



# Takoma Park City Council Meeting – July 5, 2023

## Agenda Item 1

### Voting Session

Use of CDBG Funds for the Domer Avenue Sidewalk Project – Single Reading Ordinance Authorizing a Contract with NZI Construction Corp. for Domer Avenue Sidewalk Construction

### Recommended Council Action

Approve the ordinance.

### Context with Key Issues

#### Community Development Block Grant (CDBG) Funding

The City of Takoma Park participates in the US Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) program, receiving a proportionate share of Montgomery County's annual entitlement funding. CDBG funds are intended to support low- and moderate-income families through community development activities directed to revitalizing neighborhoods and providing improved community services. The City currently receives \$91,000 annually in CDBG funding, which is indicated in the Special Revenue Funds of the annual City budget.

In 2016, the City Council passed Resolution 2016-16, which identified Council priorities for spending the City's CDBG allocation. The Resolution instructs the City to limit CDBG funding to capital projects within qualifying low- and moderate-income census tracts. Since these projects normally cost more than the annual allocation, the City will often hold annual CDBG funds until a large enough amount can be directed towards a capital project. While this priority limits project opportunities for CDBG funds, the Departments of Housing & Community Development (HCD) and Public Works (PW) jointly identified the Domer Avenue Sidewalk Project ("Project") as an appropriate funding opportunity.

To select an appropriate Contractor who meets Federal, County, and City requirements, HCD released Request for Proposals (RFP) HCD 2023-04-06 in April 2023. The RFP closed on May 5, 2023, and the City received one responsive proposal from NZI Construction Corporation for \$141,018.

#### Domer Avenue Sidewalk Selection Process

The Domer Avenue Sidewalk Project will construct approximately 0.1 miles of sidewalk on Domer Avenue from the intersection with Flower Avenue towards Sligo Creek Parkway. The Takoma Park City Council has previously established a process whereby residents can request new sidewalks in the City. The process was last revised in 2015 with the passage of Resolution 2015-32. The Resolution outlines the following steps for sidewalk design and installation.

1. Sidewalk Planning Initiation: new sidewalk planning can be initiated either by:
  - a. An action of the City Council or City Manager;

- b. A resident request from either a recognized neighborhood association or resident from the affected area.
2. Staff Review: City staff will review the sidewalk request to determine whether the sidewalk would function effectively and comply with State and Federal regulations.
3. Community Engagement: once staff review is completed, staff will conduct various outreach activities to residents and property owners in the affected area to decide whether to proceed with design efforts. Engagement efforts include:
  - a. Community Meeting to provide factual information on sidewalk requirements and process. All households in the affected area are mailed notices of this meeting;
  - b. Follow-Up Survey to determine whether to proceed. All households in the affected area are mailed a survey after the Community Meeting. If at least 50% of the responses are positive, the project will be assigned to a design engineering firm.<sup>1</sup>
4. Sidewalk Design: Sidewalk design will commence based on requirements within Resolution 2015-32 and various City, County, and State requirements.
5. Community Engagement on Design: similar to the initial Community Engagement phase, the City will hold another Community Meeting and Survey to review and revise the design. If at least 50% of survey responses are finalized, the engineering design team will finalize construction-ready documents.<sup>2</sup>
6. Construction: once funding is established by Council, actual construction of the sidewalk will begin.

The Domer Avenue Sidewalk Project is currently in the Construction Stage. The City received a petition from eight households on Domer Avenue requesting initiation of a sidewalk planning process in October 2020. Due to holds placed on sidewalk funding in Fiscal Years 2021 and 2022, the sidewalk review and planning process began in earnest in the third quarter of Fiscal Year 2022. Below is a timeline of key milestones in the planning process:

October 2020	City received a petition signed by 8 households on Domer Avenue requesting initiation of a sidewalk planning process
February 10, 2022	Community Meeting to review City process for sidewalks (remote)
February 11, 2022	Mailed notice of sidewalk design vote
February 25, 2022	Sidewalk design voting period ended. 13 votes received - 11 in favor and 2 opposed
March 2, 2022	City mailed out notice of the results of the vote to the affected area

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<sup>1</sup> Council Override Opportunity. Per Resolution 2015-32, "Unless the City Council, by majority vote, decides to override the majority vote of the affected area, the project will proceed to the design phase."

