett, Aimee; Howell, Sharon; Hughson, David; Hunt, Kevin; Hunter, Geoffrey C.; Imperatore, Geoffery; Iwugo, Victor; Jachles, Cynthia; Jacobson, Murray; Jaggie, Buddy; Jehangir, Syed; Jia, Wendy; Johnson, Gairy O.; Johnson, Ginger; Johnson, Ronnie; Johnson, Ulysses; Johnston, Kasondra; Jones, Leroy; Baker, Dana M.; Joy, Robert A.; Banjo, Kamoru; Kellogg, Mark; Kellough, Thomas A.; Kelly, Antoinette; Kennedy, Sean; Khan, Mohammad I.; Khizgilov, Vadim; Kozhipurath, Madhavan; Kramer, Robert M.; Krempasky, Joseph; Lai, Chin-Min; Lamb, Nicholas; Lang, Matthew; Lansdown, Carl L.; LaPorte, Peter; Lazatin, Benjamin; Lee, Larry; Lee, Angela Y.; Lee, Christopher; Lee, Larry; Lee, Paula; Lemke, Dennis; Leverett-Bailey, Lisa; Liebenberg, Karl; Lindsey, Opal; Lockley, Robert; Lohman, Michael; Loney, Brand; Luckey, Penny; Liu, Tsusheng (Jasen); Luina, Pedro; Lundy, Troy; Lyght, Vernon; Lee, Melissa L.; Magnussen, Mark H.; Maguigad, David; Malers, Christa; Malasky, Gary; Malhotra, Brij M.; Malloy, Jim; McBride, Michael; McElhenny-Smith, Robin; McGuire, Barry; McLean, Lorenzo; Mealy, Gayle; Medley, Eugene; Meenehan, J.F. Peter; Mehta, Himanshu; Mehta, Purnanshu; Chacon, Edgar; Meseret, Girum; Michels, Dave; Millis, Glenn D.; Minnifield, Frederick; Mitchell, Denise E.; Mitchell, Pretha; Mohsberg, Sid; Monower, Naheed; Mont, Keith; Moore, Christopher; Moore, Kerry; Morford, Kenneth; Morgan, Garey; Morris, William; Morrison, Thomas; Morrell, Sylvia; Moses, Curtis; Moyer, Ronald J.; Murawski, Edwin; Murray, Lonnie; Nabb, Alan G.; Nenghabi, John; Newman, David W.; Newman, Kevin; Nirola, Krishna; Noblitt, Stacy L.; Northington, Winfred; Nott, Neil E.; Noyes, Arthur; Ogunrinde, Debo; O'Keefe, Carol B.; Oldham, Steven; O'Leary, Judy A.; Oliver, Lisie; Ouattara, Moustapha; Paige-Sterling, Tammy; Patel, Hitendra; Pavlik, Ronald A. Jr.; Pegram, Al; Pessagno, Michael J.; Pham, Quan; Phillips, Amy E.; Pichini, Ron; Pohl, Mark R.; Pozzi, L.Randall; Press, Belinda C.; Price, Alfred; Quander, Michael; Quillen, Amy-Celeste; Randle, Elana; Rankin, David; Reahl, Kelly; Reyes, Rodolfo; Reynolds, Gary; Reynolds, Joseph; Rich, Don A.; Ridley, Renee D.; Riley, Edward J.; Rivas, Leaser T.; Robbins, George; Robinson, Ashton; Rose, Sharon; Rosner, Miles; Ross, Freddie R. Jr.; Royer, Joseph; Russo, Michael; Salkay, Wayne; Sanders, Ronald; Santacrocce, Karl; Sarkar, Rajarshi; Saul, Donald; Savina, Michael; Sawatzki, Richard; Schmidt, Eric G.; Schraven, Rodney; Sclawy, Adrian; Scotland, Abraham; Scruggs, Donald W.; Selvage, William R.; Semper Scott, Lauren; Serrian, Susan A.; Sewell, Patrick; Sha, Deven; Shaw, Necola; Sheldon, Thomas W.; Shepperson, Edward W.; Shiflet, Richard; Simkins, Douglas; Skelton, Larry; Slade, William; Smith, Brian G.; Smith, Michael H.; Smith, Terry L.; Spain, Kenneth; Stallworth, Douglas; Stanton, Joseph; Starin, Eric; Stewart, Paulette; Stoffregen, Linda; Stropko, Matthew; Sullivan, Judy R.; Swaniger, Gregory T.; Swanson, Jr., Claude; Taborn, Michael; Talley, Tony; Taylor, Michael; Taylor, William L.; Tejan, Haroun; Terry, Billy; Thomas, John D.; Thomas, Michael; Thompson, Jeff; Thompson, Kim R.; Tibbetts, Carl; Toorie, Howard; Toth, Edwin; Totten, Ed; Towns, Renee A.; Troup, Arthur; Ufoh, Anthony; Valentine, Michael A.; Vassor-Surratt, Jacqueline; Vavasour, Mary Kaye; Verno, Gerald A.; Viner, Louis R.; Voelml, Frederick R.; Vrabel, Patricia; Waiters, Patricia M.; Walker, Jonathan B.; Wallace, Phillip; Warmack, Richard; Warnke, Thomas H.; Warren, Neal; Weaver, Laynie; Weiner, Jack; Wells, Ed; Welt, Darin R.; Wenner, George W.; West, Linwood; White, Dan; White, Gregory; Whitehead, Eldora F.; Wigglesworth, Derrick A.; Williams, Jewel E.;

Williams, Ronald; Wilson, Joseph; Wirth, Thomas J.; Wolfe, Charles; Wood, Bernard S.; Woodward, Keith J.; Woulard, Elizabeth; Yang, Steven; Yerdon, Patrick; Yun, Chris S.; Zych, Matthew; Simkins, Douglas; Biggans, Joseph; Cochrane, Celena; Banjo, Kamoru; Davis, Judy A.; Boggs, Doris; Fletcher, George W.; Beebe, Richard; Cepaitis, Gerald; Crooks, Nichel; Hussey, Steve; Kelly, Rose; Nirola, Krishna; McSween, Karen; Rooths, Cathy; Malhotra, Brij M.; Coley, Ruby S.; Michaelis, Ronald; Watson, Jeanann; Voellm, Frederick R.; Rosner, Miles; Geroux, William; Cheung, Lily; Fraser, Royland; Obora, Heather A.; Goldin, Steven; Bryan, Lizbeth; Kumar, Anoop; Rajpal, Ashok; Lansdown, Carl L.; Gopaul, Ivone A.; Mealy, Gayle; Rivas, Leaser T.; Yang, Steven; Behari, Kunj; Vrabel, Patricia; Meister, Mark K.; Gentry, Alison; Myers, Colin A.; Viner, Louis R.; Magnussen, Mark H.; Noyes, Arthur; Patel, Hitendra; Shiflet, Richard; Lazatin, Benjamin; Shepperson, Edward W.; Thomas, John D.; Yerdon, Patrick; Griffin, Jeff F.; Green, Kevin; Dimitracopoulos, Nicolas; Newell, Roger A.; Falken, Donald R.; Kent, Christian T.; Kubicek, Dave J.; Requa, Jack; Dougherty, James; Bottigheimer, Nat; Pant, Shiva K.; Lew, Helen; O'Keeffe, Carol B.; Burnside, Andrea; Kissal, Carol; Borek, Kevin; Baldwin, Gary W.; Taborn, Michael; Sarles, Richard; Richardson, Barbara; Moses, Morris

Subject: Invitation to Procurement Information Sessions

Importance: High

See the attachment for the "Invitation to Procurement Information Sessions".

Tonda Savoy-Middleton

Administrative Assistant

Office of Procurement

Washington Metropolitan Area Transit Authority

600 5th Street, NW

Washington, DC 20001

Doggett, Rosalyn

From: Carthorn, Debbie D.
Sent: Tuesday, July 19, 2011 10:23 AM
To: Abass, Niyi; Ackerman, Heidi; Allen, Vernetta L.; Antos Justin; Bellamy, Michelle A.; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Clark, Janice D.; Cox-Lassiter, Daphne D.; Dahlberg, Erik; Dittmeier, John; Doggett, Rosalyn; Eichler, Michael; Goldin, Steven; Haldeman, Kristin M.; Harrington, Thomas; Healy, Rachel; Hicks, Ima; Jachles, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Johnston, Kasondra; Jones, Catherine; Kellogg, Mark; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Mohsberg, Sid; Price-Richardson, Rhonda; Schmitt, Patrick; Talaia, Anabela; Wallace, Maria A; Wesolek, Danielle; Zych, Matthew
Subject: FW: Invitation to Procurement Information Make Up Session -- July 21, 2011
Attachments: Invitation to Procurement Information Make Up Session.docx.pdf
Importance: High

Good Morning,

Attached is information regarding a Procurement Information Make-Up Session scheduled for this Thursday, July 21, 2011 from 9:00 am to 11:00 am in JGB Room 5D02 to discuss the delegation of authority and the proposed workflow for procurement requests. Attendance at one of the Procurement Information Sessions is required for all persons involved in the procurement process, including Project Managers, Contracting Officer's Technical Representatives, Contracting Officer's Representatives, Contracting Officers, and Executive Leadership Team Members.

In order to register, please contact Tonda Savoy-Middleton in PRMT via email at tsavoymiddleton@wmata.com or call x2-1719.

Thanks.

Debbie

From: Carthorn, Debbie D.
Sent: Wednesday, July 06, 2011 3:05 PM
To: Abass, Niyi; Ackerman, Heidi; Allen, Vernetta L.; Antos Justin; Bellamy, Michelle A.; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Clark, Janice D.; Cox-Lassiter, Daphne D.; Dahlberg, Erik; Dittmeier, John; Doggett, Rosalyn; Eichler, Michael; Goldin, Steven; Haldeman, Kristin M.; Harrington, Thomas; Healy, Rachel; Hicks, Ima; Jachles, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Johnston, Kasondra; Jones, Catherine; Kellogg, Mark; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Mohsberg, Sid; Price-Richardson, Rhonda; Schmitt, Patrick; Talaia, Anabela; Wallace, Maria A; Wesolek, Danielle; Zych, Matthew
Subject: FW: Invitation to Procurement Information Sessions
Importance: High

Good Afternoon,

Attached is a reminder from Heather Obora, Chief Procurement Officer, regarding the Procurement Information Sessions.

Debbie

From: Carthorn, Debbie D.
Sent: Tuesday, July 05, 2011 9:20 AM
To: Abass, Niyi; Ackerman, Heidi; Allen, Vernetta L.; Antos Justin; Bellamy, Michelle A.; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Clark, Janice D.; Cox-Lassiter, Daphne D.; Dahlberg, Erik; Dittmeier, John; Doggett, Rosalyn; Eichler, Michael; Goldin, Steven; Haldeman, Kristin M.; Harrington, Thomas; Healy, Rachel; Hicks, Ima; Jachles, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Johnston, Kasondra; Jones, Catherine; Kellogg, Mark; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Mohsberg, Sid; Price-Richardson, Rhonda; Schmitt, Patrick; Talaia, Anabela; Wallace, Maria A; Wesolek, Danielle; Zych, Matthew
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Importance: High

Good Morning,

Attached is information from PRMT regarding "Procurement Information Sessions" that have been scheduled to discuss the delegation of authority and the proposed workflow for procurement requests. Participation in one of the session is required for all persons involved in the procurement process, including Project Managers, Contracting Officer's Technical

Representatives, Contracting Officer's Representatives, Contracting Officers, and Executive Leadership Team Members. Attendance is essential to achieving Metro's procurement goals for FY2012.

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Peter; Mehta, Himanshu; Mehta, Purnanshu; Macon, Edgar; Meseret, Girum; Michels, Dave; Millis, Glenn D.; Minnifield, Frederick; Mitchell, Denise E.; Mitchell, Pretha; Mohsberg, Sid; Monower, Naheed; Mont, Keith; Moore, Christopher; Moore, Kerry; Morford, Kenneth; Morgan, Garey; Morris, William; Morrison, Thomas; Morsell, Sylvia; Moses, Curtis; Moyer, Ronald J.; Murawski, Edwin; Murray, Lonnie; Nabb, Alan G.; Nenghabi, John; Newman, David W.; Newman, Kevin; Nirola, Krishna; Noblitt, Stacy L.; Northington, Winfred; Nott, Neil E.; Noyes, Arthur; Ogunrinde, Debo; O'Keefe, Carol B.; Oldham, Steven; O'Leary, Judy A.; Oliver, Lisle; Ouattara, Moustapha; Paige-Sterling, Tammy; Patel, Hitendra; Pavlik, Ronald A. Jr.; Pegram, Al; Pessagno, Michael J.; Pham, Quan; Phillips, Amy E.; Pichini, Ron; Pohl, Mark R.; Pozzi, L.Randall; Press, Belinda C.; Price, Alfred; Quander, Michael; Quillen, Amy-Celeste; Randle, Elana; Rankin, David; Reahl, Kelly; Reyes, Rodolfo; Reynolds, Gary; Reynolds, Joseph; Rich, Don A.; Ridley, Renee D.; Riley, Edward J.; Rivas, Leaser T.; Robbins, George; Robinson, Ashton; Rose, Sharon; Rosner, Miles; Ross, Freddie R. Jr.; Royer, Joseph; Russo, Michael; Salkey, Wayne; Sanders, Ronald; Santacroce, Karl; Sarkar, Rajarshi; Saul, Donald; Savina, Michael; Sawatzki, Richard; Schmidt, Eric G.; Schraven, Rodney; Sclawy, Adrian; Scotland, Abraham; Scruggs, Donald W.; Selvage, William R.; Semper Scott, Lauren; Serrian, Susan A.; Sewell, Patrick; Sha, Deven; Shaw, Necola; Sheldon, Thomas W.; Shepperson, Edward W.; Shiflet, Richard; Simkins, Douglas; Skelton, Larry; Slade, William; Smith, Brian G.; Smith, Michael H.; Smith, Terry L.; Spain, Kenneth; Stallworth, Douglas; Stanton, Joseph; Starin, Eric; Stewart, Paulette; Stoffregen, Linda; Stropko, Matthew; Sullivan, Judy R.; Swaniger, Gregory T.; Swanson, Jr., Claude; Taborn, Michael; Talley, Tony; Taylor, Michael; Taylor, William L.; Tejan, Haroun; Terry, Billy; Thomas, John D.; Thomas, Michael; Thompson, Jeff; Thompson, Kim R.; Tibbetts, Carl; Toorie, Howard; Toth, Edwin; Totten, Ed; Towns, Renee A.; Troup, Arthur; Ufoh, Anthony; Valentine, Michael A.; Vassor-Surratt, Jacqueline; Vavasour, Mary Kaye; Verno, Gerald A.; Viner, Louis R.; Voellm, Frederick R.; Vrabel, Patricia; Walters, Patricia M.; Walker, Jonathan B.; Wallace, Phillip; Warmack, Richard; Warnke, Thomas H.; Warren, Neal; Weaver, Laynie; Welner, Jack; Wells, Ed; Welt, Darin R.; Wenner, George W.; West, Linwood; White, Dan; White, Gregory; Whitehead, Eldora F.; Wigglesworth, Derrick A.; Williams, Jewel E.; Williams, Ronald; Wilson, Joseph; Wirth, Thomas J.; Wolfe, Charles; Wood, Bernard S.; Woodward, Keith J.; Woulard, Elizabeth; Yang, Steven; Yerdon, Patrick; Yun, Chris S.; Zych, Matthew; Simkins, Douglas; Biggans, Joseph; Cochrane, Celena; Banjo, Kamoru; Davis, Judy A.; Boggs, Doris; Fletcher, George W.; Beebe, Richard; Cepaitis, Gerald; Crooks, Nichel; Hussey, Steve; Kelly, Rose; Nirola, Krishna; McSween, Karen; Rooths, Cathy; Malhotra, Brij M.; Coley, Ruby S.; Michaels, Ronald; Watson, Jeanann; Voellm, Frederick R.; Rosner, Miles; Geroux, William; Cheung, Lily; Fraser, Royland; Obara, Heather A.; Goldin, Steven; Bryan, Lizbeth; Kumar, Anoop; Rajpal, Ashok; Lansdown, Carl L.; Gopaul, Ivone A.; Mealy, Gayle; Rivas, Leaser T.; Yang, Steven; Behari, Kunj; Vrabel, Patricia; Meister, Mark K.; Gentry, Alison; Myers, Colin A.; Viner, Louis R.; Magnussen, Mark H.; Noyes, Arthur; Patel, Hitendra; Shiflet, Richard; Lazatin, Benjamin; Shepperson, Edward W.; Thomas, John D.; Yerdon, Patrick; Griffin, Jeff F.; Green, Kevin; Dimitracopoulos, Nicolas; Newell, Roger A.; Falken, Donald R.; Kent, Christian T.; Kubicek, Dave J.; Requa, Jack; Dougherty, James; Bottigheimer, Nat; Pant, Shiva K.; Lew, Helen; O'Keefe, Carol B.; Burnside, Andrea; Kissal, Carol; Borek, Kevin; Baldwin, Gary W.; Taborn, Michael; Sarles, Richard; Richardson, Barbara; Moses, Morris

Subject: Invitation to Procurement Information Sessions
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See the attachment for the "Invitation to Procurement Information Sessions".

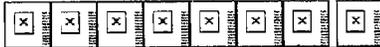
Tonda Savoy-Middleton

Administrative Assistant
Office of Procurement
Washington Metropolitan Area Transit Authority
600 5th Street, NW
Washington, DC 20001

Doggett, Rosalyn

From: Ward 2 Councilmember Jack Evans [jevans@dccouncil.us]
Sent: Thursday, July 07, 2011 1:54 PM
To: Doggett, Rosalyn
Subject: Jack's Newsletter

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Ward 2 Councilmember Jack Evans

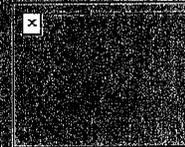
July 7, 2011

Jack's Newsletter

Is it summer yet? I think that with the arrival of July 4th and consistent 90 degree weather we have removed all doubt. This 4th of July, I began my celebration as I always do at the annual Palisades 4th of July Parade. For those of you unfamiliar with the parade, this is a throwback to another time - a real small town parade. It begins at 11:00am at the corner of Whitehaven Parkway and MacArthur Boulevard, NW. It continues along MacArthur Boulevard for about a mile before turning left to end at Palisades Park. As an elected official, I always enjoy the opportunity to participate in local parades with family and friends. While I walked, others rode in the car or joined me walking and threw candy to all those watching and cheering along the parade route.

This year, despite us having just finished with the Mayoral and DC Council Chair elections last fall, there seemed to be even more politicians than usual. But what would the 4th of July be without politicians? After the parade, we joined hundreds of others at the Palisades Park for hot dogs, drinks and ice cream - kudos to the organizers for a great event.

After we cooled off and caught our breath, we headed to another park, this time a ballpark. Yes, the Nationals were in town, so off to Nationals Park we went. It was a gorgeous day for a baseball game, though a bit hot. We pulled out an exciting win over the Chicago Cubs on a "walk-off" steal of home plate by Jayson Werth on a wild pitch in the tenth inning. This was the Nationals' fifth walk-off win in twelve home games, bringing our team's record up to .500. It was an exciting finish, and it reminded me of another walk off win I saw July 4th, 2006. In that game, Ryan Zimmerman hit a two-out, three-run home run in the bottom of the ninth inning to beat the Marlins. What a way to end a game on the 4th of July, both this year and five



2011 Capital Fringe Festival

July 7 - July 24

Help support one of the District's greatest theatre festivals and see some amazing plays!

For additional information, please click [here](#)

In This Issue

[Evans Helps Celebrate Beginnings of Foggy Bottom Association](#)

[Edible Urban Garden Tour Slated for July 15](#)

[Dupont Circle Village Offers Estate Planning Seminar](#)

[More Choices on the Way for Future Washington Convention Center Visitors](#)

[Washington, DC Economic Partnership Announces Small Business Awards Ceremony](#)

[Fourth Annual Tenant](#)

years ago.

The next step in this great day was a trip home for a break and then off to watch the fireworks. I went over to the Georgetown waterfront and got a good spot at Tony & Joe's. We had a terrific view of the 20-minute fireworks display.

Neighborhood parades, Major League Baseball, world class fireworks - where else can you stay home and get all that?

Jack

Evans Helps Celebrate Beginnings of Foggy Bottom Association



Evans with (L-R) former FBA President Joy Howell, Jackie Lemire, & Ellie Becker at the event.

Councilmember Evans joined residents and members of the Foggy Bottom Association (FBA) last week to commemorate the 50th Anniversary of the FBA's founding in June 1959. To celebrate the event, a bronze plaque was unveiled at 11 Snow's Court, the location of the first recorded meeting of the FBA. Snow's Court is located between 24th, 25th, I, and K Streets, NW.

The seven neighbors who originally met at 11 Snow's Court in March 1959 did so out of fear that the US Congress would soon tear down their alley homes as part of urban renewal efforts. Originally called the Foggy Bottom Restoration Association, the group organized and went door-to-door to mobilize the neighborhood against these threats.

Joining Councilmember Evans to mark the occasion were FBA President Asher Corson, former FBA President Jackie Lemire, Ellie Becker, current editor of the Foggy Bottom Chronicles and former FBA President, as well as several FBA board members.

"A special thanks to Ellie Becker and Jackie Lemire for pulling together this great and important event," said Evans. "There have been so many changes in the neighborhood over the last fifty years and we are lucky to have had the Foggy Bottom Association with us through it all."

For more information on the Foggy Bottom Association, please click [here](#).

Sherri Kimbel is Evans' Foggy Bottom liaison.

Edible Urban Garden Tour Slated for July 15

[Town Hall Scheduled for July 16](#)

[Legislative Update](#)



Councilmember Jack Evans
1350 Pennsylvania Ave. NW
Suite 106
Washington, DC 20004
202-724-8085
jevans@dccouncil.us
www.jackevans.org

x

DC's first Edible Urban Garden tour, hosted by Loulies.com, will take place on Friday, July 15th from 3:00pm-8:00pm.

The tour will start at the beautiful, plant-filled garden shop Old City Green (9th and N Streets, NW) and stretch through the neighborhoods of Shaw, Bloomingdale, and LeDroit Park. See for yourself and learn more about Common Good City Farm, the community garden that Prince Charles recently toured as part of his Future of Food tour in DC. A map of tour locations will be provided on the day of the event at Old City Green. The tour is self-guided and will cover several miles so a bike or comfortable shoes is recommended.

"This tour will provide a great opportunity for residents to explore some of the city's most unique urban spaces," said Evans. "I encourage everyone to attend to see for themselves what growing food in our backyards, front yards, rooftops, and empty lots is all about."

For additional information or to purchase tickets for the Edible Urban Garden tour, please [click here](#). Tickets are \$20 each, with a portion of the proceeds to support Eat Local First DC.

Dupont Circle Village Offers Estate Planning Seminar

x

Dupont Circle Village, a non-profit neighborhood organization that connects aging residents to services and activities, is holding a seminar on estate planning as part of

its Live and Learn series. The seminar, "Get your Legal Ducks (docs) in a Row," will be held on Monday, July 25 from 3:30pm-5:00pm at the PNC Dupont Circle bank (1913 Massachusetts Avenue, NW).

Will your estate be settled in the way you had planned? What legal documents will ensure your end-of-life preferences will be met? Sam H. Roberson, Esq. will answer these questions and outline what you need to have on hand in case of an emergency.

Roberson is the managing partner of Curtin, Law, Roberson, Dunigan, and Salans, PC. His practice focuses on business law, tax law, employee benefits, individual retirement planning, and estate planning. The seminar will provide a particular emphasis on planning for domestic partnerships.

For reservations, please contact [Linda Harsh](#) at 202-234-2567. The seminar is free for Village members and \$10 for others. PNC Bank is handicapped accessible.

The Dupont Circle Village is a nonprofit membership organization, formed in 2008, as a supportive network to enable residents, aged 50 or more, to remain in their homes and community as they grow older. The Dupont Circle Village strives to enhance social engagement, facilitate independence, and promote healthy living and is part of a national movement to help aging neighbors remain independent and in their homes.

More information on the work of Dupont Circle Village can be found [here](#).

[Andrew Huff](#) is Evans' Dupont Circle liaison.

More Choices on the Way for Future Washington Convention Center Visitors

In addition to the new Marriott Marquis Convention Center Hotel slated for the Shaw/Logan Circle neighborhoods, Marriott will also be constructing two smaller hotels near 9th and J Streets, NW. These hotels are scheduled to begin construction in 2013 and will be completed at the same time as the much larger Marriott Marquis. The existing building at the L Street site was recently demolished at the request of Councilmember Evans and the neighborhood.

"My office received many complaints from neighbors that the vacant building at 9th and L Streets was being used for illicit activities," said Evans. "We worked with Marriott and the construction company and had it demolished to help give the neighborhood more peace of mind. It will not affect the existing construction schedule."

At an estimated 70,000 square feet, the new hotels, slated to be a Courtyard by Marriott and Residence Inn, will integrate the existing historical structures along 9th and L streets and will feature street level retail.

The Marriott Marquis Convention Center Hotel, scheduled to open in 2012, will include 1,150 rooms.

Sherri Kimbel is Evans' Director of Constituent Services.

Washington, DC Economic Partnership Announces Small Business Awards Ceremony



The Washington, DC Economic Partnership (WDCEP) recently announced their fourth annual Small Business Awards (SBA) Ceremony, to take place on Wednesday, July 27 from 8:30am-11:00am at the historic Willard Hotel (1401 Pennsylvania Avenue, NW).

The Small Business Awards are organized by the WDCEP on behalf of the government of the District of Columbia to honor businesses and business development initiatives that have demonstrated a commitment to excellence and innovation, and who have contributed to the District of Columbia's small businesses community. Awards are given in the following categories: the 100-Year Old Business of the Year, the Small Business of the Year, and the Small Business Initiative of the Year.

"Small businesses are vital to the economic well-being of our neighborhoods and city," Evans said. "Taking time to honor and support their hard work and commitment is important and I'm thankful to the WDCEP for doing so."

In addition to honoring SBA winners, the ceremony at the Willard will also unveil the winner of WDCEP's Business Plan Competition. The winning business will be awarded \$100,000 in capital investments and an additional \$50,000 of in-kind business services. Both the Business Plan Competition and the Small Business Awards aim to promote and recognize the importance of local entrepreneurship in the District's economy.

The Small Business Awards breakfast ceremony will feature keynote speaker Andy Shallal, founder of DC eatery Busboy & Poet's and chair of the board of Think Local First DC, as well as Mayor Gray and other elected officials.

Fourth Annual *Tenant Town Hall* Scheduled for July 16

Join tenants from across the city to talk with elected officials and government agencies about housing needs in the District

at the 2011 Tenant Town Hall on Saturday, July 16 from 2:30pm-5:00pm at the First Trinity Church (309 E Street, NW).

Topics of discussion will include the District's tenant purchase program, changing the definition of affordable housing, and protecting subsidized housing. Last year almost 200 tenants participated in the town hall meeting.

"This event will provide a great opportunity for discussion about tenant rights and the preservation of affordable housing in our neighborhoods," Evans said. "The Tenant Town Hall has helped to jump start several important initiatives including proactive housing inspections and the creation of the housing conditions docket in DC Superior Court."

Free snacks and childcare will be provided, as well as interpretive services for Spanish, Amharic, and Chinese (RSVP required for these services).

The 2011 Tenant Town Hall is co-sponsored by the Latino Economic Development Corporation (LEDC), ONE DC, Empower DC, CARECEN, Mi Casa, Inc., Washington Legal Clinic for the Homeless, Legal Aid Society of DC, Bread for the City, Asian Pacific American Legal Resource Center, AARP Legal Counsel for the Elderly, Coalition for Non-Profit Housing and Economic Development, DC Jobs with Justice, and tenant associations from across the District.

For more information, contact LEDC at 202-540-7419 or email tenantsrights@ledcmetro.org.

Sherri Kimbel is Evans' Director of Constituent Services.

Legislative Update



On June 30, the Committee on Finance and Revenue held a committee meeting and mark-up on the following pieces of legislation:

B19-20, "The New Issue Bond Program Tax Exemption Act of 2011"

B19-27, "Community Council for the Homeless at Friendship Place Equitable Real Property Tax Relief Act of 2011"

B19-95, "Howard Theatre Redevelopment Project Great Streets Initiative Tax Increment Financing Amendment Act of 2011"

B19-156, "KIPP DC-Shaw Campus Property Tax Exemption Act of 2011"

B19-193, "Income Tax Secured Bond Authorization Amendment Act of 2011"

B19-295, "United House of Prayer Real Property Tax Exemption Act of 2011"

B19-307. "Fiscal Year 2010 Tax Revenue Anticipation Notes Act of 2011"

PR 19-226. "Association of American Medical Colleges Revenue Bonds Project Approval Resolution of 2011"

PR 19-242. "Capital City Public Charter School Revenue Bonds Project Approval Resolution of 2011"

PR 19-243. "Capitol Hill Day School Revenue Bonds Project Approval Resolution of 2011"

PR 19-256. "MVM Technologies Enterprise Zone Revenue Bonds Project Approval Resolution of 2011"

Councilmember Evans, as chair of the committee requested that these bills and proposed resolutions be agendized for the July 12 Committee of the Whole and Legislative meeting.

Ruth Werner is Evans' Committee Director.

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Ward 2 Councilmember Jack Evans | John A. Wilson Building | 1350 Pennsylvania Avenue, NW | Suite 106 | Washington | DC | 20004

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Good Afternoon,

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Sent: Friday, July 01, 2011 4:29 PM
To: Abass, Niyi; Abramovich, Ramon G.; Albright, Wesley; Aleem-Hilton, Katara; Antos Justin; Arnold, Mark; Audette, Stephanie; Avery, Sheila E.; Bailey, Michael E.; Banks, Malinda; Barnes, Anthony; Bauer, Mary M.; Baumann, Cecilia; Bennett, Renee; Bercher, John; Best, Darlene Q.; Bhandari, Surinder K.; Bhatti, Gurminder S.; Bigelow, Alicia; Biggans, Joseph; Bilbrue, Lovie; Biro, Charles; Boissonneault, Ray; Bolander Jr., Wayne; Borders, Scottie; Bottigheimer, Nat; Bowman, Paul; Bray, Anderson T.; Brennan, Lisa; Brewer, Nicole; Briscoe, Charles; Britt, Terrence; Brooks, Gaetano; Brown, Elsie; Brown, Kim; Brown, Laverne; Brown, Shirley D.; Brown, Sterling E.; Bunting, Clay; Burns, Ramona M.; Byrd, Toni; Cabrera, Angel; Caldwell, Debbie; Cannon, Damon D.; Carthorn, Debbie D.; Chaudhry, Zafar; Chew, Wayne; Choudhury, Saurav Ghosh; Clarke, Brian; Cochrane, Celena; Coley, Ruby S.; Collier, Ina R; Collings, Sherrie; Conley, Anthony O.; Coon, John E.; Cooper-Lucas, Lisa; Correia, Paul; Crone, Tom; Cummings, John; Cuque, Marvin; Daniel, Roland; Darby, Joe; Davis, Hakim; Davis, Judy A.; Davis, Sharon; Delgado, Jorge; Dent, Wallace; Dimitracopoulos, Nicolas; Dittmeier, John; Doggett, Rosalyn; Dong, Chun; Duarte, Jeffrey; Durham, Elizabeth; Edwards, Sylvia; Eley, Sherr; Epler, Marshall; Etherly, Leon; Evans, Eleanor; Flemons, Keith M.; Fletcher, George W; Foster, Toni; Fox, Hugh; Fraser, Royland; Fries, Mike; Gannaway, Cynthia C.; Garback, Gregory; Garzone, Eugene; Gentry, Alison; George, Daniel; Geroux, William; Gibson, Doug; Golden, Robert; Gomillion, Cynthia; Gopaul, Ivone A.; Grano, Carla; Graves-Mayo, Lora; Green, Kevin; Green-Thompson, Claudette; Greubel, Philip F.; Grey, Joe; Griebel, Gary M.; Griffin, Jeff F.; Grimes, Victor; Gross, Kevin K.; Gudswitz, Sheila A.; Guzman, Derrick; Hafeez, Fawzia; Haldeman, Kristin M.; Hamilton, Jim; Hamre, James; Harcum, Richard P.; Harrington, Thomas; Harriott, Kenneth L.; Heid, Edward J.; Hemphill, Rae A.; Hershorn, Julie

G.; Hilliard, Paulette H.; Hillman, Amanda; Hiskett, Aimee; Howell, Sharon; Hughson, David; Hunt, Kevin; Hunter, Geoffrey C.; Imperatore, Geoffery; Iwugo, Victor; Jachles, Cynthia; Jacobson, Murray; Jaggie, Buddy; Jehangir, Syed; Jia, Wendy; Johnson, Gairy O.; Johnson, Ginger; Johnson, Ronnie; Johnson, Ulysses; Johnston, Kasandra; Jones, Leroy; Baker, Dana M.; Joy, Robert A.; Banjo, Kamoru; Keliogg, Mark; Kellough, Thomas A.; Kelly, Antoinette; Kennedy, Sean; Khan, Mohammad I.; Khizgilov, Vadim; Kozhipurath, Madhavan; Kramer, Robert M.; Krempasky, Joseph; Lai, Chin-Min; Lamb, Nicholas; Lang, Matthew; Lansdown, Carl L.; LaPorte, Peter; Lazatin, Benjamin; Lee, Larry; Lee, Angela Y.; Lee, Christopher; Lee, Larry; Lee, Paula; Lemke, Dennis; Leverett-Bailey, Lisa; Liebenberg, Karl; Lindsey, Opal; Lockley, Robert; Lohman, Michael; Loney, Brand; Luckey, Penny; Liu, Tsusheng (Jasen); Luina, Pedro; Lundy, Troy; Lyght, Vernon; Lee, Melissa L.; Magnussen, Mark H.; Maguigad, David; Maiers, Christa; Malasky, Gary; Malhotra, Brij M.; Malloy, Jim; McBride, Michael; McElhenny-Smith, Robin; McGuire, Barry; McLean, Lorenzo; Mealy, Gayle; Medley, Eugene; Meenehan, J.F. Peter; Mehta, Himanshu; Mehta, Purnanshu; Chacon, Edgar; Meseret, Girum; Michels, Dave; Millis, Glenn D.; Minnifield, Frederick; Mitchell, Denise E.; Mitchell, Pretha; Mohsberg, Sid; Monower, Naheed; Mont, Keith; Moore, Christopher; Moore, Kerry; Morford, Kenneth; Morgan, Garey; Morris, William; Morrison, Thomas; Morsell, Sylvia; Moses, Curtis; Moyer, Ronald J.; Murawski, Edwin; Murray, Lonnie; Nabb, Alan G.; Nenghabi, John; Newman, David W.; Newman, Kevin; Nirola, Krishna; Noblitt, Stacy L.; Northington, Winfred; Nott, Neil E.; Noyes, Arthur; Ogunrinde, Debo; O'Keefe, Carol B.; Oldham, Steven; O'Leary, Judy A.; Oliver, Lisle; Ouattara, Moustapha; Paige-Sterling, Tammy; Patel, Hitendra; Pavlik, Ronald A. Jr.; Pegram, Al; Pessagno, Michael J.; Pham, Quan; Phillips, Amy E.; Pichini, Ron; Pohl, Mark R.; Pozzi, L.Randall; Press, Belinda C.; Price, Alfred; Quander, Michael; Quillen, Amy-Celeste; Randle, Elana; Rankin, David; Reahl, Kelly; Reyes, Rodolfo; Reynolds, Gary; Reynolds, Joseph; Rich, Don A.; Ridley, Renee D.; Riley, Edward J.; Rivas, Leaser T.; Robbins, George; Robinson, Ashton; Rose, Sharon; Rosner, Miles; Ross, Freddie R. Jr.; Royer, Joseph; Russo, Michael; Salky, Wayne; Sanders, Ronald; Santacroce, Karl; Sarkar, Rajarshi; Saul, Donald; Savina, Michael; Sawatzki, Richard; Schmidt, Eric G.; Schraven, Rodney; Sclawy, Adrian; Scotland, Abraham; Scruggs, Donald W.; Selvage, William R.; Semper Scott, Lauren; Serrian, Susan A.; Sewell, Patrick; Sha, Deven; Shaw, Nicola; Sheldon, Thomas W.; Shepperson, Edward W.; Shiflet, Richard; Simkins, Douglas; Skelton, Larry; Slade, William; Smith, Brian G.; Smith, Michael H.; Smith, Terry L.; Spain, Kenneth; Stallworth, Douglas; Stanton, Joseph; Starin, Eric; Stewart, Paulette; Stoffregen, Linda; Stropko, Matthew; Sullivan, Judy R.; Swaniger, Gregory T.; Swanson, Jr., Claude; Taborn, Michael; Talley, Tony; Taylor, Michael; Taylor, William L.; Tejan, Haroun; Terry, Billy; Thomas, John D.; Thomas, Michael; Thompson, Jeff; Thompson, Kim R.; Tibbetts, Carl; Toorie, Howard; Toth, Edwin; Totten, Ed; Towns, Renee A.; Troup, Arthur; Ufoh, Anthony; Valentine, Michael A.; Vassor-Surratt, Jacqueline; Vavasour, Mary Kaye; Vemo, Gerald A.; Viner, Louis R.; Voellm, Frederick R.; Vrabel, Patricia; Waiters, Patricia M.; Walker, Jonathan B.; Wallace, Phillip; Warmack, Richard; Warnke, Thomas H.; Warren, Neal; Weaver, Laynie; Weiner, Jack; Wells, Ed; Welt, Darin R.; Wenner, George W.; West, Linwood; White, Dan; White, Gregory; Whitehead, Eldora F.; Wigglesworth, Derrick A.; Williams, Jewel E.; Williams, Ronald; Wilson, Joseph; Wirth, Thomas J.; Wolfe, Charles; Wood, Bernard S.; Woodward, Keith J.; Woulard, Elizabeth; Yang, Steven; Yerdon, Patrick; Yun, Chris S.; Zych, Matthew; Simkins, Douglas; Biggans, Joseph; Cochran, Celena; Banjo, Kamoru; Davis, Judy A.; Boggs, Doris; Fletcher, George W.; Beebe, Richard; Cepaitis, Gerald; Crooks, Nichel; Hussey, Steve; Kelly, Rose; Nirola, Krishna; McSween, Karen; Rooths, Cathy; Malhotra, Brij M.; Coley, Ruby S.; Michaelis, Ronald; Watson, Jeanann; Voellm, Frederick R.; Rosner, Miles; Geroux, William; Cheung, Lily; Fraser, Royland; Obora, Heather A.; Goldin, Steven; Bryan, Lizbeth; Kumar, Anoop; Rajpal, Ashok; Lansdown, Carl L.; Gopaul, Ivone A.; Mealy, Gayle; Rivas, Leaser T.; Yang, Steven; Behari, Kunj; Vrabel, Patricia; Meister, Mark K.; Gentry, Alison; Myers, Colin A.; Viner, Louis R.; Magnussen, Mark H.; Noyes, Arthur; Patel, Hitendra; Shiflet, Richard; Lazatin, Benjamin; Shepperson, Edward W.; Thomas, John D.; Yerdon, Patrick; Griffin, Jeff F.; Green, Kevin; Dimitracopoulos, Nicolas; Newell, Roger A.; Falken, Donald R.; Kent, Christian T.; Kubicek, Dave J.; Requa, Jack; Dougherty, James; Bottigheimer, Nat; Pant, Shiva K.; Lew, Helen; O'Keefe, Carol B.; Burnside, Andrea; Kissal, Carol; Borek, Kevin; Baldwin, Gary W.; Taborn, Michael; Sarles, Richard; Richardson, Barbara; Moses, Morris

Subject: Invitation to Procurement Information Sessions

Importance: High

See the attachment for the "Invitation to Procurement Information Sessions".

Tonda Savoy-Middleton

Administrative Assistant

Office of Procurement

Washington Metropolitan Area Transit Authority

600 5th Street, NW

Washington, DC 20001

Doggett, Rosalyn

From:
Sent:
To:

Savoy-Middleton, Tonda
Wednesday, July 06, 2011 3:02 PM
Abass, Niyi; Abramovich, Ramon G.; Albright, Wesley; Aleem-Hilton, Katara; Antos Justin;
Arnold, Mark; Audette, Stephanie; Avery, Sheila E.; Bailey, Michael E.; Banks, Maiinda;
Barnes, Anthony; Bauer, Mary M.; Baumann, Cecilia; Bennett, Renee; Bercher, John; Best,
Darlene Q.; Bhandari, Surinder K.; Bhatti, Gurminder S.; Bigelow, Alicia; Biggans, Joseph;
Bilbrue, Lovie; Biro, Charles; Boissonneau, Ray; Bolander Jr., Wayne; Borders, Scottie;
Bottigheimer, Nat; Bowman, Paul; Bray, Anderson T.; Brennan, Lisa; Brewer, Nicole; Briscoe,
Charles; Britt, Terrence; Brooks, Gaetano; Brown, Elsie; Brown, Kim; Brown, Laverne; Brown,
Shirley D.; Brown, Sterling E.; Bunting, Clay; Burns, Ramona M.; Byrd, Toni; Cabrera, Angel;
Caldwell, Debbie; Cannon, Damon D.; Carthorn, Debbie D.; Chaudhry, Zafar; Chew, Wayne;
Choudhury, Saurav Ghosh; Clarke, Brian; Cochrane, Celena; Coley, Ruby S.; Collier, Ina R;
Collings, Sherrie; Conley, Anthony O.; Coon, John E.; Cooper-Lucas, Lisa; Correia, Paul;
Crone, Tom; Cummings, John; Cuque, Marvin; Daniel, Roland; Darby, Joe; Davis, Hakim;
Davis, Judy A.; Davis, Sharon; Delgado, Jorge; Dent, Wallace; Dimitracopoulos, Nicolas;
Dittmeier, John; Doggett, Rosalyn; Dong, Chun; Duarte, Jeffrey; Durham, Elizabeth; Edwards,
Sylvia; Eley, Sherri; Epler, Marshall; Etherly, Leon; Evans, Eleanor; Flemmons, Keith M.;
Fletcher, George W; Foster, Toni; Fox, Hugh; Fraser, Royland; Fries, Mike; Gannaway,
Cynthia C.; Garback, Gregory; Garzone, Eugene; Gentry, Alison; George, Daniel; Geroux,
William; Gibson, Doug; Golden, Robert; Gomillion, Cynthia; Gopaul, Ivone A.; Grano, Carla;
Graves-Mayo, Lora; Green, Kevin; Green-Thompson, Claudette; Greubel, Philip F.; Grey, Joe;
Griebel, Gary M.; Griffin, Jeff F.; Grimes, Victor; Gross, Kevin K.; Gudiswitz, Sheila A.;
Guzman, Derrick; Hafeez, Fawzia; Haldeman, Kristin M.; Hamilton, Jim; Hamre, James;
Harcum, Richard P.; Harrington, Thomas; Harriott, Kenneth L.; Heid, Edward J.; Hemphill,
Rae A.; Hershorn, Julie G.; Hilliard, Paulette H.; Hillman, Amanda; Hiskett, Aimee; Howell,
Sharon; Hughson, David; Hunt, Kevin; Hunter, Geoffrey C.; Imperatore, Geoffrey; Iwugo,
Victor; Jachles, Cynthia; Jacobson, Murray; Jaggie, Buddy; Jehangir, Syed; Jia, Wendy;
Johnson, Gairy O.; Johnson, Ginger; Johnson, Ronnie; Johnson, Ulysses; Johnston,
Kasondra; Jones, Leroy; Baker, Dana M.; Joy, Robert A.; Banjo, Kamoru; Kellogg, Mark;
Kellough, Thomas A.; Kelly, Antoinette; Kennedy, Sean; Khan, Mohammad I.; Khizgilov,
Vadim; Kozhipurath, Madhavan; Kramer, Robert M.; Krempasky, Joseph; Lai, Chin-Min;
Lamb, Nicholas; Lang, Matthew; Lansdown, Carl L.; LaPorte, Peter; Lazatin, Benjamin; Lee,
Larry; Lee, Angela Y.; Lee, Christopher; Lee, Larry; Lee, Paula; Lemke, Dennis; Leverett-
Bailey, Lisa; Liebenberg, Karl; Lindsey, Opal; Lockley, Robert; Lohman, Michael; Loney,
Brand; Luckey, Penny; Liu, Tsusheng (Jasen); Luina, Pedro; Lundy, Troy; Lyght, Vernon; Lee,
Melissa L.; Magnussen, Mark H.; Maguigad, David; Maiers, Christa; Malasky, Gary; Malhotra,
Brij M.; Malloy, Jim; McBride, Michael; McElhenny-Smith, Robin; McGuire, Barry; McLean,
Lorenzo; Mealy, Gayle; Medley, Eugene; Meenehan, J.F. Peter; Mehta, Himanshu; Mehta,
Purnanshu; Chacon, Edgar; Meseret, Girum; Michels, Dave; Millis, Glenn D.; Minnifield,
Frederick; Mitchell, Denise E.; Mitchell, Pretha; Mohsberg, Sid; Monower, Naheed; Mont,
Keith; Moore, Christopher; Moore, Kerry; Morford, Kenneth; Morgan, Garey; Morris, William;
Morrison, Thomas; Morsell, Sylvia; Moses, Curtis; Moyer, Ronald J.; Murawski, Edwin;
Murray, Lonnie; Nabb, Alan G.; Nenghabi, John; Newman, David W.; Newman, Kevin; Nirola,
Krishna; Noblitt, Stacy L.; Northington, Winfred; Nott, Neil E.; Noyes, Arthur; Ogunrinde, Debo;
O'Keefe, Carol B.; Oldham, Steven; O'Leary, Judy A.; Oliver, Lisle; Ouattara, Moustapha;
Paige-Sterling, Tammy; Patel, Hitendra; Pavlik, Ronald A. Jr.; Pegram, Al; Pessagno, Michael
J.; Pham, Quan; Phillips, Amy E.; Pichini, Ron; Pohl, Mark R.; Pozzi, L.Randall; Press, Belinda
C.; Price, Alfred; Quander, Michael; Quillen, Amy-Celeste; Randle, Elana; Rankin, David;
Reahl, Kelly; Reyes, Rodolfo; Reynolds, Gary; Reynolds, Joseph; Rich, Don A.; Ridley, Renee
D.; Riley, Edward J.; Rivas, Leaser T.; Robbins, George; Robinson, Ashton; Rose, Sharon;
Rosner, Miles; Ross, Freddie R. Jr.; Royer, Joseph; Russo, Michael; Salkey, Wayne;
Sanders, Ronald; Santacroce, Karl; Sarkar, Rajarshi; Saul, Donald; Savina, Michael;
Sawatzki, Richard; Schmidt, Eric G.; Schraven, Rodney; Sclawy, Adrian; Scotland, Abraham;
Scruggs, Donald W.; Selvage, William R.; Semper Scott, Lauren; Serrian, Susan A.; Sewell,
Patrick; Sha, Deven; Shaw, Nicola; Sheldon, Thomas W.; Shepperson, Edward W.; Shiflet,
Richard; Simkins, Douglas; Skelton, Larry; Slade, William; Smith, Brian G.; Smith, Michael H.;
Smith, Terry L.; Spain, Kenneth; Stallworth, Douglas; Stanton, Joseph; Starin, Eric; Stewart,
Paulette; Stoffregen, Linda; Stropko, Matthew; Sullivan, Judy R.; Swaniger, Gregory T.;
Swanson, Jr., Claude; Taborn, Michael; Talley, Tony; Taylor, Michael; Taylor, William L.;
Tejan, Haroun; Terry, Billy; Thomas, John D.; Thomas, Michael; Thompson, Jeff; Thompson,
Kim R.; Tibbetts, Carl; Toorie, Howard; Toth, Edwin; Totten, Ed; Towns, Renee A.; Troup,
Arthur; Ufoh, Anthony; Valentine, Michael A.; Vassor-Surratt, Jacqueline; Vavasour, Mary
Kaye; Verno, Gerald A.; Viner, Louis R.; Voellm, Frederick R.; Vrabel, Patricia; Waiters,
Patricia M.; Walker, Jonathan B.; Wallace, Phillip; Warmack, Richard; Warnke, Thomas H.;
Warren, Neal; Weaver, Laynie; Weiner, Jack; Wells, Ed; Welt, Darin R.; Wenner, George W.;
West, Linwood; White, Dan; White, Gregory; Whitehead, Eldora F.; Wigglesworth, Derrick A.;
Williams, Jewel E.; Williams, Ronald; Wilson, Joseph; Wirth, Thomas J.; Wolfe, Charles;
Wood, Bernard S.; Woodward, Keith J.; Woulard, Elizabeth; Yang, Steven; Yerdon, Patrick;
Yun, Chris S.; Zych, Matthew; Simkins, Douglas; Biggans, Joseph; Cochrane, Celena; Banjo,
Kamoru; Davis, Judy A.; Boggs, Doris; Fletcher, George W; Beebe, Richard; Cepaitis, Gerald;
Crooks, Nichel; Hussey, Steve; Kelly, Rose; Nirola, Krishna; McSween, Karen; Rooths, Cathy;
Malhotra, Brij M.; Coley, Ruby S.; Michaelis, Ronald; Watson, Jeanann; Voellm, Frederick R.;
Rosner, Miles; Geroux, William; Cheung, Lily; Fraser, Royland; Obora, Heather A.; Goldin,
Steven; Bryan, Lizbeth; Kumar, Anoop; Rajpal, Ashok; Lansdown, Carl L.; Gopaul, Ivone A.;
Mealy, Gayle; Rivas, Leaser T.; Yang, Steven; Behari, Kunj; Vrabel, Patricia; Meister, Mark K.;
Gentry, Alison; Myers, Colin A.; Viner, Louis R.; Magnussen, Mark H.; Noyes, Arthur; Patel,
Hitendra; Shiflet, Richard; Lazatin, Benjamin; Shepperson, Edward W.; Thomas, John D.;
Yerdon, Patrick; Griffin, Jeff F.; Green, Kevin; Dimitracopoulos, Nicolas; Newell, Roger A.;
Falken, Donald R.; Kent, Christian T.; Kubicek, Dave J.; Requa, Jack; Dougherty, James;
Bottigheimer, Nat; Pant, Shiva K.; Lew, Helen; O'Keefe, Carol B.; Burnside, Andrea; Kissal,

To: Carol; Borek, Kevin; Baldwin, Gary W.; Taborn, Michael; Sarles, Richard; Richardson, Barbara; Moses, Morris
Subject: Invitation to Procurement Information Sessions
Attachments: Invitation to Procurement Information Sessions.docx.pdf

See the attachment for the "Invitation to Procurement Information Sessions".

Tonda Savoy-Middleton

Administrative Assistant
Office of Procurement
Washington Metropolitan Area Transit Authority
600 5th Street, NW
Washington, DC 20001

Nature gave men two ends--one to sit on, and one to think with. Ever since then man's success or failure has been dependent on the one he used most.
-George R. Kirkpatrick

Doggett, Rosalyn

From: Carthorn, Debbie D.
Sent: Tuesday, July 05, 2011 9:20 AM
To: Abass, Niyi; Ackerman, Heidi; Allen, Vernetta L.; Antos Justin; Bellamy, Michelle A.; Benson, Sara E.; Bottigheimer, Nat; Burns, Bob; Burns, Ramona M.; Bushnaq, Tariq; Clark, Janice D.; Cox-Lassiter, Daphne D.; Dahlberg, Erik; Dittmeier, John; Doggett, Rosalyn; Eichler, Michael; Goldin, Steven; Haldeman, Kristin M.; Harrington, Thomas; Healy, Rachel; Hicks, Ima; Jachles, Cynthia; Jia, Wendy; Jideani, Onyinye; Johnson, Shariyka; Johnston, Kasondra; Jones, Catherine; Kellogg, Mark; Kennedy, Sean; Magarelli, John A.; Malasky, Gary; Marshall, Malcolm; McElhenny-Smith, Robin; Meister, Mark K.; Mohsberg, Sid; Price-Richardson, Rhonda; Schmitt, Patrick; Talaia, Anabela; Wallace, Maria A; Wesolek, Danielle; Zych, Matthew
Subject: FW: Invitation to Procurement Information Sessions
Attachments: Invitation to Procurement Information Sessions.docx.pdf
Importance: High

Good Morning,

Attached is information from PRMT regarding "Procurement Information Sessions" that have been scheduled to discuss the delegation of authority and the proposed workflow for procurement requests. Participation in one of the session is required for all persons involved in the procurement process, including Project Managers, Contracting Officer's Technical Representatives, Contracting Officer's Representatives, Contracting Officers, and Executive Leadership Team Members. Attendance is essential to achieving Metro's procurement goals for FY2012.

There are four (4) information sessions, two (2) of which are held in JGB on Thursday, July 14, 2011. The sessions are two (2) hours in length.

In order to register, log on to TSONline: <http://wddocf1/tsonline/Start1.cfm>. Enter course code HPAWPINFOS, "Procurement Information Session", to schedule your session preference.

Debbie

From: Savoy-Middleton, Tonda
Sent: Friday, July 01, 2011 4:29 PM
To: Abass, Niyi; Abramovich, Ramon G.; Albright, Wesley; Aleem-Hilton, Katara; Antos Justin; Arnold, Mark; Audette, Stephanie; Avery, Sheila E.; Bailey, Michael E.; Banks, Malinda; Barnes, Anthony; Bauer, Mary M.; Baumann, Cecilia; Bennett, Renee; Bercher, John; Best, Darlene Q.; Bhandari, Surinder K.; Bhatti, Gurminder S.; Bigelow, Alicia; Biggans, Joseph; Bilbrue, Lovie; Biro, Charles; Boissonneault, Ray; Bolander Jr., Wayne; Borders, Scottie; Bottigheimer, Nat; Bowman, Paul; Bray, Anderson T.; Brennan, Lisa; Brewer, Nicole; Briscoe, Charles; Britt, Terrence; Brooks, Gaetano; Brown, Elsie; Brown, Kim; Brown, Laverne; Brown, Shirley D.; Brown, Sterling E.; Bunting, Clay; Burns, Ramona M.; Byrd, Toni; Cabrera, Angel; Caldwell, Debbie; Cannon, Damon D.; Carthorn, Debbie D.; Chaudhry, Zafar; Chew, Wayne; Choudhury, Saurav Ghosh; Clarke, Brian; Cochrane, Celena; Coley, Ruby S.; Collier, Ina R.; Collings, Sherrie; Conley, Anthony O.; Coon, John E.; Cooper-Lucas, Lisa; Correia, Paul; Crone, Tom; Cummings, John; Cuque, Marvin; Daniel, Roland; Darby, Joe; Davis, Hakim; Davis, Judy A.; Davis, Sharon; Delgado, Jorge; Dent, Wallace; Dimitracopoulos, Nicolas; Dittmeier, John; Doggett, Rosalyn; Dong, Chun; Duarte, Jeffrey; Durham, Elizabeth; Edwards, Sylvia; Eley, Sherril; Epler, Marshall; Etherly, Leon; Evans, Eleanor; Flemons, Keith M.; Fletcher, George W.; Foster, Toni; Fox, Hugh; Fraser, Royland; Fries, Mike; Gannaway, Cynthia C.; Garback, Gregory; Garzone, Eugene; Gentry, Alison; George, Daniel; Geroux, William; Gibson, Doug; Golden, Robert; Gomillion, Cynthia; Gopaul, Ivone A.; Grano, Carla; Graves-Mayo, Lora; Green, Kevin; Green-Thompson, Claudette; Greubel, Philip F.; Grey, Joe; Griebel, Gary M.; Griffin, Jeff F.; Grimes, Victor; Gross, Kevin K.; Gudiswitz, Sheila A.; Guzman, Derrick; Hafeez, Fawzia; Haldeman, Kristin M.; Hamilton, Jim; Hamre, James; Harcum, Michael; Harcum, Robert P.; Harrington, Thomas; Harriott, Kenneth L.; Heid, Edward J.; Hemphill, Rae A.; Hershorn, Julie G.; Hilliard, Paulette H.; Hillman, Amanda; Hiskett, Aimee; Howell, Sharon; Hughson, David; Hunt, Kevin; Hunter, Geoffrey C.; Imperatore, Geoffery; Iwugo, Victor; Jachles, Cynthia; Jacobson, Murray; Jaggie, Buddy; Jehangir, Syed; Jia, Wendy; Johnson, Gairy O.; Johnson, Ginger; Johnson, Ronnie; Johnson, Ulysses; Johnston, Kasondra; Jones, Leroy; Baker, Dana M.; Joy, Robert A.; Banjo, Kamoru; Kellogg, Mark; Kellough, Thomas A.; Kelly, Antoinette; Kennedy, Sean; Khan, Mohammad I.; Khizgilov, Vadim; Kozhipurath, Madhavan; Kramer, Robert M.; Krempasky, Joseph; Lai, Chin-Min; Lamb, Nicholas; Lang, Matthew; Lansdown, Carl L.; LaPorte, Peter; Lazatin, Benjamin; Lee, Larry; Lee, Angela Y.; Lee, Christopher; Lee, Larry; Lee, Paula; Lemke, Dennis; Leverett-Bailey, Lisa; Liebenberg, Karl; Lindsey, Opal; Lockley, Robert; Lohman, Michael; Loney, Brand; Luckey, Penny; Liu, Tsusheng (Jasen); Luina, Pedro; Lundy, Troy; Lyght, Vernon; Lee, Melissa L.; Magnussen, Mark H.; Maguigad, David; Maiers, Christa; Malasky, Gary; Malhotra, Brij M.; Malloy, Jim; McBride, Michael; McElhenny-Smith, Robin; McGuire, Barry; McLean, Lorenzo; Mealy, Gayle; Medley, Eugene; Meenehan, J.F. Peter; Mehta, Himanshu; Mehta, Purnanshu; Macon, Edgar; Meseret, Girmu; Michels, Dave; Millis, Glenn D.; Minnifield, Frederick; Mitchell, Denise E.; Mitchell, Pretha; Mohsberg, Sid; Monower, Naheed; Mont, Keith; Moore, Christopher; Moore, Kerry; Morford, Kenneth; Morgan, Garey; Morris, William; Morrison, Thomas; Morsell, Sylvia; Moses, Curtis; Moyer, Ronald J.; Murawski, Edwin; Murray, Lonnie; Nabb, Alan G.; Nenghabi, John; Newman, David W.; Newman, Kevin; Nirola, Krishna; Noblitt, Stacy L.; Northington, Winfred; Nott, Neil E.; Noyes, Arthur; Ogunrinde, Debo; O'Keefe, Carol B.; Oldham, Steven; O'Leary, Judy A.; Oliver, Lisle; Ouattara, Moustapha; Paige-Sterling, Tammy; Patel, Hitendra; Pavlik, Ronald A. Jr.; Pegram, Al; Pessagno, Michael J.; Pham, Quan; Phillips, Amy E.; Pichini, Ron; Pohl, Mark R.; Pozzi, L.Randall; Press, Belinda C.; Price, Alfred; Quander, Michael; Quillen, Amy-Celeste; Randle, Elana; Rankin, David; Reahl, Kelly; Reyes, Rodolfo; Reynolds, Gary; Reynolds, Joseph; Rich, Don A.; Ridley, Renee D.; Riley, Edward J.; Rivas, Leaser T.; Robbins, George; Robinson, Ashton; Rose, Sharon; Rosner, Myles; Ross, Freddie R. Jr.; Royer, Joseph;

Russo, Michael; Salkey, Wayne; Sanders, Ronald; Santacroce, Karl; Sarkar, Rajarshi; Saul, Donald; Savina, Michael; Sawatzki, Richard; Schmidt, Eric G.; Schraven, Rodney; Sclawy, Adrian; Scotland, Abraham; Scruggs, Donald W.; Selvage, William R.; Semper Scott, Lauren; Serrian, Susan A.; Sewell, Patrick; Sha, Deven; Shaw, Necola; Sheldon, Thomas W.; Shepperson, Edward W.; Shiflet, Richard; Simkins, Douglas; Skelton, Larry; Slade, William; Smith, Brian G.; Smith, Michael H.; Smith, Terry L.; Spain, Kenneth; Stallworth, Douglas; Stanton, Joseph; Starin, Eric; Stewart, Paulette; Stoffregen, Linda; Stropko, Matthew; Sullivan, Judy R.; Swaniger, Gregory T.; Swanson, Jr., Claude; Taborn, Michael; Talley, Tony; Taylor, Michael; Taylor, William L.; Tejan, Haroun; Terry, Billy; Thomas, John D.; Thomas, Michael; Thompson, Jeff; Thompson, Kim R.; Tibbetts, Carl; Toorie, Howard; Toth, Edwin; Totten, Ed; Towns, Renee A.; Troup, Arthur; Ufoh, Anthony; Valentine, Michael A.; Vassor-Surratt, Jacqueline; Vavasour, Mary Kaye; Verno, Gerald A.; Viner, Louis R.; Voellm, Frederick R.; Vrabel, Patricia; Waiters, Patricia M.; Walker, Jonathan B.; Wallace, Phillip; Warmack, Richard; Warnke, Thomas H.; Warren, Neal; Weaver, Laynie; Weiner, Jack; Wells, Ed; Welt, Darin R.; Wenner, George W.; West, Linwood; White, Dan; White, Gregory; Whitehead, Eldora F.; Wigglesworth, Derrick A.; Williams, Jewel E.; Williams, Ronald; Wilson, Joseph; Wirth, Thomas J.; Wolfe, Charles; Wood, Bernard S.; Woodward, Keith J.; Woulard, Elizabeth; Yang, Steven; Yerdon, Patrick; Yun, Chris S.; Zych, Matthew; Simkins, Douglas; Biggans, Joseph; Cochrane, Celena; Banjo, Kamoru; Davis, Judy A.; Boggs, Doris; Fletcher, George W.; Beebe, Richard; Cepaitis, Gerald; Crooks, Nichel; Hussey, Steve; Kelly, Rose; Nirola, Krishna; McSween, Karen; Rooths, Cathy; Malhotra, Brij M.; Coley, Ruby S.; Michaelis, Ronald; Watson, Jeanann; Voellm, Frederick R.; Rosner, Miles; Geroux, William; Cheung, Lily; Fraser, Royland; Obora, Heather A.; Goldin, Bryan; Lizbeth; Kumar, Anoop; Rajpal, Ashok; Lansdown, Carl L.; Gopaul, Ivone A.; Mealy, Gayle; Rivas, Leaser T.; Yang, Steven; Behari, Kunj; Vrabel, Patricia; Meister, Mark K.; Gentry, Alison; Myers, Colin A.; Viner, Louis R.; Magnussen, Mark H.; Noyes, Arthur; Patel, Hitendra; Shiflet, Richard; Lazatin, Benjamin; Shepperson, Edward W.; Thomas, John D.; Yerdon, Patrick; Griffin, Jeff F.; Green, Kevin; Dimitracopoulos, Nicolas; Newell, Roger A.; Falken, Donald R.; Kent, Christian T.; Kubicek, Dave J.; Requa, Jack; Dougherty, James; Bottigheimer, Nat; Pant, Shiva K.; Lew, Helen; O'Keefe, Carol B.; Burnside, Andrea; Kissal, Carol; Borek, Kevin; Baldwin, Gary W.; Taborn, Michael; Sarles, Richard; Richardson, Barbara; Moses, Morris

Subject: Invitation to Procurement Information Sessions

Importance: High

See the attachment for the "Invitation to Procurement Information Sessions".

Tonda Savoy-Middleton

Administrative Assistant

Office of Procurement

Washington Metropolitan Area Transit Authority

600 5th Street, NW

Washington, DC 20001

Doggett, Rosalyn

From:
Sent:
To:

Savoy-Middleton, Tonda
Friday, July 01, 2011 4:29 PM
Abass, Niji; Abramovich, Ramon G.; Albright, Wesley; Aleem-Hilton, Katara; Antos Justin;
Arnold, Mark; Audette, Stephanie; Avery, Sheila E.; Bailey, Michael E.; Banks, Malinda;
Barnes, Anthony; Bauer, Mary M.; Baumann, Cecilia; Bennett, Renee; Bercher, John; Best,
Darlene Q.; Bhandari, Surinder K.; Bhatti, Gurminder S.; Bigelow, Alicia; Biggans, Joseph;
Bilbrue, Lovie; Biro, Charles; Boissonneault, Ray; Bolander Jr., Wayne; Borders, Scottie;
Bottigheimer, Nat; Bowman, Paul; Bray, Anderson T.; Brennan, Lisa; Brewer, Nicole; Briscoe,
Charles; Britt, Terrence; Brooks, Gaetano; Brown, Elsie; Brown, Kim; Brown, Laverne; Brown,
Shirley D.; Brown, Sterling E.; Bunting, Clay; Burns, Ramona M.; Byrd, Toni; Cabrera, Angel;
Caldwell, Debbie; Cannon, Damon D.; Carthorn, Debbie D.; Chaudhry, Zafar; Chew, Wayne;
Choudhury, Saurav Ghosh; Clarke, Brian; Cochrane, Celena; Coley, Ruby S.; Collier, Ina R;
Collings, Sherrie; Conley, Anthony O.; Coon, John E.; Cooper-Lucas, Lisa; Correia, Paul;
Crone, Tom; Cummings, John; Cuque, Marvin; Daniel, Roland; Darby, Joe; Davis, Hakim;
Davis, Judy A.; Davis, Sharon; Delgado, Jorge; Dent, Wallace; Dimitracopoulos, Nicolas;
Dittmeier, John; Doggett, Rosalyn; Dong, Chun; Duarte, Jeffrey; Durham, Elizabeth; Edwards,
Sylvia; Eley, Sherri; Epler, Marshall; Etherly, Leon; Evans, Eleanor; Flemons, Keith M.;
Fletcher, George W; Foster, Toni; Fox, Hugh; Fraser, Royland; Fries, Mike; Gannaway,
Cynthia C.; Garback, Gregory; Garzone, Eugene; Gentry, Alison; George, Daniel; Geroux,
William; Gibson, Doug; Golden, Robert; Gornillion, Cynthia; Gopaul, Ivone A.; Grano, Carla;
Graves-Mayo, Lora; Green, Kevin; Green-Thompson, Claudette; Greubel, Philip F.; Grey, Joe;
Griebel, Gary M.; Griffin, Jeff F.; Grimes, Victor; Gross, Kevin K.; Gudiswitz, Sheila A.;
Guzman, Derrick; Hafeez, Fawzia; Haldeman, Kristin M.; Hamilton, Jim; Hamre, James;
Harcum, Richard P.; Harrington, Thomas; Harriott, Kenneth L.; Heid, Edward J.; Hemphill,
Rae A.; Hershorn, Julie G.; Hilliard, Paulette H.; Hillman, Amanda; Hiskett, Aimee; Howell,
Sharon; Hughson, David; Hunt, Kevin; Hunter, Geoffrey C.; Imperatore, Geoffrey; Iwugo,
Victor; Jachles, Cynthia; Jacobson, Murray; Jaggie, Buddy; Jehangir, Syed; Jia, Wendy;
Johnson, Gairy O.; Johnson, Ginger; Johnson, Ronnie; Johnson, Ulysses; Johnston,
Kasondra; Jones, Leroy; Baker, Dana M.; Joy, Robert A.; Banjo, Kamoru; Kellogg, Mark;
Kellough, Thomas A.; Kelly, Antoinette; Kennedy, Sean; Khan, Mohammad I.; Khizgilov,
Vadim; Kozhipurath, Madhavan; Kramer, Robert M.; Krempasky, Joseph; Lai, Chin-Min;
Lamb, Nicholas; Lang, Matthew; Lansdown, Carl L.; LaPorte, Peter; Lazatin, Benjamin; Lee,
Larry; Lee, Angela Y.; Lee, Christopher; Lee, Larry; Lee, Paula; Lemke, Dennis; Leverett-
Bailey, Lisa; Liebenberg, Karl; Lindsey, Opal; Lockley, Robert; Lohman, Michael; Loney,
Brand; Luckey, Penny; Liu, Tsusheng (Jasen); Luina, Pedro; Lundy, Troy; Lyght, Vernon; Lee,
Melissa L.; Magnussen, Mark H.; Maguigad, David; Maiers, Christa; Malasky, Gary; Malhotra,
Brij M.; Malloy, Jim; McBride, Michael; McElhenny-Smith, Robin; McGuire, Barry; McLean,
Lorenzo; Mealy, Gayle; Medley, Eugene; Meenehan, J.F. Peter; Mehta, Himanshu; Mehta,
Purnanshu; Chacon, Edgar; Meseret, Girum; Michels, Dave; Millis, Glenn D.; Minnifield,
Frederick; Mitchell, Denise E.; Mitchell, Pretha; Mohsberg, Sid; Monower, Naheed; Mont,
Keith; Moore, Christopher; Moore, Kerry; Morford, Kenneth; Morgan, Garey; Morris, William;
Morrison, Thomas; Morsell, Sylvia; Moses, Curtis; Moyer, Ronald J.; Murawski, Edwin;
Murray, Lonnie; Nabb, Alan G.; Nenghabi, John; Newman, David W.; Newman, Kevin; Nirola,
Krishna; Noblitt, Stacy L.; Northington, Winfred; Nott, Neil E.; Noyes, Arthur; Ogunrinde, Debo;
O'Keeffe, Carol B.; Oldham, Steven; O'Leary, Judy A.; Oliver, Lisle; Ouattara, Moustapha;
Paige-Sterling, Tammy; Patel, Hitendra; Pavlik, Ronald A. Jr.; Pegram, Al; Pessagno, Michael
J.; Pham, Quan; Phillips, Amy E.; Pichini, Ron; Pohl, Mark R.; Pozzi, L.Randall; Press, Belinda
C.; Price, Alfred; Quander, Michael; Quillen, Amy-Celeste; Randle, Elana; Rankin, David;
Reahl, Kelly; Reyes, Rodolfo; Reynolds, Gary; Reynolds, Joseph; Rich, Don A.; Ridley, Renee
D.; Riley, Edward J.; Rivas, Leaser T.; Robbins, George; Robinson, Ashton; Rose, Sharon;
Rosner, Miles; Ross, Freddie R. Jr.; Royer, Joseph; Russo, Michael; Salkey, Wayne;
Sanders, Ronald; Santacroce, Karl; Sarkar, Rajarshi; Saul, Donald; Savina, Michael;
Sawatzki, Richard; Schmidt, Eric G.; Schraven, Rodney; Sclawy, Adrian; Scotland, Abraham;
Scruggs, Donald W.; Selvage, William R.; Semper Scott, Lauren; Serrian, Susan A.; Sewell,
Patrick; Sha, Deven; Shaw, Necola; Sheldon, Thomas W.; Shepperson, Edward W.; Shiflet,
Richard; Simkins, Douglas; Skelton, Larry; Slade, William; Smith, Brian G.; Smith, Michael H.;
Smith, Terry L.; Spain, Kenneth; Stallworth, Douglas; Stanton, Joseph; Starin, Eric; Stewart,
Paulette; Stoffregen, Linda; Stropko, Matthew; Sullivan, Judy R.; Swaniger, Gregory T.;
Swanson, Jr., Claude; Taborn, Michael; Talley, Tony; Taylor, Michael; Taylor, William L.;
Tejan, Haroun; Terry, Billy; Thomas, John D.; Thomas, Michael; Thompson, Jeff; Thompson,
Kim R.; Tibbetts, Carl; Toorie, Howard; Toth, Edwin; Totten, Ed; Towns, Renee A.; Troup,
Arthur; Ufoh, Anthony; Valentine, Michael A.; Vassor-Surratt, Jacqueline; Vavasour, Mary
Kaye; Verno, Gerald A.; Viner, Louis R.; Voellm, Frederick R.; Vrabel, Patricia; Waiters,
Patricia M.; Walker, Jonathan B.; Wallace, Phillip; Warmack, Richard; Warnke, Thomas H.;
Warren, Neal; Weaver, Laynie; Weiner, Jack; Wells, Ed; Welt, Darin R.; Wenner, George W.;
West, Linwood; White, Dan; White, Gregory; Whitehead, Eldora F.; Wigglesworth, Derrick A.;
Williams, Jewel E.; Williams, Ronald; Wilson, Joseph; Wirth, Thomas J.; Wolfe, Charles;
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Falken, Donald R.; Kent, Christian T.; Kubicek, Dave J.; Requa, Jack; Dougherty, James;
Bottigheimer, Nat; Pant, Shiva K.; Lew, Helen; O'Keeffe, Carol B.; Burnside, Andrea; Kissal,

To: Carol; Borek, Kevin; Baldwin, Gary W.; Taborn, Michael; Sarles, Richard; Richardson, Barbara; Moses, Morris
Subject: Invitation to Procurement Information Sessions
Attachments: Invitation to Procurement Information Sessions.docx.pdf
Importance: High

See the attachment for the "Invitation to Procurement Information Sessions".

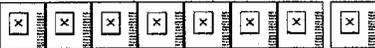
Tonda Savoy-Middleton

Administrative Assistant
Office of Procurement
Washington Metropolitan Area Transit Authority
600 5th Street, NW
Washington, DC 20001

Doggett, Rosalyn

From: Ward 2 Councilmember Jack Evans [jevans@dccouncil.us]
Sent: Thursday, June 09, 2011 5:44 PM
To: Doggett, Rosalyn
Subject: Jack's Newsletter

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Ward 2 Councilmember Jack Evans

June 9, 2011

Jack's Newsletter

Redistricting is a difficult job and this year has been no exception. I want to acknowledge the efforts of my fellow subcommittee members, Councilmembers Michael Brown and Phil Mendelson, as well as the other members of the Council who participated in the process. Most of all, I want to thank the residents who reached out to us by phone and email, as well as by testifying at our three public hearings and speaking at the many community meetings we attended.

