



# City of Toledo

One Government Center  
Toledo, OH 43604

## Agenda Review City Council

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Tuesday, December 3, 2019

2:00 PM

Council Chambers

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### COUNCILMAN DELANEY PRESENTS:

[TMP-4717](#) Recognize Boxing Coach Darrie Riley.

### APPOINTMENTS FROM THE OFFICE OF THE MAYOR:

[TMP-4730](#) Appointments - Arts Commission of Greater Toledo

**Attachments:** [ACGT](#)

[TMP-4718](#) Appointments - Human Relations Commission

**Attachments:** [Human Relations Commission](#)

[TMP-4731](#) Appointments - Ottawa/Jermain Park Advisory Board

**Attachments:** [Ottawa-Jermain Park Advisory Bd](#)

[TMP-4719](#) Appointments - Toledo-Lucas County Commission on Disabilities

**Attachments:** [Toledo-LC Commission on Disabilities](#)

### SECOND READING ITEMS:

[O-536-19](#) Authorizing the mayor to enter into a ten-year property lease agreement with Arms Dock, Inc. for property space located at 1900 Summit Street, Toledo, Lucas County, Ohio for the storage of bulk salt; authorizing the annual expenditure of an amount not to exceed \$105,000 from the Special Assessment Fund subject to annual appropriation; and declaring an emergency.

**Body:** SUMMARY & BACKGROUND:  
Bulk salt is currently being stored along the Maumee River, where the

new Nautical Mile Project will be completed. The city would like to move forward with a lease agreement with Arms Dock, Inc. for salt storage space in an existing building along Summit Street. Moving the salt pile off the river would be more environmentally friendly and allow the Division of Streets, Bridges and Harbor to save on coverage costs.

The fiscal impact of this Ordinance is as follows:

- The total amount of funds requested: Total annual amount of \$105,000 for rent and utilities.
- The expenditure budget line item: 3050-23100-2422001STDSTD
- revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): N/A
- Are funds budgeted in the current fiscal year (yes/no)? yes
- Is this a capital project (yes/no)? no
- If yes, is it new or existing (new/existing)? N/A
- What section of the City's Strategic Plan does this support:
  - o Excellence in Basic Services (yes/no) yes
  - o Quality Community Investment (Livable City, Development) (yes/no) yes
  - o Workplace Culture & Customer Service (yes/no) yes
  - o Environment (yes/no) yes

**Attachments:** [Bullet Points](#)

[Audio: Agenda Review 11/6/2019](#)

[Audio: Agenda Review 11/19/2019](#)

[Audio: City Council 11/12/2019](#)

**Legislative History**

11/12/19	City Council	First Reading
11/26/19	City Council	held

[O-541-19](#)

**Amending Chapter 554, "Discrimination Prohibited" of the Toledo Municipal Code, to include a prohibition against discrimination on the basis of Natural Hair Types, Hairstyles and Head Wraps Commonly Associated with Race, Culture or Religion.**

**Body:** SUMMARY & BACKGROUND:

In the United States, Eurocentric races, ethnicities, and cultures have been historically and traditionally accepted as the racial, ethnic, and cultural norms, and other American communities have been historically and traditionally marginalized in American culture as a result. Dating from the days of slavery, natural hair types, hairstyles and head wraps commonly associated with race, culture and religion have frequently been the focus of intentional as well as unintended discrimination against those individuals, based on negative, lingering, cultural biases that frequently favor hair styles and hair types that more closely resemble Eurocentric hair types and hair styles. . Discrimination toward natural hairstyles and types and head wraps commonly associated with race, culture or religion stigmatizes and creates undue burdens in professional settings.

The Good Hair Study in 2016 by the Perception Institute found that Black women feel more anxiety regarding their hair and feel more pressure to straighten their hair for work than white women do. The majority of people, regardless of demographics, feel negatively towards women of color (specifically Black women) based on their hair. This study also showed that this is a result of social conditioning and can be undone through positive representation and education, and millennials of all races feel more positively toward natural hair than the older generations. Grooming or appearance policies that ban, limit, or otherwise restrict natural hair types, hairstyles or head wraps commonly associated with racial, cultural and religious identities violate the intent and spirit of Toledo's anti-discrimination regulations.

**Attachments:** [Redline](#)[Audio: Agenda Review 11/19/2019](#)**Legislative History**

11/26/19      City Council      First Reading

[O-552-19](#)

**Authorizing the expenditure of an amount up to \$100,000 for vehicle replacement for the Division of Streets, Bridges & Harbor; authorizing the annual expenditure from various funds over the life of the agreement; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

Ordinance 254-19 authorized the Mayor to enter into a contract with Enterprise Fleet Management for vehicle and equipment replacement for the city's fleet. The Division of Streets, Bridges & Harbor will utilize this contract to lease pick-up trucks for the Division's street repair operations.

The fiscal impact of this Ordinance is as follows:

-The amount of funds requested: \$100,000

- The expenditure budget line item:

2014-23100-2411001STDSTD

- New revenue generated (operational revenue, grants, if any):

none

- Revenue budget line item (if any): none

- Are funds budgeted in the current fiscal year (yes/no)?: yes

- Is this a capital project (yes/no)? no

- If yes, is it new or existing (new/existing)? N/A

- What section of the City's Strategic Plan does this support:

- Excellence in Basic Services (yes/no) yes
- Quality Community Investment (Livable City, Development) (yes/no) yes
- Workplace Culture & Customer Service (yes/no) yes
- Environment (yes/no) yes

**Attachments:** [Bullet Points](#)

[Audio: Agenda Review 11/19/2019](#)

**Legislative History**

11/26/19      City Council                      First Reading

[O-559-19](#)

**Amending Toledo Municipal Code, Part Eleven, Subsection 1104.0600 Convenience Stores and Subsection 1116.0217 Food and Beverage Retail Sales; and declaring an emergency.**

**Attachments:** [Plan Commission Report](#)

[Audio: Agenda Review 11/19/2019](#)

[Audio: Zoning & Planning Committee 11/13/2019](#)

[Audio: TCPC 10/10/2019](#)

**Legislative History**

11/26/19

City Council

First Reading

**COUNCILMAN SYKES PRESENTS:**[TMP-4720](#)**Enacting new Section 537.28 entitled “Restrictions on the Sale of Vapor Products and Electronic Smoking Devices” of the Toledo Municipal Code.****Body:** SUMMARY & BACKGROUND:

Toledo City Council has become aware of a public health epidemic across the country related to the use of “vapes” and other vaping products. Particularly of concern are the disproportional effects this epidemic has had on youth that cannot legally engage in the use of nicotine delivery systems, including vapor products. Thus far, the Center for Disease Control has confirmed 2,290 cases of lung injury associated with vaping products, particularly those used with illicit substances, in 49 states. These lung injuries have caused at least 47 deaths. Therefore, Council finds it necessary to take action that makes it substantially more difficult for vaping products to end up in the hands of Toledo youth. A 2018 study from the Truth Initiative found that 74% of smokers between the ages 12 and 17 self-reported that they obtained JUUL brand vapor products from physical retail locations. A review of compliance checks that have been completed by the FDA in Ohio reveals that non-specialized retailers such as gas stations, convenience stores, grocery stores and similar businesses have a far greater number of violations relating to sale to minors. In Toledo alone, the FDA has performed at least 890 compliance checks since 2011. Of those, hundreds of violations involving the sale of products to minors occurred, but of those hundreds, only 6 violations occurred at locations that specialize in tobacco products. Of those 6, only 1 violation occurred at a location specializing in vapor products. Therefore, the majority of incidents of minors purchasing smoking devices occur at non-specialized businesses.

**COUNCIL PRESIDENT CHERRY AND THE MEMBERS OF CITY COUNCIL PRESENT:**[TMP-4721](#)**Levying additional special assessments for the City**

School District of the City of Toledo, Lucas County, and The Young Men's Christian Association of Greater Toledo; and declaring an emergency.

**Attachments:** [Exhibit A](#)  
[Amendment to Agreement](#)

[TMP-4722](#) Amending special assessments for the Farzade Special Energy Improvement Projects; and declaring an emergency.

**Attachments:** [Exhibit A & B](#)

[TMP-4723](#) Amending special assessments for the Gasoco Special Energy Improvement Project #3; and declaring an emergency.

**Attachments:** [Exhibit A & B](#)

[TMP-4724](#) Approving a Petition For Special Assessments for Special Energy Improvement Projects and a Project Plan for the Northwest Ohio Advanced Energy Improvement District under Chapter 1710 of the Ohio Revised Code; to authorize and levy special assessments for the purpose of acquiring, constructing, and improving certain public improvements in the City of Toledo in cooperation with the Northwest Ohio Advanced Energy Improvement District; and to approve an Energy Project Agreement in connection with such improvements and special assessments; and declaring an emergency.

**Attachments:** [Exhibit A, B & C](#)  
[Petition](#)  
[Agreement](#)

**OFFICE OF THE MAYOR:**

1. [TMP-4584](#) Authorizing the mayor to enter into a development agreement with the Toledo City School District Board of Education for the transfer and maintenance of Bowman and Byrne Parks and the former Newberry School site;

**authorizing the mayor to transfer a portion of Bowman Park to Black Diamond Nursery; authorizing the mayor to take actions necessary to implement the agreement, including making and accepting all conveyances and easements thereunder; waiving the competitive bidding provisions of TMC Ch. 187 as it relates to transfers of municipal property; waiving fees; making certain findings with respect to Bowman Park and Byrne Park; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

In the past, the City of Toledo has cooperated with the Toledo Public School District with respect to its building program and this development agreement is a continuation of that cooperation in a manner that will benefit both the District and the City. This legislation authorizes a development agreement that will result in the conveyance of Bowman and Byrne Parks to the TPS District, in exchange for the conveyance of the former Newberry School Site to the City. The City Division of Parks, Recreation & Forestry will continue to schedule and permit non-school events at Bowman Park. A portion the Bowman Park is already leased to Black Diamond Nursery and used by Black Diamond as an integral of their operations. A portion of the city-owned parcel will be split and transferred to Black Diamond for \$150 prior to the transfer of remainder of the Bowman Park parcel to the Toledo Public School District, as shown in Exhibit B.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$0
- The expenditure budget line item: N/A
- New revenue generated (operational revenue, grants, if any): \$150
- Revenue budget line item (if any): 1001-16500-5000436STDSTD
- Are funds budgeted in the current fiscal year (yes/no)?:  
N/A
- Is this a capital project (yes/no)? No
- If yes, is it new or existing (new/existing)? N/A
- What section of the City's Strategic Plan does this support:

- Excellence in Basic Services (yes/no) No
- Quality Community Investment (Livable City, Development) (yes/no) Yes
- Workplace Culture & Customer Service (yes/no) No
- Environment (yes/no) No

**Attachments:** [TPS Proposed Development Agreement](#)  
[Toledo City Council Notification](#)

**DEPARTMENT OF NEIGHBORHOOD & BUSINESS DEVELOPMENT::**

2. [TMP-4684](#) **Authorizing the Mayor to enter into a Real Estate Purchase Agreement with Torrey Hill Apartments Two, LLC, to execute and deliver needed instruments for the sale and conveyance of the city’s ground lease interest at 1602 Adams Street in the City of Toledo, Lucas County, Ohio; waiving the competitive bidding and advertising provisions of TMC 187.19; authorizing the deposit of \$81,500; authorizing the mayor to execute and deliver the needed instruments to satisfy the HOME Loan note and release the associated mortgage all in respect to the 65-unit multi-family rental low income tax credit housing known as New Cheney Flats; making certain findings with respect thereto; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:  
The City of Toledo is the fee owner of certain real property located at 1602 Adams Street in the City of Toledo, Lucas County, Ohio. Improvements on the real property are currently owned by Adams Street II Limited Partnership and are known as New Cheney Flats, which is a 65-unit affordable multi-family housing complex consisting of one-two-and three-bedroom garden style apartments.

In order to facilitate the development of New Cheney Flats in the early 2000s, the city entered into a ninety (90) year ground lease with Adams Street II Limited Partnership and lent HOME Investment Partnership Program loan funds to assist in the construction, financing



and completion of the project. In exchange for borrowing HOME loan funds a certain number of units must be affordable for a certain period of time.

In addition to the city's financial assistance, the project was awarded Low-Income Housing Tax Credits. The Low-Income Housing Tax Credit program (LIHTC) is a public policy tool used to provide funding for the development of affordable housing. The federal government allows developers of particular affordable-housing projects to sell tax credits to investors to provide the capital necessary to build the project. In exchange for the LIHTC a certain number of units are required to be affordable for a certain period of time as well.

Adams Street II Limited Partnership, the current owner of the improved property, intends to sell its interest to Torrey Hill Apartments Two, LLC. In addition, Torrey Hill Apartments Two, LLC wishes to acquire the city's fee simple interest in order to obtain acquisition financing for New Cheney Flats. The purchase price for the city's fee simple interest is \$81,500.

Torrey Hill Apartments Two, LLC, intends to continue to operate New Cheney Flats while keeping existing residents in place and adhering to the affordability requirements stipulated by the Ohio Housing Finance Agency and City of Toledo.

As part of the agreement to satisfy the HOME Loan note and release the associated mortgage, the City of Toledo, Department of Neighborhoods is requiring that seven (7) of the units remain affordable to tenants earning less than or equal to 50% of the Area Median Income (AMI). Rent restrictions will remain on the seven units until December 31, 2032. The City's restrictions are in addition to those stipulated by OHFA.

**Attachments:** [Map](#)

3. [TMP-4685](#) **Authorizing the mayor to execute and deliver needed instruments to amend existing HOME loan to allow for the partial release of the HOME loan mortgage as each single family housing unit is sold with respect to Garden**

**View Acres housing development; allowing the released amount to be converted into a homebuyer grant; waiving accrued interest on the HOME Loan; and making certain findings with respect thereto; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

Garden View Acres Housing Development consists of 90 single-family housing units sponsored by Wallick Communities. The city lent \$300,000 of HOME Investment Partnerships funds. Wallick Communities has maintained ownership over the initial 15-year compliance period and continues to maintain ownership. Currently, all 90 units are occupied.

In order to facilitate the development of Garden View Acres Housing Development in the early 2000s, the city lent HOME Investment Partnerships Program loan funds to assist with the project. In exchange for borrowing HOME loan funds, a certain number of units must be affordable for certain periods of time.

In addition to the city's financial assistance, the project was awarded Low-Income Housing Tax Credits. The Low-Income Housing Tax Credit program (LIHTC) is a public policy tool used to provide funding for the development of affordable housing. The federal government allows developers of particular affordable-housing projects to sell tax credits to investors to provide the capital necessary to build the project. In exchange for the LIHTC a certain number of units are required to be affordable for a certain period of time as well.

4. [TMP-4663](#)

**Authorizing the expenditure of \$25,000 from the General Fund for the City's contribution to the Toledo/Lucas County Lead Public Awareness Campaign; authorizing the mayor to enter into a contribution agreement; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

This ordinance authorizes the expenditure of funds for the Toledo/Lucas County Lead Public Awareness Campaign.

The purpose of the campaign is to educate high-risk families and other stakeholders on the effects of lead and preventive measures that can be taken to reduce the likelihood of exposure. The City of Toledo, in partnership with the Toledo-Lucas County Health Department, has worked with a number of partners to determine the best strategy forward for a public awareness campaign. The goals of the campaign are to:

1. Reduce exposure to lead source
2. Identify lead-exposed children and improve their health outcomes
3. Educate parents and childcare providers on prevention techniques
4. Increase the number of lead inspectors
5. Increase number of lead certified properties
6. Communicate more effectively with stakeholders

Community partners have been asked to contribute to the cost of the campaign. The City's commitment for year one of the campaign is \$25,000.

The fiscal impact of this ordinance is as follows:

- The total amount of funds requested: \$25,000
- The expenditure budget line item: 1001-16200-5632005STDSTD;
- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): none
- Are funds budgeted in the current fiscal year (yes/no)?: yes
- Is this a capital project (yes/no)? no
- If yes, is it new or existing (new/existing)? n/a
- What section of the City's Strategic Plan does this support:
  - o Excellence in Basic Services (yes/no) yes
  - o Quality Community Investment (Livable City, Development) (yes/no) yes
  - o Workplace Culture & Customer Service (yes/no) no
  - o Environment (yes/no) yes

5. [TMP-4697](#) **Authorizing the mayor to enter into an emergency fire demolition debris removal agreement at 1116 Nebraska Ave. as declared an emergency demolition by the Chief Building Official; authorizing expenditure of an amount not to exceed \$15,000 from the General Fund; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The City of Toledo has sought a contractor with the appropriate equipment to abate an immediate nuisance at the address of 1116 Nebraska Ave., Toledo 43607. The structure known as the Faith Way Church of God was assessed to have 25,626 sq ft of structure space. The structure was subject to a fire and partial collapse on Aug 3, 2019; which resulted in an emergency order issued from the Chief Building Official.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$15,000
- The expenditure budget line item: 1001-56400-5634001STDSTD-537575
- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): none
- Are funds budgeted in the current fiscal year (yes/no)?: yes
- Is this a capital project (yes/no)? no
- If yes, is it new or existing (new/existing)? n/a
- What section of the City's Strategic Plan does this support:
  - o Excellence in Basic Services (yes/no) yes
  - o Quality Community Investment (Livable City, Development) (yes/no) yes
  - o Workplace Culture & Customer Service (yes/no) no
  - o Environment (yes/no) yes

**Attachments:** [Emergency Demolition Order](#)

**DEPARTMENT OF FIRE & RESCUE OPERATIONS:**

6. [TMP-4610](#) **Disappropriating \$70,000 from the Capital Improvement Fund; appropriating \$70,000 from the**

**Capital Improvement Fund for the purchase of Fire & Rescue capital equipment and replacement; authorizing the mayor to award contracts; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

This ordinance authorizes the disappropriation of \$70,000 from the Capital Improvement Fund and the appropriation and expenditure of the same amount for Fire & Rescue capital projects, equipment and replacement. The existing Capital Improvement Plan (CIP) budget funds \$70,000 for a fire truck frame repair. This replacement will not occur. The Department of Fire & Rescue is requesting authorization to reappropriate these funds for critical capital improvement needs, including the replacement of unsupported radios.

The fiscal impact of this ordinance is as follows:

- The total amount of funds requested: \$70,000
- The expenditure budget line item: 5040-53000-8CP1932FIREQP; reappropriated from 5040-53000-8CP1927TRKFRM
- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): none
- Are funds budgeted in the current fiscal year (yes/no)?: this is a reappropriation of funds from an existing project
- Is this a capital project (yes/no)? yes
- If yes, is it new or existing (new/existing)? new
- What section of the City's Strategic Plan does this support:
  - o Excellence in Basic Services (yes/no) yes
  - o Quality Community Investment (Livable City, Development) (yes/no) yes
  - o Workplace Culture & Customer Service (yes/no) yes
  - o Environment (yes/no) no

**DEPARTMENT OF LAW:**

7. [TMP-4714](#) **Authorizing the mayor and the Director of Law to enter into any necessary agreements with the law firm of**

**Spengler Nathanson to provide legal representation on behalf of the City of Toledo to defend certain allegations pending before the Ohio Civil Rights Commission and any subsequent litigation that may arise; authorizing an expenditure in an amount not to exceed \$285,000 from the Risk Management Fund; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

Toledo Fire and Rescue Department firefighters Karen Marquardt, Sally Glombowski, and Kari Gonzalez have pending actions before the Ohio Civil Rights Commission. The City of Toledo will defend these claims through the administrative process and any subsequent litigation. The law firm of Spengler Nathanson has particular expertise in employment matters of this nature. Further, it is necessary to retain outside counsel due to the anticipated length of the litigation and its resource-consuming nature.

8. [TMP-4713](#)

**Authorizing the additional expenditure of an amount not to exceed \$25,000 from the Risk Management Fund to the law firm of Spengler Nathanson for the provision of professional assistance on behalf of the City of Toledo in ongoing litigation captioned *Drewes Farm Partnership v. City of Toledo*; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

Voters participating in a special election held on February 26, 2019, passed an amendment to the City of Toledo Charter titled Lake Erie Bill of Rights (“LEBOR”). Drewes Farm Partnership filed on February 27, 2019, a lawsuit in the U.S. District Court, Northern District of Ohio, against the City of Toledo. The lawsuit generally alleges that the amendment is unconstitutional and violates Ohio and federal law. The State of Ohio on March 29, 2019, filed a motion to intervene in the action against the City of Toledo, which has added to the motion practice in the case. The additional funds authorized from this ordinance will allow Spengler Nathanson to continue defending the case.

**DEPARTMENT OF PUBLIC UTILITIES:**

9. [TMP-4696](#) **Authorizing the mayor to enter into a lease agreement with Water Street Development, LLC for approximately 22,000 square feet of office, storage and parking space at 811 Jefferson Avenue for the Division of Engineering Services for a term of twelve years, including three 5-year options to renew; authorizing the expenditure from the General Fund, the Street Construction, Maintenance and Repair Fund, the Capital Improvement Program Fund, the Water Operating Fund, the Sewer Operating Fund, and the Storm Water Utility Operating Fund; authorizing the expenditure for said lease; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The Division of Engineering Services currently operates offices on the third floor of One Lake Erie Center, 600 Jefferson Ave., through a lease agreement with George F. Eyde Family, LLC which is due to expire on March 31, 2021. On or about January 1, 2018, a water leak that occurred within the leased premises caused damage to the property that requires restoration. The lessor does not have suitable space available to relocate the Division of Engineering Services in order for these damages to be restored; therefore, it has been agreed upon by both parties to terminate the lease early per Article 12.2 of said lease.

The Division has since located a suitable alternative location which includes approximately 22,000 square feet of office and storage space as well as ample, secure parking. This property, located at 811 Jefferson Ave., Toledo, is available for lease, including 100 parking spaces, at an amount of \$38,914 per month for the first five years of the lease and then \$30,214 per month. This ordinance authorizes this lease amount as well as an annual increase in the common area maintenance (CAM) expenses, based on the consumer price index (CPI) capped at 2%.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: n/a
- The expenditure budget line item: 1001-35000-

5651001STDSTD, 2014-35000-2442001STDSTD,  
5040-35000-8C35000PROSUP, 6060-35000-  
4000512STDSTD, 6070-35000-4000508STDSTD,  
607A-35000-4000552STDSTD

- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): none
- Are funds budgeted in the current fiscal year (yes/no)? no
- Is this a capital project (yes/no)? no
- If yes, is it new or existing (new/existing)? n/a
- What section of the City's Strategic Plan does this support:
  - o Excellence in Basic Services (yes/no) yes
  - o Quality Community Investment (Livable City, Development) (yes/no) yes
  - o Workplace Culture & Customer Service (yes/no) yes
  - o Environment (yes/no) no

**Attachments:** [Attachment A](#)

**10.** [TMP-4666](#)

**Authorizing the mayor to enter into a grant agreement with the Ohio Public Works Commission (OPWC) for the Silver Creek Phase 3 Project; authorizing the mayor to accept and deposit grant proceeds in an amount not to exceed \$290,000 into the Stormwater Utility Improvement Fund; authorizing the appropriation and expenditure of said grant proceeds from the Stormwater Utility Improvement Fund; authorizing various adjustments and transfers of expense to comply with the grant agreement; authorizing the appropriation and expenditure of \$960,000 from the Stormwater Utility Improvement Fund; authorizing the mayor to prepare plans and specifications, acquire required rights-of-way and easements as necessary, accept bids and enter into contracts; and declaring an emergency.**

**Body:**

SUMMARY & BACKGROUND:

Resolution 430-17 authorized the mayor to apply for grant funds from OPWC for the Silver Creek Phase 3 Improvement Project. This



ordinance authorizes the mayor to accept, deposit, appropriate and expend an amount not to exceed \$290,000 in grant proceeds from the Ohio Public Works Commission; appropriates and expends \$960,000 from the Stormwater Utility Improvement Fund to pay the local share of the project; and authorizes the mayor to prepare plans and specifications, and to accept bids and enter into contracts for the project. This project will add an additional culvert behind General Motors LLC and improve ditch capacity up to Jackman Road, which continues improvements made to the downstream sections of Silver Creek.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$290,000 in grant proceeds and \$960,000 from the Stormwater Utility Improvement Fund
- The expenditure budget line item: 67BG-35000-4UG2819STDSTD \$290,000; 607B-35000-4UC2819STDSTD \$960,000
- New revenue generated (operational revenue, grants, if any): \$290,000
- Revenue budget line item (if any): 67BG-35000-4UG2819STDSTD
- Are funds budgeted in the current fiscal year (yes/no)?: yes
- Is this a capital project (yes/no)? yes
- If yes, is it new or existing (new/existing)? existing
- What section of the City's Strategic Plan does this support:
  - o Excellence in Basic Services (yes/no) yes
  - o Quality Community Investment (Livable City, Development) (yes/no) yes
  - o Workplace Culture & Customer Service (yes/no) no
  - o Environment (yes/no) yes

11. [TMP-4695](#)

**Authorizing the appropriation of \$130,000 from the unappropriated balance of the Storm Water Utility Improvement Fund and operating transfer of same to the Storm Water Utility Operating Fund; authorizing the appropriation and expenditure in an amount not to exceed \$130,000 from the unappropriated balance of**

**the Storm Water Utility Operating Fund for the Storm Water Billing update and Impervious Surface Mapping Phase 1 Project; authorizing the mayor to supplement the existing contract related to said project; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The Storm Water Billing update and Impervious Mapping Phase 1 Project was authorized by Ordinance 124-19. This project includes reviewing current policies for stormwater billing, performing impervious mapping using remote sensing technology and updating the City's Equivalent Residential Unit (ERU) database. Due to inconsistencies within the existing rights-of-way (ROW) and parcel files, additional work has to be performed to correct the boundary lines of the parcels along with mapping the impervious areas of the sidewalks throughout the city.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$130,000
- The expenditure budget line item: 607A-35000-4000552STDSTD
- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): none
- Are funds budgeted in the current fiscal year (yes/no)?: yes
- Is this a capital project (yes/no)? yes
- If yes, is it new or existing (new/existing)? existing
- What section of the City's Strategic Plan does this support:
  - o Excellence in Basic Services (yes/no) yes
  - o Quality Community Investment (Livable City, Development) (yes/no) yes
  - o Workplace Culture & Customer Service (yes/no) yes
  - o Environment (yes/no) yes

**12. [TMP-4692](#)**

**Authorizing the appropriation and operating transfer of \$500,000 from the Sewer Operating Fund into the Sewer Replacement Fund; authorizing the appropriation and expenditure in an amount not to exceed \$500,000**

**from the Sewer Replacement Fund for the Renovation of the Chlorination and De-Chlorination Facilities at the Water Reclamation Plant; authorizing the mayor to accept bids and to execute agreements, for professional services necessary to facilitate the design of the Chlorination System Renovations Project; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The Water Reclamation Plant (Plant) employs chlorination equipment such as evaporators, chlorinators and injectors to inject chlorine solution into the Secondary treated wastewater to control E-coli count in the final effluent. The Plant also employs de-chlorination equipment to inject sodium bisulfite into the chlorinated final effluent to react with and remove chlorine residual from the final effluent to protect aquatic life in the Maumee River and to comply with the Plant's NPDES discharge permit. The existing equipment and systems are over 25 years of age and are beyond the intended service life. This project will address civil, structural, mechanical and electrical improvements for the complete replacement of the chlorination and de-chlorination equipment and related systems. The Division of Water Reclamation (Division) has advertised for and received proposals for professional engineering services for this purpose. The Division seeks to transfer funds from the Sewer Operating Fund to the Sewer Replacement Fund, and to further appropriate and expend such funds on the Chlorination System Renovations project.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: n/a
- The expenditure budget line item: 6073-36000-4UC3219STDSTD
- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): none
- Are funds budgeted in the current fiscal year (yes/no)? no
- Is this a capital project (yes/no)? yes
- If yes, is it new or existing (new/existing)? new
- What section of the City's Strategic Plan does this support:

- Excellence in Basic Services (yes/no) yes
- Quality Community Investment (Livable City, Development) (yes/no) yes
- Workplace Culture & Customer Service (yes/no) yes
- Environment (yes/no) yes

13. [TMP-4694](#)

**Authorizing the appropriation and operating transfer of \$500,000 from the Sewer Operating Fund into the Sewer Replacement Fund; authorizing the appropriation and expenditure in an amount not to exceed \$500,000 from the Sewer Replacement Fund for the Renovation of the Chemical Treatment Facilities at the Water Reclamation Plant; authorizing the mayor to accept bids and to execute agreements, for professional services necessary to facilitate the design of the Chemical System Renovations Project; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The Water Reclamation Plant (Plant) uses ferrous chloride solution for the removal of phosphorous from the raw wastewater. The Plant also uses polymer solution for the coagulation process that helps settle suspended solids in the primary and secondary settling tanks. Both chemicals are stored and handled in the Chemical Treatment Facility at the Water Reclamation Plant. This facility houses pumping and delivery equipment and chemical storage tanks. The existing equipment and related systems were installed in the mid 1980's and some in the mid 1990's. The existing equipment has exceeded its intended service life, and is in dire need for replacement. The Chemical System Renovations Project will address civil, structural, mechanical and electrical improvements for the complete replacement of the ferrous chloride and polymer equipment, storage tanks, and related electrical and controls systems. The Division of Water Reclamation (Division) has advertised for and received proposals for professional engineering services, and is in the process of reviewing these proposals. The Division seeks to transfer funds from the Sewer Operating Fund to the Sewer Replacement Fund, and to further appropriate and expend such funds on the Chemical System Renovations Project.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: n/a
- The expenditure budget line item: 6073-36000-4UC3319STDSTD
- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): none
- Are funds budgeted in the current fiscal year (yes/no)? no
- Is this a capital project (yes/no)? yes
- If yes, is it new or existing (new/existing)? new
- What section of the City's Strategic Plan does this support:
  - o Excellence in Basic Services (yes/no) yes
  - o Quality Community Investment (Livable City, Development) (yes/no) yes
  - o Workplace Culture & Customer Service (yes/no) yes
  - o Environment (yes/no) yes

14. [TMP-4693](#)

**Authorizing the expenditure in an amount not to exceed \$485,000 to pay Mosser Construction, Inc. from the Sewer Operating Fund for emergency repairs to the Bay View Pump Station Barscreens at the Water Reclamation Plant; waiving competitive procurement provisions of TMC Chapter 187; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The Bay View Pump Station (BVPS) pumps combined sewage to the Treatment Plant and the Wet Weather Facilities located at the Water Reclamation Plant. The sewage pumps are protected by three large Headworks barscreens. Barscreen #1 was severely damaged during the heavy rain storm on July 31st, 2018. The barscreen was taken out of service, which reduced the pumping capacity of the BVPS by 35%. Further investigation revealed inadequate installation was the cause of the failure. Barscreens #2 and #3 were also inspected and found to have various degrees of installation problems. The Division contacted area contractors looking for a contractor to handle the emergency repairs. Mosser Construction, Inc. was selected, because they had the

resources to expedite the emergency repairs. The work was started in September 2018, and included the cleaning of the wet well; cutting a section of the roof; the removal, repair, and reinstallation of the barscreen; and the replacement of all supports. The barscreen had to be transported to Houston, TX for repair/replacement of components and testing. The barscreen was repaired and placed back in service in March 2019. The Division decided to have Mosser Construction, Inc. perform similar work on Barscreens #2 and #3 to avoid future problems. All three barscreens were tested and commissioned before they were placed in service. This ordinance authorizes the expenditure of an amount not to exceed \$485,000 to pay Mosser Construction, Inc. for their repair work on all three barscreens.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: n/a
- The expenditure budget line item: 6070-36000-4000507STDSTD
- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): none
- Are funds budgeted in the current fiscal year (yes/no)? no
- Is this a capital project (yes/no)? no
- If yes, is it new or existing (new/existing)? n/a
- What section of the City's Strategic Plan does this support:
  - o Excellence in Basic Services (yes/no) yes
  - o Quality Community Investment (Livable City, Development) (yes/no) yes
  - o Workplace Culture & Customer Service (yes/no) yes
  - o Environment (yes/no) yes

15. [TMP-4690](#)

**Authorizing the expenditure in an amount not to exceed \$315,000 from the Sewer Operating Fund to pay Geo. Gradel Co. and other contractors for emergency repairs related to the Sinkholes and Electrical Duct Bank at the Water Reclamation Plant; waiving competitive procurement provisions of TMC Chapter 187; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The Water Reclamation Plant is powered by a 69,000 Volt First Energy Substation, located at the Plant. The substation directly serves the General Electric electrical switchgear and the Point 8 Power electrical switchgear. Both electrical switchgears and associated circuit breakers are constantly monitored by First Energy's Wadsworth Control Center (WCC) in Akron, Ohio. The Plant suffered two separate power outages over the last 15 months due to electrical cables burnout in the underground electrical duct bank that runs from the Electrical Substation to the Point 8 Power electrical switchgear. These outages resulted in loss of Utility power and triggered the backup generators to come online. The damaged power cables were isolated after each event, and Utility power was restored. Recently, two sinkholes appeared around a sewer manhole located near the underground electrical duct bank. The sinkholes got bigger, and the Division became concerned that these sinkholes could undermine the underground electrical duct bank. The Division contacted area contractors and requested informal construction bids. Geo. Gradel Co. submitted the lowest bid, and was selected by the Division to expedite the emergency repairs. They vacuum excavated a 14' by 20' by 10' area to avoid disturbing the underground electrical duct bank. They found the problem at the sewer manhole, where water was leaking back into the ground, thus causing the sinkholes. The repair work included vacuum excavation, replacement of the sewer manhole and piping, and restoration of the area. The underground electrical duct bank was determined to be intact and not damaged. Additional work will include the removal and replacement of the damaged cables in the underground electrical duct bank, and the testing and commissioning of the electrical monitoring system by First Energy. Utility power was never interrupted during the construction work, which was completed in October 2019. This ordinance authorizes the expenditure of an amount not to exceed \$315,000 to pay Geo. Gradel Co. and other contractors for emergency repairs related to the sinkholes and the underground duct bank.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: n/a

- The expenditure budget line item: 6070-36000-4000507STDSTD
- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): none
- Are funds budgeted in the current fiscal year (yes/no)? no
- Is this a capital project (yes/no)? no
- If yes, is it new or existing (new/existing)? n/a
- What section of the City's Strategic Plan does this support:
  - o Excellence in Basic Services (yes/no) yes
  - o Quality Community Investment (Livable City, Development) (yes/no) yes
  - o Workplace Culture & Customer Service (yes/no) yes
  - o Environment (yes/no) yes

16. [TMP-4691](#)

**Authorizing the mayor to enter into and execute necessary agreements with the Ohio Environmental Protection Agency (OEPA) as granted through the Section 319 (h) Grant; authorizing the mayor to accept and deposit grant proceeds in the amount of \$362,400 into the Operation Grants Fund; authorizing the appropriation of \$241,577 from the unappropriated balance from the Storm Water Utility Improvement Fund in payment of the matching obligations; authorizing the mayor to execute necessary agreements in connection with the grant; authorizing the mayor to accept bids and award contracts for the purchase of services and other necessary items to carry out the terms of this grant; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The City of Toledo is entering into a grant agreement with Ohio EPA for a Section 319 (h) Grant in the amount of \$362,400 to be used for the Detwiler Park Restoration Project. In addition to the grant, match funds in the amount of \$241,577 will be utilized from the Storm Water Utility Improvement Fund.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$241,577



- The expenditure budget line item: 2016-38000-4UG3019STDSTD, 607B-38000-4UC3019STDSTD
- New revenue generated (operational revenue, grants, if any): \$362,400
- Revenue budget line item (if any): 2016-38000-4UG3019STDSTD
- Are funds budgeted in the current fiscal year (yes/no)?: yes
- Is this a capital project (yes/no)? yes
- If yes, is it new or existing (new/existing)?
- What section of the City's Strategic Plan does this support:
  - o Excellence in Basic Services (yes/no) yes
  - o Quality Community Investment (Livable City, Development) (yes/no) yes
  - o Workplace Culture & Customer Service (yes/no) no
  - o Environment (yes/no) yes

#### DEPARTMENT OF NEIGHBORHOOD & BUSINESS DEVELOPMENT:

17. [TMP-4704](#)

**Authorizing the mayor to enter into a five (5) year Lease, with an option for an additional five (5) year renewal period as well as other provisions, between the City of Toledo (“City”) and Believe Center, Inc., (“Center”) located at 1 Aurora L. Gonzalez Drive, Toledo, Ohio 43609; accepting and depositing rent proceeds into the General Fund; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

This legislation authorizes the mayor to enter into a new lease for an initial term of five (5) years with a renewal option for an additional five (5) years at an annual rent of \$500. Operating expenses, including taxes and insurance are to be paid by Center, except that any maintenance expense greater than \$500 per occurrence for year 1 to year 3 of Term and \$1,000 per occurrence for year 4 and year 5 of Term are to be paid by city. All utilities, except telecommunications (i.e. internet, phone, cable, etc.) will be paid by city. No assignments or sublease rentals will be permitted without the prior written consent

of city and a standard form of rental agreement is included with the lease. Finally, there are preventative maintenance rules in effect intended to preserve the longevity of the facility.

**Attachments:** [Exhibit A](#)

18. [TMP-4705](#)

**Authorizing the mayor to enter into a five (5) year Lease, with an option for an additional five (5) year renewal period as well as other provisions between the City of Toledo (“City”) and East Toledo Family Center, Inc. (“Center”) located at 1020 Varland Avenue, Toledo, Ohio 43605; accepting and depositing rent proceeds into the General Fund; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

This legislation authorizes the Mayor to enter into a new lease for an initial term of five (5) years with a renewal option for an additional five (5) years each at an annual rent of \$500. Operating expenses, including taxes and insurance are to be paid by Center, except that any maintenance expense greater than \$500 per occurrence for year 1 to year 3 of Term and \$1,000 per occurrence for year 4 and year 5 of Term are to be paid by the city. All utilities, except telecommunications (i.e. internet, phone, cable, etc.) will be paid by the city. No assignments or sublease rentals will be permitted without the prior written consent of the city and a standard form of rental agreement is included with the lease. Finally, there are preventative maintenance rules in effect intended to preserve the longevity of the facility.

**Attachments:** [Exhibit A](#)

19. [TMP-4706](#)

**Authorizing the mayor to enter into a five (5) year Lease, with an option for an additional five (5) year renewal period as well as other provisions between the City of Toledo (“City”) and West Toledo Senior People, Inc. (aka Eleanor Kahle Senior Center), (“Center”) located at 1315 Hillcrest Avenue, Toledo, Ohio 43612; accepting and depositing rent proceeds into the General Fund; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

This legislation authorizes the Mayor to enter into a new lease for an initial term of five (5) years with a renewal option for an additional five (5) years at an annual rent of \$500. Operating expenses, including taxes and insurance are to be paid by Center, except that any maintenance expense greater than \$500 per occurrence for year 1 to year 3 of Term and \$1,000 per occurrence for year 4 and year 5 of Term are to be paid by city. All utilities, except telecommunications (i.e. internet, phone, cable, etc.) will be paid by city. No assignments or sublease rentals will be permitted without the prior written consent of city and a standard form of rental agreement is included with the lease. Finally, there are preventative maintenance rules in effect intended to preserve the longevity of the facility.

**Attachments:** [Exhibit A](#)**20.** [TMP-4707](#)

**Authorizing the mayor to enter into a five (5) year Lease, with an option for an additional five (5) year renewal period as well as other provisions between the City of Toledo (“City”) and East Toledo Senior Center, Inc. (“Center”) located at 1003 (1001) White Street, Toledo, Ohio 43605; accepting and depositing rent proceeds into the General Fund; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

This legislation authorizes the mayor to enter into a new lease for an initial term of five (5) years with a renewal option for an additional five (5) years at an annual rent of \$500. Operating expenses, including taxes and insurance are to be paid by Center, except that any maintenance expense greater than \$500 per occurrence for year 1 to year 3 of Term and \$1,000 per occurrence for year 4 and year 5 of Term are to be paid by the city. All utilities, except telecommunications (i.e. internet, phone, cable, etc.) will be paid by the city. No assignments or sublease rentals will be permitted without the prior written consent of the city and a standard form of rental agreement is included with the lease. Finally, there are preventative maintenance rules in effect intended to preserve the longevity of the facility.

**Attachments:** [Exhibit A](#)

21. [TMP-4708](#) **Authorizing the mayor to enter into a five (5) year Lease, with an option for an additional five (5) year renewal period as well as other provisions between the City of Toledo (“City”) and Senior Centers, Inc., (“Center”) located at 2308 Jefferson Avenue, Toledo, Ohio 43604; accepting and depositing rent proceeds into the General Fund; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

This legislation authorizes the mayor to enter into a new lease for an initial term of five (5) years with a renewal option for an additional five (5) years at an annual rent of \$500. Operating expenses, including taxes and insurance are to be paid by Center, except that any maintenance expense greater than \$500 per occurrence for year 1 to year 3 of Term and \$1,000 per occurrence for year 4 and year 5 of Term are to be paid by the city. All utilities, except telecommunications (i.e. internet, phone, cable, etc.) will be paid by the city. No assignments or sublease rentals will be permitted without the prior written consent of the city and a standard form of rental agreement is included with the lease. Finally, there are preventative maintenance rules in effect intended to preserve the longevity of the facility.

**Attachments:** [Exhibit A](#)

22. [TMP-4710](#) **Authorizing the mayor to enter into a five (5) year Lease, with an option for an additional five (5) year renewal period as well as other provisions between the City of Toledo (“City”) and Toledo Community Service Center, Inc., dba Family House (“Center”) located at 669 Indiana Avenue, Toledo, Ohio 43602-1005; accepting and depositing rent proceeds into the General Fund; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

This legislation authorizes the mayor to enter into a new lease for an initial term of five (5) years with a renewal option for an additional five (5) years at an annual rent of \$500. Operating expenses, including taxes and insurance are to be paid by Center, except that any

maintenance expense greater than \$500 per occurrence for year 1 to year 3 of Term and \$1,000 per occurrence for year 4 and year 5 of Term are to be paid by the city. All utilities, except telecommunications (i.e. internet, phone, cable, etc.) will be paid by the city. No assignments or sublease rentals will be permitted without the prior written consent of the city and a standard form of rental agreement is included with the lease. Finally, there are preventative maintenance rules in effect intended to preserve the longevity of the facility.

**Attachments:** [Exhibit A](#)

23. [TMP-4711](#)

**Authorizing the mayor to enter into a five (5) year Lease, with an option for an additional five (5) year renewal period as well as other provisions between the City of Toledo (“City”) and Chester J. Zablocki Senior Center, Inc., (“Center”) located at 3015 Lagrange Street, Toledo, Ohio 43608; accepting and depositing rent proceeds into the General Fund; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

This legislation authorizes the mayor to enter into a new lease for an initial term of five (5) years with a renewal option for an additional five (5) years at an annual rent of \$500. Operating expenses, including taxes and insurance are to be paid by Center, except that any maintenance expense greater than \$500 per occurrence for year 1 to year 3 of Term and \$1,000 per occurrence for year 4 and year 5 of Term are to be paid by the city. All utilities, except telecommunications (i.e. internet, phone, cable, etc.) will be paid by the city. No assignments or sublease rentals will be permitted without the prior written consent of the city and a standard form of rental agreement is included with the lease. Finally, there are preventative maintenance rules in effect intended to preserve the longevity of the facility.

**Attachments:** [Exhibit A](#)

**DEPARTMENT OF PUBLIC UTILITIES:**

24. [TMP-4667](#) **Authorizing the mayor to enter into agreements to update the pavement condition index ratings for the improved residential roadway system and pavement management system; waiving the competitive bidding requirements of TMC Chapter 187; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The contract will utilize approximately \$300,000 of already appropriated funding that was appropriated and authorized for expenditure under ordinances 267-18 and 186-19. This ordinance allows the mayor to waive the competitive bidding requirements of the TMC Chapter 187 and enter into a contract with Engineering & Research International, Inc. (ERI) to update that pavement condition index (PCI) ratings for the improved residential roadway system and the pavement management system. It is necessary to utilize ERI for this project to maintain consistency in rating of the roadways and for additional updating of the pavement management system as they were the firm that built our pavement management system and provided the initial 2017 PCI ratings. Ratings are done on a 3-year cycle. It is critical that ERI be utilized to maintain consistency in the PCI ratings and consistency of the data in the pavement management system.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: n/a
- The expenditure budget line item: n/a
- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): none
- Are funds budgeted in the current fiscal year (yes/no)? no
- Is this a capital project (yes/no)? yes
- If yes, is it new or existing (new/existing)? existing
- What section of the City's Strategic Plan does this support:
  - o Excellence in Basic Services (yes/no) yes
  - o Quality Community Investment (Livable City, Development) (yes/no) yes
  - o Workplace Culture & Customer Service (yes/no) yes

- Environment (yes/no) no

25. [TMP-4665](#)

**Authorizing the disappropriation of \$40,000 from the Capital Improvement Fund; authorizing the appropriation in an amount not to exceed \$40,000 from the unappropriated balance from the Capital Improvement Fund for the purpose of leasing six vehicles to be utilized by Engineering Services for CIP roadway projects; authorizing the expenditure of same; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

Ord. 254-19 authorized the mayor to enter into a lease agreement with Enterprise Fleet Management for a period of five years for the purpose of a trial lease program of new vehicles and equipment for city divisions, including Engineering Services.

Engineering Services has identified salary savings in its operational Capital Improvement Fund due to vacant staff positions. It is the intent of this ordinance to disappropriate \$40,000 from the existing operating Capital Improvement Fund budget and reappropriate this amount from the unappropriated Capital Improvement Fund for the purpose of leasing six vehicles to be utilized for Engineering Services' CIP roadway projects. Future appropriations for this lease will be allocated to CIP budgets according to the 5-year vehicle lease program.

The fiscal impact of this ordinance is as follows:

- The total amount of funds requested: \$0
- The expenditure budget line item: 5040-35000-8CP19ENGLLEASE
- New revenue generated (operational revenue, grants, if any): \$0
- Revenue budget line item (if any): none
- Are funds budgeted in the current fiscal year (yes/no)?: yes
- Is this a capital project (yes/no)? yes
- If yes, is it new or existing (new/existing)? new
- What section of the City's Strategic Plan does this support:
  - Excellence in Basic Services (yes/no) yes

- Quality Community Investment (Livable City, Development) (yes/no) yes
- Workplace Culture & Customer Service (yes/no) yes
- Environment (yes/no) yes

**26. [TMP-4689](#)**

**Declaring it necessary to improve Elmer Drive at the southeast corner of the intersection at N. Holland Sylvania by installing street lighting; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

Toledo City Council has requested that the city install LED street lighting at Elmer Drive on the southeast corner of the intersection at N. Holland Sylvania to protect and provide nighttime safety to area residents. The total annual cost for the operation and maintenance of the lighting is \$111.48 to be paid from the Special Assessment Fund account.

**DEPARTMENT OF PUBLIC SERVICE:**

**27. [TMP-4668](#)**

**Requesting the Director of the Ohio Department of Transportation to establish speed limits on Suder Avenue and Summit Street within the City of Toledo, and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

Section 4511.21 of the Ohio Revised Code permits local authorities to authorize prima facie speed limits different than those contained in said Section, subject to the declaration of the Director of the Ohio Department of Transportation, provided that the same does not exceed 50 mph.

The Commissioner of Transportation has completed a traffic study for the purpose of determining the safe and reasonable speed limit on portions of Suder Avenue and Summit Street in the City of Toledo.

The said traffic study indicates that safe and reasonable speed limits should be established on Suder Avenue and Summit Street which are at a variance with the statutory speed limit.



**Attachments:** [Bullet Points](#)  
[Summit \(101st to 131st\)](#)  
[Summit \(131st to MI\)](#)  
[Summit \(Manhattan to 101st\)](#)  
[Suder Speed Study](#)  
[Summit Speed Study](#)

28. [TMP-4687](#)

**Authorizing the Mayor to enter into the necessary contracts for capital equipment; authorizing the expenditure of \$92,000 from the Expendable Demolition Trust Fund for the purchase of one (1) New Case 650M Dozer for the Department of Public Service, Division of Streets, Bridges & Harbor; waiving competitive bid and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The Division of Streets, Bridges & Harbor utilizes tracked dozers within the demolition program. These dozers are commonly used to grade dirt on demolition lots.

The division previously had two (2) track dozers available but one (1) dozer went out of service as it needed major repairs and the machine was ultimately retired and not repaired. This new machine will be a replacement to the out of service machine, which was also a Case 650 Dozer. The purchase will be made from Southeastern Equipment using State Term Contracting. The current demolition program that is partnered with the Lucas County Land Bank is expected to end late summer 2020, with a goal to complete another 300 properties.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$92,000
- The expenditure budget line item: 2090-23100-5T12211STDDEM
- New revenue generated (operational revenue, grants, if any): yes
- Revenue budget line item (if any): none
- Are funds budgeted in the current fiscal year (yes/no)?: yes
- Is this a capital project (yes/no)? no

- If yes, is it new or existing (new/existing)? N/A
- What section of the City's Strategic Plan does this support:
  - o Excellence in Basic Services (yes/no) yes
  - o Quality Community Investment (Livable City, Development) (yes/no) yes
  - o Workplace Culture & Customer Service (yes/no) yes
  - o Environment (yes/no) yes

<u>Equipment Purchase</u>	<u>Estimated</u>
<u>Price</u>	
New Case 650M Dozer	
<u>\$91,525.50</u>	
Grand Total	\$91,525.50

The necessary expenditure is budgeted and was anticipated.

The total amount to be expended in the above schedule is not to exceed \$92,000.

**Attachments:** [Bullet Points](#)

**29.** [TMP-4686](#)

**Authorizing the waiving of the bid guaranty requirements of Toledo Municipal Code Section 187.09; setting a fixed bid guaranty of \$250 for all bids submitted for 2020 mowing operations; making findings with respect thereto; and declaring an emergency.**

**Body:**

SUMMARY & BACKGROUND:

The City of Toledo Division of Parks, Recreation and Forestry and the Division of Code Enforcement are collaborating for a comprehensive competitive bidding process in requesting submissions for mowing at various City of Toledo locations in 2020. The bid for mowing, in accordance with Toledo Municipal Code Section 187.09, currently requests a bid guaranty of 5% of the submitted bid total. It is the opinion of both the Parks Division and Code Enforcement Division that maintaining this bid guaranty requirement would create an impediment for many small vendors, thereby greatly reducing the number of mowing bids submitted.

This ordinance is requesting authorization to waive the bid guaranty requirement of TMC Section 187.09 and setting a fixed bid guaranty of \$250 for the mowing bid. While the fixed guaranty amount is expected to result in a larger and more diverse number of submissions, the large volume of bid submissions also vastly reduces any chance of additional risk to the City in the event a vendor is unable to enter into a contract with the City for mowing services.

The fiscal impact of this ordinance is as follows:

- The total amount of funds requested: \$0
- The expenditure budget line item: N/A
- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): none
- Are funds budgeted in the current fiscal year (yes/no)?:  
N/A
- Is this a capital project (yes/no)? no
- If yes, is it new or existing (new/existing)? N/A
- What section of the City's Strategic Plan does this support:
  - o Excellence in Basic Services (yes/no) yes
  - o Quality Community Investment (Livable City, Development) (yes/no) yes
  - o Workplace Culture & Customer Service (yes/no) yes
  - o Environment (yes/no) no

**Attachments:** [Bullet Points](#)

#### **DEPARTMENT OF HUMAN RESOURCES:**

**30.** [TMP-4680](#)

**Authorizing the mayor to enter into an Agreement with Mercy Health - St. Vincent Medical Center LLC for the provision of employment-related medical services and evaluations for the City; authorizing the expenditure of funds; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The City of Toledo's current contract with an employment-related

medical services provider expires February 15, 2020. The City sought competitive proposals in order to enter into a new contract to continue to provide those necessary and crucial services. Only one (1) proposal was submitted. After careful review, the City determined that Mercy Health - St. Vincent Medical Center's proposal was the best and lowest option to meet the City's needs.

31. [TMP-4682](#)

**Authorizing the mayor to enter into a pharmacy benefit management services contract extension with OptumRx for the provision of services to covered City of Toledo employees for a term of one (1) additional year; authorizing the expenditure of funds; waiving the competitive bidding requirements of Toledo Municipal Code Chapter 187; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The city's pharmacy benefit management services contract with OptumRx, the current provider, expires on February 29, 2020. This ordinance is requesting for the current agreement to be extended one year through February 28, 2021. It is in the best interest of the City to waive competitive bidding as maintaining the existing agreement with OptumRx affords the City the necessary time to conduct a comprehensive review and assessment of its future pharmacy benefit needs.

**Attachments:** [Memo](#)

DEPARTMENT OF FINANCE:

32. [TMP-4683](#)

**Repealing various sections of Chapter 1905 of the Toledo Municipal Code, "Income Tax"; enacting new sections of Chapter 1905 of the Toledo Municipal Code, "Income Tax"; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

On October 2019, the Ohio General Assembly passed and enacted HB 166 ("budget bill"), which made various changes to municipal income taxing authority specifically exempting supplemental executive retirement plans from tax and adding municipal authority for background checks when certain individuals handle federal tax information. These changes are effective January 1, 2020. This

Ordinance seeks to make various amendments necessitated by changes to state law caused by the budget bill.

**Attachments:** [Redline](#)

33. [TMP-4712](#)

**Authorizing the expenditure not to exceed \$60,000 from the General Fund for office space reconfiguration and improvements for the Department of Finance; authorizing the Mayor to award contracts for said purchases; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

This ordinance authorizes the expenditure of funds to reconfigure, improve and consolidate the Department of Finance office spaces. Funds were included in the amended 2019 budget for this purpose. The funds will cover items including the purchase of office furniture and equipment and the moving, consolidation and reconfiguration of existing floor space, including moving the Purchasing Division from the 19th floor to the 20th floor of One Government Center.

The fiscal impact of this ordinance is as follows:

- The total amount of funds requested: \$60,000
- The expenditure budget line item: 1001-14100-1122001STDSTD
- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): none
- Are funds budgeted in the current fiscal year (yes/no)?: yes
- Is this a capital project (yes/no)? yes
- If yes, is it new or existing (new/existing)? n/a
- What section of the City's Strategic Plan does this support:
  - o Excellence in Basic Services (yes/no) no
  - o Quality Community Investment (Livable City, Development) (yes/no) no
  - o Workplace Culture & Customer Service (yes/no) yes
  - o Environment (yes/no) no

34. [TMP-4709](#)

**Authorizing the expenditure of an amount not to exceed \$25,500 from the General Fund for accounting services related to preparation of the 2019 Comprehensive**

**Annual Financial Report (CAFR); authorizing the Mayor to award contracts for said services; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

This ordinance authorizes the expenditure of funds for accounting services to assist the Division of Accounts with preparation of the city's CAFR for the year ended December 31, 2019. The selected firm's responsibilities will include preparing the GASB 68 (pension) entries and schedules and reviewing city's trial balances, financial statements, debt schedules, footnotes, MDNA and completed CAFR for proper disclosures and for analytical purposes to identify and address errors or other audit concerns. Funds have been included in the proposed 2020 operating budget for this expenditure. The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$25,000
- The expenditure budget line item: 1001-14600-1134001STDSTD
- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): none
- Are funds budgeted in the current fiscal year (yes/no)?:  
yes, in the proposed operating budget for 2020
- Is this a capital project (yes/no)? no
- If yes, is it new or existing (new/existing)? n/a
- What section of the City's Strategic Plan does this support:
  - o Excellence in Basic Services (yes/no) yes
  - o Quality Community Investment (Livable City, Development) (yes/no) no
  - o Workplace Culture & Customer Service (yes/no) yes
  - o Environment (yes/no) no

**35. [TMP-4673](#)**

**Declaring the necessity of providing sprinkling, sweeping, cleaning and snow removal services for streets, alleys and public ways in the City; providing for the assessment of the cost of those services; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

This is the annual ordinance declaring the necessity of providing sprinkling, sweeping, cleaning and snow removal services for streets, alleys and public ways within the City during the year 2020 and providing for the assessment of those services. The estimated cost for 2019 was \$20,772,516. The total program cost for 2020 is estimated to be \$23,375,406.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$23,375,406
- The expenditure budget line item: 3050-Variou
- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): none
- Are funds budgeted in the current fiscal year (yes/no)?: yes, it is included in the proposed 2020 budget
- Is this a capital project (yes/no)? no
- If yes, is it new or existing (new/existing)?
- What section of the City's Strategic Plan does this support:
  - o Excellence in Basic Services (yes/no) yes
  - o Quality Community Investment (Livable City, Development) (yes/no) yes
  - o Workplace Culture & Customer Service (yes/no) yes
  - o Environment (yes/no) yes

**Attachments:** [Comparison Charts](#)  
[Actuals and Estimates](#)**36. [TMP-4671](#)**

**Declaring it necessary to improve certain streets, alleys, and public ways outside the Downtown Area of the City by providing street lighting; providing for the assessment of costs of that lighting; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

Certain streets, alleys and public ways outside the Downtown Area of this City are provided with various types of street lighting, which assist in preventing crime and hazards to pedestrian and vehicular traffic. The street lighting provided outside the Downtown Area of this City is

different from that provided in the lighting of the Downtown Area of the City, and this Council has determined accordingly to provide separately for that street lighting outside the Downtown Area and the assessment of costs of providing it. The total estimated cost for the year 2019 was \$4,195,383. The cost of the street lighting program for 2020 is estimated to be \$3,573,149.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$3,573,149
- The expenditure budget line item: 3050-11200-2424004STDSTD
- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): none
- Are funds budgeted in the current fiscal year (yes/no)?: yes, it is included in the proposed 2020 budget
- Is this a capital project (yes/no)? no
- If yes, is it new or existing (new/existing)?
- What section of the City's Strategic Plan does this support:
  - o Excellence in Basic Services (yes/no) yes
  - o Quality Community Investment (Livable City, Development) (yes/no) yes
  - o Workplace Culture & Customer Service (yes/no) yes
  - o Environment (yes/no) yes

37. [TMP-4670](#)

**Declaring it necessary to improve certain streets and public ways in the Downtown Area of the City by providing street lighting; providing for the assessment of costs of that lighting; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

Certain streets and public ways in the Downtown Area of this City are provided with various types of street lighting, which assists in preventing crime and hazards to pedestrian and vehicular traffic. The street lighting provided in the Downtown Area of this City, using high pressure sodium vapor, mercury vapor, fluorescent and incandescent street lights, is different from that provided in the lighting of other areas of the City, and this Council has determined accordingly to provide separately for that street lighting in the Downtown Area and the



assessment of costs of providing it. The total estimated cost for the year 2019 was \$237,341. The estimated cost in 2020 is \$248,423.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$248,423
- The expenditure budget line item: 3050-11200-2424004STDSTD
- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): none
- Are funds budgeted in the current fiscal year (yes/no)?: yes, it is included in the proposed 2020 budget
- Is this a capital project (yes/no)? no
- If yes, is it new or existing (new/existing)?
- What section of the City's Strategic Plan does this support:
  - o Excellence in Basic Services (yes/no) yes
  - o Quality Community Investment (Livable City, Development) (yes/no) yes
  - o Workplace Culture & Customer Service (yes/no) yes
  - o Environment (yes/no) yes

38. [TMP-4672](#)

**Declaring the necessity of controlling the blight and disease of shade trees within public rights of way, and for planting, maintaining, trimming and removing shade trees in and along the streets of the City; providing for the assessment of the cost of those services; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

This is the annual ordinance declaring the necessity of controlling blight and disease of shade trees, and planting, maintaining, and removing shade trees in and along City streets. This ordinance also provides for the assessment of the costs of that program. The total estimated program cost for the year 2019 was \$4,728,954. The estimated cost in 2020 is \$5,189,356.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$5,189,356
- The expenditure budget line item: 3050-2423001STDSTD

- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): none
- Are funds budgeted in the current fiscal year (yes/no)?: yes, it is included in the proposed 2020 budget
- Is this a capital project (yes/no)? no
- If yes, is it new or existing (new/existing)?
- What section of the City's Strategic Plan does this support:
  - o Excellence in Basic Services (yes/no) yes
  - o Quality Community Investment (Livable City, Development) (yes/no) yes
  - o Workplace Culture & Customer Service (yes/no) yes
  - o Environment (yes/no) yes

**39. [TMP-4676](#)**

**Appropriating money for current ordinary expenditures of the various departments for the City of Toledo for the first quarter (January, February and March) of 2020; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

It is not deemed advisable to enact an annual appropriation ordinance at this time. It is necessary to pass a temporary appropriation measure for meeting the ordinary expenditures of the municipality for the first quarter (January, February and March) of 2020.

**Attachments:** [Attachment A](#)

**40. [TMP-4678](#)**

**Appropriating from various funds to individual accounts for the current expenses and other expenses of the City of Toledo for the fiscal year ending December 31, 2020; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

It is provided by law that an Annual Appropriation Ordinance shall be passed by Council. The Revised Code of Ohio and the Charter of the City of Toledo provide for such Ordinance and the method of enacting same. Section 46 of the Toledo City Charter states that, unless specifically provided otherwise, not more than one-half of any appropriation shall be expended before the first day of July in the current year.

**Attachments:** [Attachment A & B](#)

41. [TMP-4681](#) **Approving the Capital Improvement Budget for the years 2020 - 2024; authorizing the appropriation of \$20,802,463 for capital projects; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The Capital Improvement Program (CIP) Budget for the years 2020-2024 is being presented to City Council. This Ordinance approves the 2020-2024 CIP Budget and appropriates funding for the 2020 projects listed on Exhibit C. Further Council action will be required for expenditure authority.

**Attachments:** [Attachment A, B & C](#)**DEPARTMENT OF FIRE & RESCUE OPERATIONS:**

42. [TMP-4729](#) **Authorizing the disappropriation of \$250,000 from personnel service accounts in the General Fund Fire & Rescue Department budget; authorizing the appropriation and expenditure of \$250,000 from the General Fund for the purchase of supplies and contractual services for the Fire & Rescue Department; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

The Fire & Rescue Department is requesting the reappropriation of \$250,000 within its 2019 budget for year-end material, supply & service expenditures, along with increased requests for contractual obligations such as education and training reimbursements. Projected savings in the personnel services accounts will cover this reappropriation.

The fiscal impact of this ordinance is as follows:

- The total amount of funds requested: \$250,000
- The expenditure budget line item: 1001-53000-3341002STDSTD (supplies & services) reappropriated from 1001-53000-3341002STDSTD (personnel services)
- New revenue generated (operational revenue, grants, if any): none

- Revenue budget line item (if any): N/A
- Are funds budgeted in the current fiscal year (yes/no)? yes
- Is this a capital project (yes/no)? no
- If yes, is it new or existing (new/existing)? N/A
- What section of the city's Strategic Plan does this support:
  - o Excellence in Basic Services (yes/no) yes
  - o Quality Community Investment (Livable City, Development) (yes/no) yes
  - o Workplace Culture & Customer Service (yes/no) yes
  - o Environment (yes/no) no

**ITEM LIKELY TO BE RELIEVED OF COMMITTEE OF THE WHOLE:**[R-543-19](#)

**Providing for an election on the question of the approval of the passage of an ordinance to amend Chapter 1905 of the Toledo Municipal Code to provide for the following: the repeal of the City's temporary additional three-quarters percent (3/4%) municipal income tax effective July 1, 2020; and the enactment of a new temporary one and one-quarter percent (1¼%) municipal income tax for the period commencing July 1, 2020 and ending December 31, 2030 and providing for forty percent (40%) of the proceeds of the tax levy to be allocated to the Capital Improvements Fund and prohibiting any transfer of levy revenues allocated to the Capital Improvement Fund to the General Fund, providing for sixty percent (60%) of the proceeds of the tax levy to be allocated to the General Fund, and providing that such levy revenues may be used for the purpose of assisting pre-kindergarten education for residents of the City; and declaring an emergency.**

**Body:**

WHEREAS, Chapter 1905 of the Toledo Municipal Code provides for, among other things, the levying of one percent and one-half percent municipal income taxes that are in effect for a continuing period of time (the "Continuing Levies"); and

WHEREAS, on November 8, 2016, the voters of the City of

Toledo approved Ordinance No. 236-16, passed by this Council on the November 15, 2016, providing for the continuation of a temporary three-quarters percent (3/4%) municipal income tax, which tax was first imposed by an ordinance approved by the voters of the City in 1982 and extended by prior ordinances approved by votes of the electors of the City in 1985, 1989, 1993, 1997, 2002, 2005, 2008 and 2013, in addition to the Continuing Levies; and

WHEREAS, this Council desires and believes it necessary, in order to improve city roads, residential streets, sidewalks and make other city public infrastructure and capital improvements and to provide essential city services, including police, fire, parks and recreation and other services, to approve an ordinance to provide for the repeal and replacement of the three-quarters percent (3/4%) income tax as of July 1, 2020 and to enact a new temporary tax of one and one-quarter percent (1¼%) for a period commencing July 1, 2020 and ending December 31, 2030; and

WHEREAS, Council desires and believes it necessary that that forty percent (40%) of revenue from the new tax levy be allocated to the Capital Improvements Fund (“CIP”) and sixty percent (60%) of the revenue from the new tax levy be allocated to General Fund purposes; and

WHEREAS, in order to ensure consistent and continuous funding of public infrastructure improvements, including residential streets, in the city, Council believes is it necessary that any transfer of the levy revenue from the CIP to the General Fund be prohibited; and

WHEREAS, the provisions of Chapter 718 of Ohio Revised Code require that the passage of such an ordinance receive the approval of the electors of the City;

**Attachments:** [Invest in Toledo](#)  
[Audio: Agenda Review 11/19/2019](#)

**Legislative History**

11/26/19

City Council

Referred To:

**THE CLERK REPORTS:**[TMP-4725](#)

**Declaring the intent to vacate the 10-foot wide alley running north of Colburn Street adjacent to lot 335 of Knowers Second Addition, in the City of Toledo, Lucas County, Ohio; and declaring an emergency.**

**Body:** SUMMARY & BACKGROUND:

Petitioner has filed a request to vacate the 10-foot wide alley running north of Colburn Street adjacent to lot 335 of Knowers Second Addition in the city of Toledo, Lucas County, Ohio.

**Toledo City Council supports the provisions of the Americans' with Disabilities Act. If you need special accommodations, please call 48 hours prior to meeting time at (419) 245-1060.**