



# Takoma Park City Council Meeting – March 6, 2024

## Agenda Item 1

### **Voting Session**

Single Reading Ordinance Authorizing a Contract for the Brashear's Run Outfall Repair and Stream Restoration

### **Recommended Council Action**

Approve Ordinance

### **Context with Key Issues**

The City Code establishes the requirement for expenditures over \$50,000 to be approved by Council through a Single Reading Ordinance, if the expenditure is specifically authorized in the budget (Section 7.04.060).

The FY24 Stormwater Capital budget includes funding for the Brashear's Run Outfall Restoration Project. The outfall apron, which includes a wide expanse of concrete surface over the original stream bed, has collapsed at the streamside edge due to loss of support as high water flows have undermined the soil under the concrete surface. This has resulted in sections of the concrete apron breaking away and exposing the streambed at the outfall point. The repair of the outfall is necessary to stop the erosion of the stream bed. The project will restore the stability of the outfall area and will include installation of a more environmentally preferable outfall surface that will mimic natural features.

The Brashear's Run outfall includes two large stormwater discharge pipes, one 84 inch in diameter and the other 74 inches, pictured in the attached photos. The watershed area draining into Brashear's Run includes approximately 500 acres in the north-western area of the city and includes a network of pipes, culverts and overland flow which combine and discharge into the Brashear's Run outfall.

The area is within Maryland-National Capital Park & Planning land and the City has been in communication with the County for planning and permitting. The outfall includes a small stream, named Brashear's Run, that connects to Sligo Creek. The Department issued an RFP for the project and received 4 responses listed below.

AB Construction	\$102,335
Environmental Quality Resources	\$168,825.50
Triangle Construction	\$216,582.50
Ross Construction	\$392,805

The Department recommends the award of the contract to AB Construction, Inc. as the low bidder. The project, once a contract is finalized, is expected to be completed within 45 days.

In preparation for the project, City staff have met with the Essex House management company, Enterprise Residential, to inform them of the work which will take place on the land adjacent to their property and request permission to allow the contractor to access the work zone through their parking

lot area. Enterprise Residential has agreed to allow the contractor to use a small portion of their guest parking lot for access to the site. Prior to the start of the project, notices will be provided to the residents of Essex House. The contractor will be responsible for providing adequate protection of the parking lot and restoration for any damage resulting from their equipment.

### **Council Priority**

Engaged Responsive and Service Oriented Government  
Environmentally Sustainable Community

### **Environmental Impact of Action**

The stream restoration project will include the restoration of approximately 100 of the 300 linear feet of Brashear's Run stream valley and installation of streambed stability features. The design of the project has been reviewed and approved by M-NCPPC and all required permits are underway on the basis of an emergency MDE Non-Tidal Wetland & Waterway Permit, and M-NCPPC Park Permit.

As a result of this project, the City will be able to claim treatment credit of 2 acres for this Best Management Practice. The City is required, through our NPDES permit (National Pollution Discharge Elimination System – mandated by the Clean Water Act), to provide water quality treatment for 20% of the impervious area in the city, which is equivalent to treatment of 109 acres.

### **Racial Equity Considerations**

The area where this project will occur is adjacent to high-rise apartment buildings with a large population of low- & moderate-income residents of color. The improvement of the outfall area from one of a concrete swale to one resembling a more natural stream valley will provide a more attractive area for the enjoyment of those visiting the stream valley area.

### **Fiscal Impact of Action**

The funds for the project are included in the Stormwater budget.

### **Attachments and Links**

- Single Reading Ordinance
- Site Vicinity Map & Project Plan Overview Map

Introduced by:

Single Reading:

**CITY OF TAKOMA PARK  
ORDINANCE NO. 2024-**

**AUTHORIZING A CONTRACT FOR BRASHEAR’S RUN  
OUTFALL REPAIR AND RESTORATION**

WHEREAS, the Fiscal Year 2024 Stormwater Management Budget includes funding for the Brashear’s Run Outfall Repair and Stream Restoration; and

WHEREAS, the City has coordinated with Maryland-National Park and Planning, the land owner, and received the required permits and approvals for the work; and

WHEREAS, the City has notified the property management company for the Essex House Apartments, and received approval to use a portion of their guest parking lot for access to the site; and

WHEREAS, the City advertised an RFP for this project and received four (4) responses; and

WHEREAS, the bid provided by AB Construction was the low bidder and is considered responsive and responsible.

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

Section 1. The City Manager is authorized to enter into a contract for the Brashear’s Run Outfall Repair and Stream Restoration in the amount of ONE HUNDRED AND TWO THOUSAND, THREE HUNDRED THIRTY-FIVE DOLLARS (\$102,335) with AB Construction.

Section 2. This Ordinance shall become effective upon adoption.

Adopted this \_\_\_\_ day of March, 2024.

AYE:

NAY:

ABSTAIN:

ABSENT: