



March 10, 2021

**Office of the Mayor**

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Dear Member of Toledo City Council:

As you know, during my time as Mayor I have been a strong advocate for programs that benefit youth, parks and recreation. My push for universal pre-K and creation of the HOPE Toledo initiative demonstrate this commitment, as does my stewardship of a city budget that increases spending on youth programming in 2021 by nearly 500% over last year's amount.

As I reflect on my first term in office, in fact, I am perhaps most proud of the initiative that provides free college tuition to everyone in the graduating class of 2020 at Scott High School. Over 60 students — and 23 parents — have thus far taken advantage of this life-changing program.

Clearly, youth issues are a passion of mine. That is why I was overjoyed when Dr. Adams wrote me in January expressing her intent to introduce legislation that would re-organize one of our current departments in a way that could better promote recreational and educational opportunities for our youth.

Interestingly, it was in this note that I first learned of the requirements spelled out in Charter Section 102. Dr. Adams informed me that, according to her review of "Section 102 of the City Charter, such a change would require written request of the Mayor."

I long ago learned to trust Dr. Adams' wisdom, and while I was unaware of this particular provision of the Charter, I assumed she was correct, particularly because she was so adamant, stating no fewer than 3 times in her note of the need for me to write a letter.

I immediately checked with the Law Department, and as usual, Dr. Adams was correct: her ordinance could not move forward without approval in writing from the Mayor.

Over the next several weeks, Dr. Adams and I continued to discuss our ideas for what could truly be a transformational initiative in our city, and our staffs began working on the logistics of the potential new department. Creating a new department and ensuring that its operations will be successful is a complex endeavor that only begins, not ends, with enabling legislation.

While I truly believe Dr. Adams and I were always on the same page, in retrospect, the remaining members of City Council were probably unaware of the nature and depth of our conversations.

It is not my place in our system of government to be involved in the affairs of City Council, and so I truly do not know how or why members of City Council did not know about the provisions of Section 102. It was only at the last minute,



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when the administration became aware that City Council was in the dark, that the Law Department was asked to write an opinion.

As such, the criticism directed at the Law Director at Tuesday's City Council meeting was unfair. The Law Department was aware of the Section 102 issue in January. I was aware of it in January, and obviously, Dr. Adams was aware of it in January, since she is the one who first brought it to my attention. Why City Council members were not brought up to speed is a matter only members can resolve amongst themselves, and I am confident you will take steps to ensure that this miscommunication does not happen again.

Without a doubt, I share the goals outlined in the ordinance. I also take seriously the oath I took to uphold the Charter of the City of Toledo. We both have the same desire to provide better educational and recreational programming for Toledo's youth.

But the proper legal steps must first be taken in order to make the changes City Council seeks. Simply put, the City of Toledo must comply with the law. Under our Strong Mayor form of government, the administration does not have the luxury of taking symbolic actions that violate the law.

Sadly, I have no choice but to veto Ordinance 42-21, pursuant to my authority under Charter Section 43-A, not because I don't agree with its ambitions, but because it violates the City Charter.

The citizens of Toledo approved the Charter by their vote almost 30 years ago. They expect us to follow it. We can't ignore it when it doesn't suit our needs. I won't ignore it now.

But this is not the end of this matter. As I have discussed with Dr. Adams for several weeks, and as I outlined to you in my letter of February 23rd, I look forward to working with City Council over the next year to achieve the goal we both want. To that end, I have enclosed a proposed Resolution that expresses the sense of the City to create this new department, and if you pass this resolution, I will gladly sign it so that we can keep working.

Let's do this important work together, but let's do it the right way.

Sincerely,

A handwritten signature in black ink that reads 'Wade Kapszukiewicz'. The signature is written in a cursive style with a large, looping 'W' and 'K'.

Wade Kapszukiewicz  
Mayor

**RES. -21**

**Resolution in support of the creation of a new city parks department and declaring City Council's intention to work collaboratively with the administration to benefit youth services, educational leadership, and recreational opportunities on an ambitious timeline, and declaring an emergency.**

WHEREAS, In order to thrive as a city, Toledo's youth must be a priority; and

WHEREAS, Toledo City Council has determined that Parks, Recreation, and Youth Services are vital to the quality of life, health, and education of our residents of all ages; and

WHEREAS, High quality parks systems and supportive youth programming help develop pathways to success for city youth, as well as a successful and thriving educational system; and

WHEREAS, Mayor Kapszukiewicz formed the Recreation Task Force when he entered office in 2018, and the task force produced a report making recommendations as to recreation programming, maintenance of parks, facilities, and funding; and

WHEREAS, Council and the administration share a desired goal of creating excellence in its park system and youth programming;

WHEREAS, the administration has indicated that it intends to form a working group for the creation of a new parks department and has proposed an ambitious schedule for standing up this new city department; NOW, THEREFORE,

Be it resolved by the Council of the City of Toledo:

SECTION 1. That Toledo City Council declares its intention to work together with the administration to create a new parks department that will offer excellence in youth services and expanded recreational opportunities for all of its residents.

SECTION 2. That this Resolution is declared to be an emergency measure and shall take effect and be enforced from and after its adoption. The reason for the emergency lies in the fact that this Resolution is for the immediate preservation of the public peace, health, safety and property, and for the further reason that the immediate action is necessary to begin the work to create a world class parks system for the youth of Toledo.

Vote on emergency clause: yeas \_\_\_\_\_, nays \_\_\_\_\_.