The redistricting process is mandated by federal law every ten years and the committee looked at all the Wards to make population shifts that would bring them into relative parity while impacting as few residents as possible, as well as to correct certain changes from the last redistricting process ten years ago.

The 2011 Census reported the District's overall population to be 601,723 people. When divided equally among the eight Wards, this results in an average population of 75,215 residents per Ward. Federal law allows a deviation in Ward population of plus or minus 5 percent, which gave us a range of 71,455 - 78,976 residents within which to work. The District's population increased by 29,664, or 5.2 percent, between 2000 and 2010. It is worth noting that this increase nearly returns the District to its 1990 census population of 606,900 people.

The 2010 Census showed that compared to 2000, Wards 1 through 7 gained population, while Ward 8 lost 215 residents, or 0.3 percent of its population. After the 2010 Census, we learned that Ward 2 exceeded the allowable population range by 939 people, while Ward 7 was below the allowable minimum by 386 residents and Ward 8 was below by 742. All the other Wards remained within the required population range.

2011 Capital Pride Parade

Saturday, June 11
5:30pm

As it travels through Dupont Circle and the heart of Ward 2, hundreds of contingents will travel along as thousands come out for this annual spectacle!

For additional information and a parade map, please [click here](#).

In This Issue

[Evans Joins Logan Residents for Square 242 Alley Party](#)

[Evans Attends Ford's Theatre Society Annual Celebration](#)

[Golden Triangle Summer Concert Series Underway](#)

[LCCA Picnic Slated for Sunday, June 12](#)

[Volunteers Needed for Dupont Circle Trees](#)

[Progression Place Job Fair Scheduled for June 16](#)

[MPD Meetings on Police](#)

The Subcommittee on Redistricting released an initial draft redistricting plan last week and followed that with an additional subcommittee hearing, our third since the process began, which lasted until after 1:00am. In response to this hearing, we were able to issue a revised plan that accommodated a number of the concerns raised. Most notably for Ward 2, we were able to reunite the Penn Quarter neighborhood while also further reuniting the Shaw neighborhood in Ward 6 and restoring the "chimney" toward the northeast corner of Shaw that had been slated to return to Ward 5, which was originally an attempt to reunite a census tract.

The most significant change in the revised plan was to keep many residents of the eastern part of Capitol Hill in Ward 6, pursuant their wishes. The full Council voted overwhelmingly in favor of the revised plan at first reading, with a 12-1 vote, which speaks to the fact that we did the best we could on the subcommittee in balancing competing interests as we redrew the Ward boundaries. A final vote on the Ward redistricting will take place on June 21.

The final step in redistricting is to review the Advisory Neighborhood Commission (ANC) and Single Member District (SMD) boundary lines, which we will begin after the second vote on the redistricting plan. Please contact my office if you would like to be involved in the Ward 2 task force or wish to weigh in on any potential changes - I welcome your input.

Jack

Evans Joins Logan Residents for Square 242 Alley Party

x

Evans with Mayor Gray and event Chair Doll Gordon.

Councilmember Evans last weekend joined hundreds of Logan Circle residents and Mayor Vincent Gray for the annual Square 242 alley party. Square 242 is bordered by 14th Street, Vermont Avenue, and Rhode Island Avenue, NW.

The 2011 alley party was coordinated by Logan Circle neighbors Doll Gordon, Drew Mitchell, Bill Fisher, Rod Lawrence, Benjamin Dalley, Karol and Grafton Biglow, and Mesfun Ghebrelul (M.G.). Area business also donated services and supplies for the event, including Churchkey,

Boundary Alignment
Scheduled

Where's Jack?



Councilmember Jack Evans
1350 Pennsylvania Ave. NW
Suite 106
Washington, DC 20004
202-724-8085
jevans@dccouncil.us
www.jackevans.org

Barrel House Liquors, W. Millar and Company Catering, Fathom Creative, and Popeye's.

"I look forward every year to this event," said Evans. "Hundreds of residents gather to celebrate one of the city's greatest neighborhoods and I am happy to have had the opportunity to join them. Special thanks go out to the neighbors and local businesses that made it happen."

The Square 242 alley party was started 5 years ago by longtime Logan Circle resident and activist Doll Gordon in an effort to connect neighbors and improve public safety.

Sherri Kimbel is Evans' Logan Circle liaison.

Evans Attends Ford's Theatre Society Annual Celebration

✕

Evans with Lincoln Medal recipient Kareem Abdul-Jabbar.

✕

Evans and wife Michele with Lincoln Medal recipient Julie Andrews.

Councilmember Evans recently attended the Ford's Theatre Society annual gala at the Ford's Theatre, which included the presentation of the Lincoln Medal to Kareem Abdul-Jabbar and Julie Andrews, whose careers and commitment to education, understanding, and equality exemplify the character and lasting legacy of President Abraham Lincoln.

The Ford's Theatre Annual Gala benefits the Ford's Theatre Society, its programming, and the new Ford's Theatre Center for Education and Leadership (opening February 2012).

"I am pleased to be a strong supporter of the Ford's and arts in the District," said Evans. "I fought hard to repeal the live theatre ticket tax proposal and will continue to work to ensure that the District is a destination for all arts."

The Lincoln Medal is an annual award given by the Ford's Theatre Society to a person (or persons) who, through their body of work, accomplishments or personal attributes, exemplify the lasting legacy, and mettle of character embodied by President Abraham Lincoln.

For additional information on the Ford's Theatre Society, please [click here](#).

Golden Triangle Summer Concert Series Underway



Photo: Golden Triangle BID

The Golden Triangle Business Improvement District (BID) recently launched its 2011 summer concert series, which includes a free concert every Wednesday during the month of June from 5:30pm-7:30pm in Farragut Square Park. The park is bordered by K Street, I Street, and 17th Street, NW.

Grab dinner from your favorite downtown restaurant and relax in the park while enjoying some of the most popular local music talent in the District. Upcoming concerts include:

June 15 - Monster Band (Funk, Pop, Dance)
June 22 - Cazhmiere (Top 40, Dance)
June 29 - Sam O & JFC

"The Golden Triangle BID has once again provided a great line-up of local and regional bands for their summer concert series," Evans said. "I encourage everyone to head to Farragut Square Park this month to hear for themselves."

Founded in 1997, the Golden Triangle BID works to enhance the Golden Triangle neighborhood - a 43-block area of DC's central business district that is home to lobbyists, law firms, non-profits, associations, restaurants, hotels, and boutiques.

The BID's primary focus is to provide a clean, safe, and vibrant environment within this neighborhood for area workers and visitors, and to retain and attract businesses to the neighborhood. The BID does this through various programs and services, which include an Ambassador program, homeless outreach, streetscape improvements, marketing, Sounds in the Square concerts, and other events and member services.

Please [click here](#) for additional information on the Golden Triangle BID.

Sherri Kimbel is Evans' downtown liaison.

Volta Park Day Sunday, June 12



Photo: Georgetown Patch

The Friends of Volta Park will once again be holding Volta Park Day, this year on Saturday, June 12 from 3:00pm-6:00pm in Volta Park (3400 Volta Place, NW). The family-friendly festival will include a moon bounce, mini ferris wheel, dunk tank, sno-cones, and children's activities. In addition, the event will host a cookout and bake sale, live music, and flea market.

Proceeds from the event go towards maintenance of Volta Park and its field, gardens, and playground.

For additional information on the event, contact [Mimsy Lindner](#) or click [here](#).

[Ruth Werner](#) is Evans' Georgetown liaison.

LCCA Picnic Slated for Sunday, June 12



The Logan Circle Community Association (LCCA) will hold its annual picnic on Sunday, June 12 from 12:00pm-4:00pm at The Residences at Thomas Circle (1330 Massachusetts Avenue, NW). The event will be held rain or shine and you do not have to be an LCCA member to attend.

"This is a great opportunity to greet longtime friends and make new ones," said Evans. "I look forward to attending this great annual event and hope to see many residents

there."

LCCA will provide grilled items, as well as condiments and soft drinks. They ask that attendees bring a dish to share and serving utensils.

For additional information on the Logan Circle Community Association and the picnic, please click [here](#).

Sherrri Kimbel is Evans' Logan Circle liaison.

Volunteers Needed for Dupont Circle Trees



Photo: DCCA

The Dupont Circle Citizens Association (DCCA) has developed a plan to ensure that newly planted trees in the Dupont Circle area get enough water to survive the District's high summer temperatures. DCCA is now seeking volunteers to make the plan a reality.

The District's Urban Forestry Administration recently planted new trees along the commercial corridors of 17th, 18th, and P Streets, NW as well as along many residential streets in Dupont Circle. Once these trees are planted, however, businesses and residents are responsible for their care and DCCA is ready to help.

Those interested in helping to inventory new and distressed trees in the Dupont Circle area will meet on Saturday, June 11th at 9:00am at the small park at the intersection of T Street, 17th Street, and New Hampshire Avenue, NW. Volunteers will receive brief instructions over doughnuts and coffee before heading off to complete the inventory. Volunteers are asked to bring water and sunscreen and will reconvene at 11:30am to hand in completed forms.

DCCA volunteers will then return two weeks later to check on these trees and to see if they are being watered and cared for. Homes and business that are unable to water and care for their trees will then receive support from DCCA's volunteers throughout the summer months.

"DC is known as 'tree city' thanks to the dedicated residents and business owners who care for our many trees," said Evans. "I am grateful to the DCCA for organizing this effort and appreciate their work to preserve our tree canopy."

For additional information or to volunteer, please contact [Nancy Diamond](#) at 202-667-5818 or click [here](#).

Andrew Huff is Evans' Dupont Circle liaison.

Progression Place Job Fair Scheduled for June 16



The Progression Place Job Fair will be held on June 16 from 10:00am-2:00pm at the Florida Avenue Baptist Church (623 U Street, NW).

Progression Place is a new, mixed-use property at 7th and S Streets, NW, adjacent to the Shaw-Howard Metro station. The Offices at Progression Place will be the new home and national headquarters for the United Negro College Fund (UNCF) as well as other office tenants. The Shops at Progression Place will offer a myriad of dining, shopping, and nightlife options to the neighborhood. The 7th Flats will bring 205 brand new apartment dwellings to the Shaw/LeDroit Park neighborhood.

Representatives from ACECO, Baker DC, P & D Drywall, and P.O.S.T. Construction will be present to meet with interested applicants. The District Department of Employment Services and the District of Columbia Housing Authority will also participate.

The event is being hosted by Florida Avenue Baptist Church and DAVIS/Gilford Joint Venture.

For additional information on Progression Place, please click [here](#).

For additional information on the job fair, please email vcolmon@davisconstruction.com.

MPD Meetings on Police Boundary Alignment Scheduled

x

The Metropolitan Police Department (MPD) will discuss plans to improve the delivery of police services in the District of Columbia at a series of upcoming community meetings. Each police district will host a community meeting to discuss new Police Service Area (PSA) boundaries in that district. Community members are invited to attend to get more information and have their questions answered.

Every resident lives in a PSA and every PSA has a team of police officers and officials assigned to it. Residents should get to know their PSA team members and learn how to work with them to fight crime and disorder in their neighborhoods.

The remaining meeting dates and times for the MPD districts located within Ward 2 include:

Third District
Community Room
1620 V Street, NW
June 9 - 7:00pm

Second District
Community Room
3320 Idaho Avenue, NW
June 22 - 7:00pm

For additional information on MPD's Police Service Areas and these upcoming meetings, please click [here](#).

Windy Abdul-Rahim is Evans' MPD liaison.

Where's Jack?

Councilmember Evans is pleased to announce that he will be speaking to several civic organizations and attending several community events in June.

"I always look forward to the opportunity to hear directly from residents about what's working and what could be improved in the District," said Evans. "Attending these meetings and events on a regular basis allows me to do just that."

Evans will attend the following meetings and events in June:

June 9 - 6:00pm
Georgetown Business Improvement District Annual Meeting
House of Sweden
2900 K Street, NW

June 11 - 4:00pm
Burleith Annual Summer Picnic in the Park
The Green Lot
Whitehaven Parkway and 37th Street, NW

June 12 - 12:00pm
Logan Circle Community Association Annual Picnic
The Residences at Thomas Circle
1330 Massachusetts Avenue, NW

June 12 - 3:00pm
Volta Park Day
Volta Park
3400 Volta Place, NW

June 15 - 7:00pm
Cloisters West Homeowners Association
Georgetown Visitation School (Heritage Room)
1524 35th Street, NW

June 23 - 12:30pm
Downtown Business Improvement District Roundtable
1250 H Street, NW - 10th Floor

June 28 - 7:00pm
Blagden Alley Neighborhood Association
945 O Street, NW

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Doggett, Rosalyn

From: Burns, Bob
Sent: Tuesday, May 24, 2011 11:45 AM
To: Goldin, Steven; Malasky, Gary; Doggett, Rosalyn; Meister, Mark K.; Talaia, Anabela
Subject: RE: Expected closings and revenues
Attachments: TIIF Projection (May 2009) from JDSAAM burns.xlsx
Expires: Sunday, November 20, 2011 12:00 AM

See attached spread which has been used in the past for TIIF. I have deleted some dead JD projects and added capital budget (sales) projections at bottom.

From: Goldin, Steven
Sent: Tuesday, May 24, 2011 10:00 AM
To: Malasky, Gary; Doggett, Rosalyn; Burns, Bob; Meister, Mark K.
Subject: RE: Expected closings and revenues

When and which acct does money go to?

From: Malasky, Gary
Sent: Tuesday, May 24, 2011 9:59 AM
To: Goldin, Steven; Doggett, Rosalyn; Burns, Bob; Meister, Mark K.
Subject: RE: Expected closings and revenues

This is just a maybe, but there could be a White Flint residential building for \$5.2M.

Gary

Gary Malasky
Senior Real Estate Advisor
WMATA
600 Fifth Street, NW
Washington, DC 20001
202-962-1504

From: Goldin, Steven
Sent: Tuesday, May 24, 2011 9:51 AM
To: Malasky, Gary; Doggett, Rosalyn; Burns, Bob; Meister, Mark K.
Subject: Fw: Expected closings and revenues

Btwn now and 6/30/12

From: Bottigheimer, Nat
To: Goldin, Steven
Sent: Tue May 24 09:37:29 2011
Subject: Expected closings and revenues
Last week, Carol Kissal referenced a conversation with you about expected funds arriving. Can you give me a schedule of upcoming real estate revenues expected and where they're destined (i.e., capital budget, TIIF, operating)? Carol has expressed a preference for the capital program.

Doggett, Rosalyn

From: Ward 2 Councilmember Jack Evans [jevans@dccouncil.us]
Sent: Thursday, May 12, 2011 5:43 PM
To: Doggett, Rosalyn
Subject: Jack's Newsletter

Having trouble viewing this email? [Click here](#)



Ward 2 Councilmember Jack Evans

May 12, 2011

x

Jack's Newsletter

x

Where has the time gone?

On April 30, I celebrated my 20th anniversary of being elected to the City Council representing Ward 2 and on Friday, May 13, I will celebrate my 20th anniversary of being sworn in as the Ward 2 Councilmember. This makes me the longest serving current Councilmember and when I finish this term, I will be the longest serving Councilmember in history! Twenty years is a good time for reflection.

The first Ward 2 Councilmember was John Wilson, who took office in January 1975 and served until December 31, 1990. He was sworn in January 2, 1991 as Chairman of the Council thus creating a vacancy. That special election to fill the Ward 2 Council seat had 15 candidates. I won the election with 2,926 votes, 360 more than Jim Zais. Bill Cochran and Clarene Martin each received 1,050 votes.

I came on the Council at a different time. Sharon Pratt had just been elected Mayor and had taken office in January 1991. The finances of the city were not good. Two weeks before my swearing in were the riots by the Latino community in Mt. Pleasant.

Things in the District went from bad to worse. Mayor Pratt and Chairman Wilson and the Council did not have a good working relationship. Then in 1993, Chairman Wilson died. By 1994, the District's finances had further deteriorated and Mayor Pratt had become very unpopular. The Mayor's election in 1994 saw the return of Marion Barry as Mayor. By the end of 1995, Congress had imposed a Control Board.

As you can see, my early days were quite turbulent.

x

x

3rd Annual DC Housing Expo & Foreclosure Clinic

Saturday, June 4
10:00am - 3:00pm

Walter E. Washington
Convention Center

Receive information on
the District's first time
homebuyer programs,
home retention
information, free credit
reports, and credit
counseling.

For additional
information, please click
[here](#).

[In This Issue](#)

[Evans Celebrates District's
First LEED Certified
Supermarket](#)

[Work Set to Begin on 7th
and N Park in Shaw](#)

[Bike to Work Day Returns
on May 20](#)

[Evans to Address Ward 2
Seniors for Older
Americans Month](#)

[DC Economic Partnership
Announces 2011 Small
Business Competition](#)

However, beginning in 1996, we saw a resurgence in our city. With Mayor Williams' election in 1998, he joined Chairman Linda Cropp, I as Finance and Revenue Chairman, and Chief Financial Officer Natwar Gandhi to lead our city's comeback. As I look back, I remember great challenges and great progress. Our city stands today as one of the most dynamic in the country with strong finances and a AAA bond rating.

Personally, I have also had an interesting and exciting 20 years. When I was first elected, I was 37, single, and living in a condo in Dupont Circle. My mother died on Mother's Day in 1993 and my Dad in 1996. I married Noel in 1994 and moved to 32nd Street in Georgetown. We got a dog, Kayla, in 1995 and had triplets, Katherine, John, and Christine in 1996. We moved to P Street in Georgetown and I was reelected in 1992, 1996, 2000, 2004, and 2008.

In 2003, Noel died of cancer. We got another dog, Kelly, in 2006 and Kayla died in 2007. I married Michele in September 2010 and am running for re-election in 2012. I just celebrated my 40th high school reunion.

It has been quite a journey and one I wouldn't trade for anything. There is still much work to be done and I look forward to a great future.

Jack

Evans Celebrates District's First LEED Certified Supermarket



Evans with Safeway representatives at the celebration.

Councilmember Evans recently joined representatives from Safeway, Advisory Neighborhood Commission 2E, the Hardy Middle School marching band, and area residents to celebrate the Georgetown Safeway's one year anniversary and recent LEED certification.

Leadership in Energy & Environmental Design (LEED) is an internationally recognized green building certification system, providing third-party verification that a building was designed and built using strategies intended to improve performance in metrics such as energy savings, water efficiency, CO2 emissions reduction, improved indoor environmental quality, and stewardship of resources.

The Wisconsin Avenue Safeway at 1855 Wisconsin Avenue, NW, commonly known as the "Social Safeway," is the first LEED certified supermarket in the District.

"I congratulate Safeway on a tremendous accomplishment not only in achieving LEED certification, but also in building a completely new store from the ground up in just one year," said Evans.

For more information on the store's LEED certification and environmental efforts, please click [here](#).

Ruth Werner is Evans' Georgetown liaison.

[Office of Zoning Announces Zoning 101 for Residents](#)

[WMATA Announces Series of Public Hearings](#)

[Legislative Update](#)

[Where's Jack?](#)



Councilmember Jack Evans
1350 Pennsylvania Ave. NW
Suite 106
Washington, DC 20004
202-724-8085
jevans@dccouncil.us
www.jackevans.org

Work Set to Begin on 7th and N Park in Shaw



Artist rendering of the new park.

Councilmember Evans recently announced that work will soon be underway at the 7th and N Park in Shaw, located on N Street, between 6th and 7th Streets, NW.

The District's Department of Parks and Recreation (DPR) will begin work on the park in June, with a ribbon cutting tentatively scheduled for October. In addition, at the request of the Councilmember and several residents, DPR has been working to address lighting issues in the park, which requires establishing new electric service to the entire park.

"I am pleased that DPR will begin work next month on the 7th and N Park," said Evans. "What has long been an eye sore for the community will soon be transformed into a neighborhood asset that everyone can use and enjoy."

Additional information on the 7th and N Park will soon be made available at DPR's website [here](#).

Windy Abdul-Rahim is Evans' Shaw liaison.

Bike to Work Day Returns on May 20



The Washington Area Bicyclist Association (WABA) and Commuter Connections invite you to join thousands of area commuters for a celebration of bicycling as a clean, fun, and healthy way to get to work. Over 10,000 people will be biking to work on May 20 as part of this year's event.

Bike to Work Day is free and open to all area commuters. There will be a raffle prizes, food, drink, and more at pit stops throughout the region. Interested individuals can register for the event [here](#).

"I encourage everyone to ditch their car and participate in

Bike to Work Day on May 20," said Evans. "It's a great way to get some exercise and support alternative transportation in the District."

Registering for the event will automatically enter you in to regional and local raffles for great prizes. Those who are among the first 8,500 to register will also receive a free Bike to Work Day t-shirt.

There are several resources on the WABA website for route planning, as well as information on joining a commuter convoy from your neighborhood.

While planning your route, be sure to stop by pit stops for snacks, water, and fun!

Evans to Address Ward 2 Seniors for Older Americans Month



On Tuesday, May 17, Councilmember Evans will address seniors from around the Ward at Emmaus Senior Services' celebration of Older Americans month. The event will take place from 10:00am-2:00pm at the Kennedy Recreation Center (1401 7th Street, NW).

The event will include the "Young at Art" art show, as well as a senior show of performance, poetry, paintings, and more. The 60-minute program will begin at 11:00am.

"I hope everyone will join me as we celebrate and appreciate our Ward 2 seniors," said Evans. "Their resourcefulness, creativity, and incredible energy will be on display for all to see."

For more information on the Older Americans month celebration, please contact Connie Samuels or Dipal Panara at 202-745-1200.

Amorde Brabham is Evans' senior citizen liaison.

DC Economic Partnership Announces 2011 Small Business Competition



The Washington, DC Economic Partnership (WDCEP) recently announced its annual Business Plan Competition, intended to promote entrepreneurship and the development of early stage companies in the District of Columbia. The goal of the competition is to fund original business concepts that will lead to the continued development of new enterprise and further job creation within the District.

The winner of the competition is awarded a \$100,000 investment prize and \$27,500 worth of in-kind services. The competition is open to existing as well as start up businesses.

"The DC Economic Partnership continues to support our local businesses through this competition," said Evans. "It offers a great opportunity for existing businesses and start-ups alike and I hope that many will take advantage of it."

For more information on the competition, including deadlines and eligibility criteria, please [click here](#).

Office of Zoning Announces Zoning 101 for Residents



The DC Office of Zoning (DCOZ) has announced several community meetings across the District to inform citizens about zoning regulations and processes. The educational series of presentations - Zoning 101, 201, and 301, will provide a detailed collection of information that will help attendees build a solid foundation of zoning in the District.

Zoning 101 is a presentation on zoning essentials and does not address the more complex aspects of process and procedure. The presentation will run approximately 30-40 minutes, including an additional 30 minutes for questions.

The Ward 2 Zoning 101 presentation will take place on Tuesday, May 24 from 7:00pm-8:30pm in Room A-10 of the Martin Luther King, Jr. Memorial Library (901 G Street, NW).

Interested individuals are asked to RSVP to [Sara Bardin](#).

For additional information on DCOZ's education series, please [click here](#).

WMATA Announces Series of Public Hearings

The Washington Metropolitan Area Transit Authority (WMATA) has announced a series of six public hearings regarding proposed adjustments to Metrorail weekend frequency and Metrobus service.

Proposed changes include:

Bus Service

- 1) The elimination of the E6, K1 and N8 routes;
- 2) A restructuring of the M4 to extend the route to Knollwood Retirement Home to partially replace the E6 service;
- 3) Shortening Routes 70 and 71 to operate between Silver Spring and Archives at all times and reduce peak period frequency. Establishing a new Route 74 to operate between Fort McNair/Buzzard Point and Gallery Place - Chinatown on weekdays between 5:00am and 8:00pm. Restructuring Route V8 to operate via Fort McNair and extend to Gallery Place - Chinatown evenings and weekends. Discontinuing Route V7 after 8:00pm on weekdays.
- 4) Elimination of the Anacostia special fare which will increase the fare from \$1.00 to \$1.50 for SmarTrip and to \$1.70 for cash on routes 94, A2, A4, A5, A6, A7, A8, M8, M9, W2, W3, W6, and W8, as well as for stops at or south of Good Hope Road for routes 90, B2, P1, P2, P6, and U2.
- 5) Increasing the bus-to-rail and rail-to-bus transfer value from \$0.50 to \$1.00 for those customers transferring to or from routes 94, A2, A4, A5, A6, A7, A8, M8, M9, W2, W3, W6, and W8.

Rail Service

- 1) Widening Saturday headways from 12 minutes to 18 minutes until 9:30pm and to 25 minutes after 9:30pm until closing; and
- 2) Widening Sunday headways from 15 minutes to 20 minutes until 9:30pm and to 25 minutes after 9:30pm until closing.

"These hearings offer a great opportunity for residents to directly voice their concerns to the WMATA Board," said Evans. "I encourage everyone to take the chance to do so."

Please click [here](#) for additional information on the hearings

and their locations, as well as information on how to register to speak or submit a written statement.

Legislative Update



The Committee on Finance and Revenue met this week to mark-up the Fiscal Year 2012 proposed budget for the agencies under the Committee's purview and provide comments and recommendations to a number of Budget Support Act Subtitles. The full council is expected to vote on the Fiscal Year 2012 budget on May 26.

The Committee will be holding a hearing on five measures on Thursday, May 19 at 12:00pm in Room 120 of the Wilson Building. Bills on the agenda include:

Bill 19-27, the "Community Council for the Homeless at Friendship Place Equitable Real Property Tax Relief Act of 2011"

This bill would provide equitable real property tax relief to Community Council for the Homeless at Friendship Place, a tax-exempt nonprofit organization.

Bill 19-95, the "Howard Theatre Redevelopment Project Great Streets Initiative Tax Increment Financing Amendment Act of 2011"

This bill would amend the Howard Theatre Redevelopment Project Great Streets Initiative Tax Increment Financing Act of 2010 to authorize the inclusion of real property possessory interest tax in the tax increment to be used to support the bonds to be issued to finance the Howard Theatre redevelopment project.

Bill 19-193, the "Income Tax Secured Bond Authorization Amendment Act of 2011"

This bill would amend Chapter 3 of Title 47 of the District of Columbia Official Code to authorize the issuance of additional revenue bonds of the District of Columbia, payable from and secured by individual income tax and business franchise tax revenues, for the purposes of financing capital projects of the District government and to provide certain clarifications applicable to such revenue bonds consistent with current laws applicable to the general obligation bonds.

Bill 19-208, the "Vault Tax Clarification Act of 2011"

This bill would amend Chapter 11 of Title 10 of the District of Columbia Official Code to clarify the exemption of any vault that in whole or in part is serving real property exempt from taxation under section 47-1002(19) of the District of Columbia Code.

Bill 19-227, the "Tax Revision Commission Reestablishment Act of 2011"

This bill would amend Chapter 4 of Title 47 of the District of Columbia Official Code to reestablish the Tax Revision Commission ("Commission"), to clarify the purpose and

duties of the Commission, and to improve the focus and composition of the Commission.

The Committee will also be holding a public oversight roundtable on the matter of iGaming on Thursday, May 19 at 1:00pm in Room 123 of the Wilson Building. The iGaming measure was included in Title VII, Subtitle G, "Lottery Modernization Act" of Bill 18-1100, the "Fiscal Year 2011 Supplemental Budget Support Act of 2010," which is now Law 18-370. This public oversight roundtable gives an opportunity for the DC Lottery and Charitable Games Control Board to provide an update on the implementation efforts of iGaming in the District of Columbia.

To sign up to testify, please contact [Sarina Loy](#).

[Ruth Werner](#) is Evans' Committee Director.

Where's Jack?



Councilmember Evans is pleased to announce that he will be speaking to several civic organizations and attending several community events in May.

"I always look forward to the opportunity to hear directly from residents about what's working and what could be improved in the District," said Evans. "Attending these meetings and events on a regular basis allows me to do just that."

Evans will attend the following meetings and events in May:

May 16 - 6:30pm
Ward 2 Democrats Redistricting Meeting
John A. Wilson Building
1350 Pennsylvania Avenue, NW

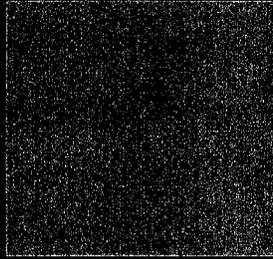
May 17 - 11:00am
Older Americans Month Celebration
Kennedy Recreation Center
1401 7th Street, NW

May 17 - 7:00pm
Citizens Association of Georgetown
Dumbarton House
2715 Q Street, NW

May 21 - 8:30am

DC Dragon Boat Festival Opening Ceremony
Thompson Boat Center
2900 Virginia Avenue, NW

May 25 - 6:30pm
Quincy Park Condo Association
Quincy Park Condominiums
1001 L Street, NW



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Doggett, Rosalyn

From: noreply+feedproxy@google.com on behalf of Greater Greater Washington [info@ggwash.org]
Sent: Saturday, April 30, 2011 5:14 AM
To: Doggett, Rosalyn
Subject: Greater Greater Washington

Greater Greater Washington



- [Just two days left to redesign the Metro map](#)
- [Two-wheeling by the Flickr pool](#)
- [Preservation League revives Wonder Bread Factory](#)
- [Anti-height frenzy dominates preservation meeting on Hine](#)
- [Breakfast links: Some good changes](#)

Just two days left to redesign the Metro map

Posted: 29 Apr 2011 02:37 PM PDT

by David Alpert

The contest to design a new Metro map is almost over. Is your map done?



Image from Wikimedia.

Since the end of the month falls in the middle of the weekend, we'll give you an extra day to finish the maps. They're due at 11:59:59 pm on Sunday night.

We'll be picking winners two ways. You'll all be able to vote for your favorite map (using IRV), and we're also putting together a jury of experts to review the maps.

[Read more »](#)

[Comment](#)

Related posts:

[Contest: Design a better Metro map \(Mar 14, 2011\)](#)

[Delicious Metro II \(Jun 12, 2010\)](#)

[Metro changes bus map \(Nov 12, 2009\)](#)

[Metro aiming to start "Yellow and Orange Line service increase" in June 2012, without new color \(Mar 7, 2011\)](#)

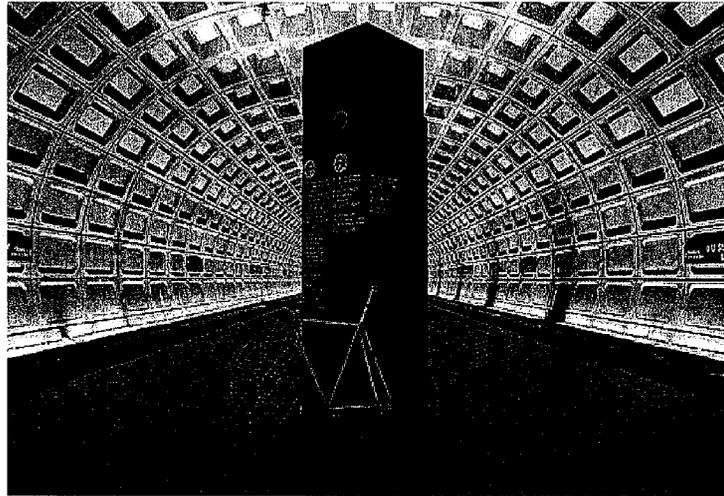
[Metro releases station-oriented bus maps \(Aug 17, 2009\)](#)

Two-wheeling by the Flickr pool

Posted: 29 Apr 2011 12:26 PM PDT

by Laura DeSantis

Here are our favorite new images from the **Greater and Lesser Washington Flickr pool**, showcasing the best and worst of the Washington region.



U Street. Photo by Vileinist.

[Read more »](#)

[Comment](#)

Related posts:

[Enjoying spring by the Flickr pool \(Apr 22, 2011\)](#)

[Strolling along the Flickr pool \(Jan 21, 2011\)](#)

[Reconstructing the Flickr pool \(Mar 18, 2011\)](#)

[Treading carefully across the Flickr pool \(Feb 25, 2011\)](#)

[Snow falling on the Flickr pool \(Jan 28, 2011\)](#)

Preservation League revives Wonder Bread Factory

Posted: 29 Apr 2011 10:13 AM PDT

by John Muller

Last week, the DC Preservation League celebrated its 40th anniversary by throwing a lively party at the long-dormant Wonder Bread Factory at 641 S Street NW in Shaw.



Photo by DreamCity4Life on Flickr.

The building is located half a block east of 7th Street and the Shaw-Howard University Metro station. It has long been a well-known structure in the neighborhood.

According to *Streets of Washington*, "the oldest section of the building was built in 1913 as an expansion to an existing bakery run by Peter M. Dorsch (1878-1959)."

Dorsch and his brothers worked at bakeries all across the city before opening the bakery that would eventually become the Wonder Bread Factory.

[Read more >](#)

[2 comments](#)

Related posts:

[What should historic preservation really protect? \(May 28, 2010\)](#)

[A bicycle but no racks at Benning Library \(Jun 3, 2008\)](#)

[Preservation "incompatible" with historic preservation \(Jan 11, 2008\)](#)

[Third Church demolition order requires church to stay \(May 14, 2009\)](#)

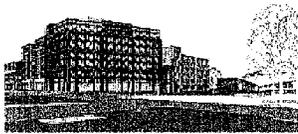
[Preservation versus taxidermy in Takoma Park \(Apr 29, 2008\)](#)

Anti-height frenzy dominates preservation meeting on Hine

Posted: 29 Apr 2011 07:38 AM PDT

by David Alpert

A few Capitol Hill residents gave long and sometimes angry speeches yesterday against allowing mid-rise buildings at the Eastern Market Metro at a hearing before the Historic Preservation Review Board yesterday.



View from Pennsylvania Avenue. Image from the developers.

~~But the Historic Preservation Review Board avoided letting height hostility co-opt historic preservation, and instead adopted~~
The Historic Preservation Review Board has still to decide many issues, while an excellent staff report focused on other issues with the project's design.

The project will create four separate buildings, some residential and some commercial, on the block between 7th and 8th Streets SE north of Pennsylvania Avenue, including a public piazza. It will also reconnect C Street across the site, which can be closed on weekends as 7th to add even more public space.

[Read more >](#)

[43 comments](#)

Related posts:

[Make Capitol Hill's Hine project better, not smaller \(Mar 2, 2011\)](#)

[Will preservation be a tool of blatant anti-development? \(Mar 10, 2011\)](#)

[What should historic preservation really protect? \(May 28, 2010\)](#)

[14th and U project moving forward \(Feb 29, 2008\)](#)

["Too big" isn't a historic argument \(Mar 6, 2009\)](#)

Breakfast links: Some good changes

Posted: 29 Apr 2011 05:25 AM PDT

by Erik Weber

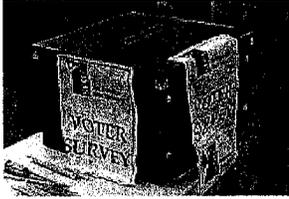


Photo by Steve Rhodes on Flickr.

Will Four26 prompt reforms?: Keith Ivey suggests ending the at-large interim appointments, instituting IRV, and having more flexibility in election dates. Martin Auster Muhle adds reforming the petition signature challenge process and fixing campaign finance loopholes. (Four26)

IRV explained, British style: A British video explains how Alternative Vote, called Instant Runoff Voting in the US, is not that complicated and is really like the way a group of "mates" might decide what "pub" to go to. An upcoming referendum could implement IRV for the UK parliament. (Gavin)

Higher ridership shrinks gap: Higher-than-expected ridership has buoyed WMATA's finances some, shrinking the \$72.5 million budget gap by approximately \$6 million. Service cuts will still be on the table to close the remaining gap. (Examiner)

Barry wants Near SE, Near SE doesn't want Barry: Marion Barry has made clear he wants the ballpark district added to Ward 8 in the upcoming redistricting. That's very unpopular with residents of the area, who are organizing to oppose the idea. (JDland)

Swain's ouster political payback: Mayor Gray had made a promise to the taxicab industry who heavily supported his campaign to fire Commissioner Leon Swain. Gray may reappoint a Commissioner from Marion Barry's fourth mayoral term. (Post)

Residents oppose development in Bluemont: The civic association in Bluemont, west of Ballston, commissioned a proposal to create a walkable village center in place of some strip malls and warehouses. It's not a real proposal yet, but some residents at a meeting already are objecting to potential development. (ARLnow)

Workers fired after accident: Two Metro workers were fired after leaving an escalator hatch open overnight at the Pentagon station. The hatch remained open after the station opened and a woman fell in. (Examiner)

Important wedding today: We don't mean the British monarchy. Coalition for Smarter Growth policy director Cheryl Cort and her partner are getting married. Mazel tov! And thanks, DC Council (except Yvette Alexander, Marion Barry and possibly Vincent Orange)!

And...: PBS Newshour profiled DC's second-class status in Congress, hopefully raising awareness of DC's struggle for representation. ... Since the incentive for buildings to create street-fronting arcades was removed, at least one was enclosed. (City Paper) ... 30 bridges; or 12% of those in DC, are structurally deficient. (TBD)

Have a tip for the links? Submit it here.

[Read more >](#)

19 comments

Related posts:

[Barry surprised at streetcar plan from Barry mayoralty \(Jul 1, 2010\)](#)

[Gray transition: bold innovators or a return to Barry? \(Nov 4, 2010\)](#)

[Residents oppose cutting north-south Circulator route \(Apr 4, 2011\)](#)

[Breaking: Gray DOES NOT cut streetcars \(Dec 7, 2010\)](#)

[Streetcar passes markup, but under consideration for cuts \(Dec 3, 2010\)](#)

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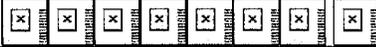
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Doggett, Rosalyn

From: Ward 2 Councilmember Jack Evans [jevans@dccouncil.us]
Sent: Friday, April 29, 2011 9:32 AM
To: Doggett, Rosalyn
Subject: Jack's Newsletter

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Ward 2 Councilmember Jack Evans

April 29, 2011

Jack's Newsletter

This week, the Council's Subcommittee on Redistricting held two public hearings in the Council Chamber. According to federal law, the District must perform a redistricting of its eight Wards within 90 days of the Council's receipt of the Census report, which happens every ten years. This year, we have to complete our work by July 14. After the Ward redistricting process is complete, the Council will review and make adjustments to the boundaries of the Advisory Neighborhood Commissions ("ANCs") and Single Member Districts ("SMDs"). The ANC and SMD redistricting is slated for this fall, with the entire process to be completed by the end of the year.

In my 20 years on the Council, there is no issue I have encountered that evokes a stronger emotional reaction than redistricting. There are two primary approaches the Council could take in reviewing the Ward boundaries. One approach is to move as few people as possible to be within the outskirts of the legal parameters we face, in order to minimize this disruption to the extent we can. Another possible approach is to move each Ward as close to the mean as possible, under the rationale that it is not fair to have Wards 7 and 8 be the lowest populated Wards in the District. There is no way to make everyone happy in the redistricting process, but my goal will be to maintain and reunite neighborhoods when possible, making use of census tract lines, natural boundaries, and major traffic arteries to create logical Ward borders within the framework imposed on us by federal law.

The following are a few samples of the types of data points we are reviewing. The average population of all the Wards of the city is 75,215, based on a total District population of 601,723. When divided by 8 Wards, this creates a "target" or benchmark number for the Council to use in determining

Unity of Washington presents 'Passport to Financial Literacy'

Saturday, April 30
11:00am - 3:00pm

Unity of Washington
1225 R. Street, NW

Parents and students -
come learn more about
financial literacy at this
free event!

For additional
information, please click
[here](#).

[In This Issue](#)

[Evans Kicks Off Capital
Bikeshare Expansion](#)

[Security Cameras to be
Added at Shaw-Howard
Metro Station](#)

[Ross Elementary School to
Hold 3rd Annual Auction](#)

[Dupont Circle Village
Announces Spring Events](#)

[School Beautification Day
in Shaw Slated for
Saturday](#)

[Evans Addresses
Convention Center
Community Association](#)

necessary changes in boundary lines. The minimum allowable population per Ward is 71,455, and the maximum population 78,976. According to the Census data, this means that Ward 2 must lose at least 939 residents to be within the statutory requirements, or as many as 4,700 residents to get to the average population. In contrast, Ward 7 must gain at least 386 residents, or 4,137, to get to the target, and Ward 8 must gain at least 742 residents at minimum, or 4,503 to get to the target number. With regard to SMDs, the target size is 2,000, with an ideal number of 301 SMDs. The minimum population for an SMD is 1,900, and the maximum population 2,100.

The process at this point is far from complete. We heard from a number of witnesses this week, and will continue to consider input received electronically or by mail in the coming days before introducing a plan for mark-up in the next several weeks. After the mark-up, the Subcommittee on Redistricting will hold a third hearing to receive public input on the plan, prior to its review by the full Council. I invite all residents to participate in this process and to visit our redistricting website at www.dccouncil.us/redistricting2011, which has important information about the redistricting process.

Jack

Evans Kicks Off Capital Bikeshare Expansion



Evans joins Ward 6 Councilmember Tommy Wells and Mayor Vincent Gray to cut the ribbon on the Wilson building's new Capital Bikeshare station.

Councilmember Evans recently joined Mayor Vincent Gray and Ward 6 Councilmember Tommy Wells to cut the ribbon on a new Capital Bikeshare docking station at the historic John A. Wilson building.

"Bikesharing is fast becoming a part of the fabric of our city," said Evans. "It is important in building our alternative transportation infrastructure and making DC more bike and pedestrian friendly."

Five additional stations are slated to open over the next several weeks at Farragut Square, Metro Center, Foggy Bottom, Judiciary Square, and the National Portrait Gallery. In all, the District Department of Transportation (DDOT) plans to add 25 new stations and 250 additional bikes throughout the District and Arlington, Virginia this summer.

[Logan Circle "Treasure Hunt" on Saturday](#)

[Department of Public Works Announces New Policy](#)

[Where's Jack?](#)



Councilmember Jack Evans
1350 Pennsylvania Ave, NW
Suite 106
Washington, DC 20004
202-724-3085
jevans@dccouncil.us
www.jackevans.org

Capital Bikeshare bikes have step-thru frames, 3 speeds, front and rear flashing LED lights, and a front rack, and are equipped with internal hub gears, a chain guard, and fenders.

Several membership options are available with Capital Bikeshare. Infrequent users may purchase a 24-hour membership for \$5 or a 5-day membership for \$15 by using the kiosk located at each Capital Bikeshare station. Annual or 30-day memberships are also available. No matter which option you choose, the first 30 minutes of each trip is free. After the first 30 minutes, users are charged.

For a complete list of Capital Bikeshare stations, [click here](#).

To view the 2011 expansion plans, please [click here](#).

[Sherri Kimbel](#) is Evans' DDOT liaison.

Security Cameras to be Added at Shaw-Howard Metro Station



Photo by thisisbossi on Flickr.

Councilmember Evans announced last week the upcoming installation of security cameras at both entrances of the Shaw-Howard Metro station.

"The Metro Transit Police and Metropolitan Police are working closely to address the on-going issues at this Metro stop," said Evans. "The addition of these cameras, which will face the station's two entrances, will help to identify those who commit crimes and disrupt the neighborhood."

The Washington Metropolitan Area Transit Authority (WMATA) has received a \$2.7 million Urban Area Security Initiative grant from the Federal Emergency Management Agency (FEMA) to finance the installation of the security cameras, scheduled for June.

The Metro Transit police has also increased patrol efforts in and around the Shaw-Howard Metro station and deployed a patrol vehicle to the station, in addition to working closely with the Metropolitan Police Department to address crime issues there.

[Windy Abdul-Rahim](#) is Evans' Shaw liaison.

Ross Elementary School to Hold 3rd Annual Auction



Ross Elementary School has announced their third annual auction will take place on Saturday, April 30 from 5:00pm-10:00pm at the German Marshall Fund building (1744 R Street, NW). The event is free and open to the public.

This year's auction aims to build a strong financial foundation for professional development opportunities for