<sup>2</sup> Council Override Opportunity. Per Resolution 2015-32, "Unless the City Council, by majority vote, decides to override the majority vote of the affected area, the project will proceed to the construction phase."

May 5, 2022	Second community meeting on initial sidewalk design (remote). Included one option for each side of the street; one side walk selected for further design
September 27, 2022	Third community meeting on revised sidewalk plan (in person)
October 13, 2022	City mailed out notice to residents that the final plans reviewed at the prior meeting had been revised and that the revised plan was available on the website
December 6, 2022	Fourth community meeting on final sidewalk plans (remote)
December 16, 2022	Mailed notice of sidewalk construction vote
January 6, 2023	Sidewalk construction voting period ended. 8 votes received - 6 in favor and 2 opposed
January 13, 2023	City mailed out notice of results of the vote to the affected area

**Council Priorities**

- Advancing a Community of Belonging
- Fiscally Sustainable Government
- Environmentally Sustainable Government
- Community Development for an Improved & Equitable Quality of Life

**Environmental Considerations**

By increasing the availability and quality of public sidewalks in the City of Takoma Park, the Project will encourage additional walkability and less reliance on automotive vehicles throughout the City. This sidewalk will provide a safe walking path to Flower Avenue where residents can access public transportation.

**Fiscal Considerations**

The Project will be fully funded by the City's CDBG allocations from Fiscal Years 2021-2023. As such, the Project can be completed with no impact on the City's general fund and will also enable the City to receive future annual allocations of CDBG funding from Montgomery County.

**Racial Equity Considerations**

Regulations require that capital CDBG expenditures are only utilized on projects located in low- and moderate-income census tracts. By meeting these requirements, the project will enhance capital infrastructure improvements in lower-income neighborhoods.

**Attachments & Links**

- Sidewalk Process Webpage: <https://takomaparkmd.gov/initiatives/project-directory/sidewalk-design-and-construction/>

- Draft Ordinance
- [RFP HCD 2023-04-06](#)

Introduced by:

**CITY OF TAKOMA PARK, MARYLAND**

**ORDINANCE 2023-**

**AUTHORIZING A CONTRACT WITH NZI CONSTRUCTION CORP.  
FOR DOMER AVENUE SIDEWALK CONSTRUCTION**

WHEREAS, the City of Takoma Park participates in the U. S. Department of Housing and Urban Development's (HUD) Community Development Block Grant (CDBG) program, receiving a receiving a proportionate share of Montgomery County Maryland's annual CDBG entitlement funding; and

WHEREAS, the Takoma Park City Council passed Resolution 2016-16, establishing CDBG priorities as limited to capital project benefiting low- and moderate-income populations as defined by the US Department of Housing & Urban Development; and

WHEREAS, the City identified the Domer Avenue sidewalk project as an appropriate use of available CDBG funds; and

WHEREAS, the City released RFP #HCD-2023-04-06 to identify qualified contractors to complete the project, receiving one responsive proposal.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF TAKOMA PARK, MARYLAND THAT:

SECTION 1. The City Manager or their designee is authorized to enter into a contract with NZI Construction Corporation for a total of One Hundred Forty-One Thousand Eighteen Dollars (\$141,018.00) for the purpose of the construction of the Domer Avenue sidewalk beginning at the intersection of Domer Avenue and Flower Avenue and extending in the direction of Sligo Creek Parkway for a total distance of 0.1 miles as outlined in the Request for Proposals #HCD-2023-04-06.

SECTION 2. This Ordinance shall become effective upon adoption.

Adopted by the Council of the City of Takoma Park by roll-call vote this \_\_\_\_ day of \_\_\_\_\_, 2023.

AYE:

NAY:

ABSTAIN:

ABSENT: