



City of Toledo

One Government Center
Toledo, OH 43604

Agenda Review City Council

Tuesday, December 11, 2018

2:00 PM

Council Chambers

Agenda Review for the December 18, 2018 Meeting of Toledo City Council

APPOINTMENT FROM THE OFFICE OF THE MAYOR:

[TMP-3512](#)

Appointment - TARTA Board

Attachments: [TARTA Board](#)

SECOND READING ITEMS:

[O-477-18](#)

Authorizing the mayor to enter into a real property lease, by and between the city of Toledo and Crestline Paving and Excavating Co., Inc. (“Crestline”) for approximately 8.78 acres located at 750 Montrose Toledo, Ohio 43607; waiving the competitive bidding requirement as required by T.M.C. Chapter 187; and declaring an emergency.

Body:

SUMMARY & BACKGROUND:

In 2017, the City of Toledo took ownership of the southern portion of the former Champion Spark Plug site and now wishes to lease it to Crestline Paving. The lease will be a complete ‘pass-through or triple net’ so that Crestline is responsible for real estate taxes and assessments, maintenance, operating expenses, casualty and liability insurance, and utilities (if and when established like water or telecommunication services) relating to the property. This legislation authorizes the mayor to lease these premises for an annual rent of \$1 with an initial term of five (5) years and one five (5) year renewal option. Finally, no assignments or subleases are permitted without the prior written consent of City.

Attachments: [Lease Agreement](#)**Legislative History**

| | | |
|----------|--------------|---------------|
| 11/7/18 | City Council | First Reading |
| 11/20/18 | City Council | held |

[O-486-18](#)

Authorizing the disappropriation of \$856,324 from the Capital Improvement Fund; authorizing the appropriation of \$856,324 for the District Improvement Program; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

This Ordinance authorizes the reappropriation of funds for the District Improvement Program. Ordinance 447-17 authorized the expenditure of \$3,350,000 for various capital projects. These projects have been or are close to being completed. Remaining funds from these projects will be reappropriated into the District Improvement Program. The reappropriated funds will be available for improvement projects in the council districts where the previously funded projects occurred.

Label: Admin CIP Reappropriation
Department of Public Service
Paul Rasmusson (x7868), Abby Arnold (x2483)
(Revised)

Legislative History

| | | |
|----------|--------------|---------------|
| 11/20/18 | City Council | First Reading |
| 12/4/18 | City Council | held |

[O-500-18](#)

Repealing Chapter 378 of the Toledo Municipal Code, Golf Carts and Low Speed Vehicles, and enacting new Chapter 378, Operation of Under-Speed Vehicles, Utility Vehicles and Mini-Trucks on City Streets; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Toledo City Council passed Ordinance 100-17 on March 7, 2017, establishing a “Pilot Program” for the operation of “golf carts and low speed vehicles on public streets within designated areas of the City of Toledo.” The Pilot Program is set to expire on December 31, 2018. Council held a public hearing to review the Pilot Program with

particular attention to safety and boundaries. It has been determined that allowing Under-Speed Vehicles to operate on certain public streets within the City of Toledo is beneficial to the economic vitality of the area as well as the quality of life of the residents.

It has been determined that the boundaries will be modified to connect the Old West End and the Downtown area and include the Toledo Museum of Art, as well as to expand the boundaries of the Point Place area. There will also be minor amendments made to the definitions as well as safety provisions for consistency with state law.

Attachments: [OWE and Downtown map](#)
[Point Place map](#)

Legislative History

12/4/18 City Council First Reading

[O-508-18](#)

Authorizing the mayor to apply for, enter into a cooperative agreements, and to accept, deposit, and appropriate loan proceeds of up to \$28,000,000 from the Ohio Water Development Authority (OWDA) into the Water Replacement Fund; authorizing the expenditure of said loan proceeds on the Basins 5 and 6 Improvements project; appropriating \$100,000 from the Water Replacement Fund for the payment of loan administrative fees and miscellaneous project costs; authorizing various adjustments and transfers of expenses to comply with the loan agreements; authorizing a dedicated source for repayment of said loans; authorizing the mayor to execute all necessary documentation for said loans and all contracts related to construction, professional services, contingencies, capitalized interest, testing, permit and miscellaneous costs; and declaring an emergency .

Body: SUMMARY & BACKGROUND:

Upgrade of the flocculation and treatment basins of the Collins Water Treatment Plant will be completed in two phases with the first phase being the upgrade of Basins 5 and 6 (East Plant) followed by the second phase with the upgrade of Basins 1 through 4 (West Plant).

The initial upgrade of Basins 5 and 6 has an Ohio EPA Director approved completion date of April 30, 2021. The work includes replacement of flocculation, sludge collection, carbon dioxide feed equipment; basin repairs; and new piping, flow metering, valves, outlet weirs, structures, and conduits. To finance construction of the project, the Division of Water Treatment desires to secure funding from the OWDA Fresh Water Loan Program. Prior to loan approval, the OWDA requires an ordinance be passed authorizing the loan application, acceptance, and the execution of agreement as well as designating a dedicated repayment source for the loan funds.

Legislative History

12/4/18 City Council First Reading

[O-510-18](#)

Declaring the improvement to certain real property to be a public purpose; declaring such improvement to be exempt from real property taxation; authorizing necessary agreements; requiring the owners thereof to make service payments in lieu of taxes; designating the public infrastructure improvements to be made that will directly benefit the real property; and establishing a municipal public improvement tax increment equivalent fund for the deposit of service payments; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Sections 5709.40 through 5709.43 of the Ohio Revised Code (“ORC”) authorize municipalities to identify parcels to be improved and to declare to be a public purpose any infrastructure improvements made that are necessary for the development of such parcels, exempting any improvements to such parcels from real property taxation for established time periods and percentages, with such mechanism commonly referred to as tax increment financing (“TIF”).

The City of Toledo, Ohio (the “City”) desires to use the authority granted pursuant to such sections of the ORC to establish a TIF exemption in an area located within the territorial boundaries of the City and within an area known as the “Overland Industrial Park,” consisting of one or more separate parcels of real property (as

depicted and described in Exhibit A attached hereto and incorporated herein by this reference, the “Site”).

City Council has previously approved by Ord. 499-17 a TIF exemption for another portion of the Overland Industrial Park. This ordinance authorizes the exemption of additional parcels within the Overland Industrial Park (“Overland TIF2”).

The development of commercial properties in the City will benefit the City and its residents by creating economic opportunities, enlarging the property tax base, stimulating collateral development in the City, and providing revenue for the City to undertake public infrastructure improvements. Further, by providing public infrastructure improvements, as that term is defined in ORC §5709.40(A)(7) (as more fully described in Exhibit B attached hereto and incorporated herein by this reference, the “Public Infrastructure Improvements”), the City may facilitate the development of commercial properties for the benefit of the Site, including, without limitation, by facilitating the financing, acquisition, and construction of the Public Infrastructure Improvements.

The ORC provides for the use of TIF to pay the costs of Public Infrastructure Improvements, which costs may include, without limitation: (i) the payment for or reimbursement of costs of the Public Infrastructure Improvements incurred by the Port Authority, as defined below, or the City, or any other public or private party in cooperation with the City, and (ii) payment of debt service on, and administrative and any other expenses relating to the issuance of, any bonds, notes, or other obligations issued to finance the Public Infrastructure Improvements (the “Debt Service”).

The aforementioned ORC sections provide that this City Council (“Council”) may, among other things, (a) declare the improvement to real property located in the City to be a public purpose, thereby exempting such improvement from real property taxation for a period of time (the “TIF Exemption”), (b) specify public infrastructure improvements to be made to directly benefit those parcels, (c) require

the owner or owners of those parcels to make service payments in lieu of taxes, and (d) establish a municipal public improvement tax increment equivalent fund into which such service payments shall be deposited.

The Toledo-Lucas County Port Authority (the “Port Authority”) desires to cause the construction on the Site of a commercial and industrial development (the “Project”); and, the City desires to grant the TIF Exemption in the amount of one hundred percent (100%) of the value of each improvement to the Site (as defined herein, the “Improvement”) for a period of thirty (30) years (the “TIF Exemption”), subject to an exemption under the Community Reinvestment Area (“CRA”) in effect with respect to the Site as authorized under Ord. 826-85 as amended by Ord. 738-81 and Ord. 841-98. The CRA provides for an 100%, 15-year exemption (the “CRA Exemption”) for building improvements constructed on the Site.

Moreover, the City has determined that it is necessary and appropriate and in the best interests of the City to require the Port Authority, as current owner, and future owners of the parcels included in the Site and their successors and assigns (collectively, with their successors and assigns, as owners of the Site, the “Owners”) to make service payments in lieu of taxes (the “Service Payments”) with respect to the Improvement pursuant to ORC §5709.42. The City and the Port Authority desire to execute a tax increment service payment agreement (the “TIF Agreement”) whereby the Owners commit to make service payments in amounts equal to the property tax amounts that would have been payable had the TIF not been created. Additionally, The Port Authority and the tenants on the Site are willing to make payments in lieu of taxes with respect to a portion of the taxes that would have been payable, but for the CRA Exemption.

The Toledo City School District by Resolution No. 106-2018, authorized the negotiation and execution of agreements between the Port Authority and City of Toledo regarding payments to the School District relating to Overland Industrial Park (“Compensation Agreements”). The Res. 106-2018 established agreed percentages the

TIF Service Payments that would be paid to the School District as payments in lieu of taxes. The intention of the Council to grant an exemption from real property taxes pursuant to the TIF Statutes, and to pass this Ordinance, has been delivered to the Board of Education of the Toledo City School District (the “School District”) in accordance with ORC §5709.40 and §5709.83 of the Ohio Revised Code.

It is necessary to enact this ordinance in order to make the TIF Exemption for the Parcels effective for tax year 2018 and in order to facilitate the development of the Project.

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

Legislative History

12/4/18 City Council First Reading

[O-511-18](#)

Declaring the improvement to certain real property to be a public purpose; declaring such improvement to be exempt from real property taxation; authorizing necessary agreements; requiring the owners thereof to make service payments in lieu of taxes; designating the public infrastructure improvements to be made that will directly benefit the real property; and establishing a municipal public improvement tax increment equivalent fund for the deposit of service payments; and declaring an emergency.

Body: SUMMARY & BACKGROUND:
Sections 5709.40 through 5709.43 of the Ohio Revised Code (“ORC”) authorize municipalities to identify parcels to be improved and to declare to be a public purpose any infrastructure improvements made that are necessary for the development of such parcels, exempting any improvements to such parcels from real property taxation for established time periods and percentages, with such mechanism commonly referred to as tax increment financing (“TIF”).

The City of Toledo, Ohio (the “City”) desires to use the authority granted pursuant to such sections of the ORC to establish a TIF

exemption in an area located within the territorial boundaries of the City and within an area known as the “Ironville Site,” consisting of one or more separate parcels of real property (as depicted and described in Exhibit A attached hereto and incorporated herein by this reference, the “Site”).

The proposed TIF is a key support and incentive for the construction and implementation of the Cliffs Natural Resources Inc. HBI production project and will benefit residents by creating new jobs and economic opportunities, enlarging the property tax base, stimulating collateral development in the City, and providing revenue for the city and the Toledo-Lucas County Port Authority to undertake public infrastructure improvements. Further, by providing public infrastructure improvements, as that term is defined in ORC §5709.40(A)(7) (as more fully described in Exhibit B attached hereto and incorporated herein by this reference, the “Public Infrastructure Improvements”), the City may facilitate the necessary improvements for the benefit of the Site and the Cliff’s project, including, without limitation, by facilitating the financing, acquisition, and construction of the Public Infrastructure Improvements.

The ORC provides for the use of TIF to pay the costs of Public Infrastructure Improvements, which costs may include, without limitation: (i) the payment for or reimbursement of costs of the Public Infrastructure Improvements incurred by the Port Authority, as defined below, or the City, or any other public or private party in cooperation with the City, and (ii) payment of debt service on, and administrative and any other expenses relating to the issuance of, any bonds, notes, or other obligations issued to finance the Public Infrastructure Improvements (the “Debt Service”).

The aforementioned ORC sections provide that this City Council (“Council”) may, among other things, (a) declare the improvement to real property located in the City to be a public purpose, thereby exempting such improvement from real property taxation for a period of time (the “TIF Exemption”), (b) specify public infrastructure improvements to be made to directly benefit those parcels, (c) require

the owner or owners of those parcels to make service payments in lieu of taxes, and (d) establish a municipal public improvement tax increment equivalent fund into which such service payments shall be deposited.

The Toledo-Lucas County Port Authority (the “Port Authority”) desires to cause public infrastructure improvements to be made that enhance the Site and enable the Cliffs’ project to be constructed and operated on the Site project (the “Project”); and, the City desires to grant the TIF Exemption in the amount of one hundred percent (100%) of the value of each improvement to the Site (as defined herein, the “Improvement”) for a period of thirty (30) years. The Port Authority and Cliffs have agreed that the TIF exemption will be in lieu of any Community Reinvestment Area exemption and they have agreed to waive any right to the same.

The City has determined that it is necessary and appropriate and in the best interests of the City to require the Port Authority, as current owner, and future owners of the parcels included in the Site and their successors and assigns (collectively, with their successors and assigns, as owners of the Site, the “Owners”) to make service payments in lieu of taxes (the “Service Payments”) with respect to the Improvement pursuant to ORC §5709.42. The City and the Port Authority desire to execute a tax increment service payment agreement (the “TIF Agreement”) whereby the Owners commit to make service payments in amounts equal to the property tax amounts that would have been payable had the TIF not been created.

The Toledo City School District by Resolution No. 107-2018, authorized the negotiation and execution of agreements between the Port Authority and City of Toledo regarding payments to the School District relating to Ironville Site (“Compensation Agreements”). Res. 107-2018 established agreed percentages the TIF Service Payments that would be paid to the School District as payments in lieu of taxes. The intention of the Council to grant an exemption from real property taxes pursuant to the TIF Statutes, and to pass this Ordinance, has been delivered to the Board of Education of the Toledo City School

District (the “School District”) in accordance with ORC §5709.40 and §5709.83 of the Ohio Revised Code.

It is necessary to enact this ordinance in order to make the TIF Exemption for the Parcels effective for tax year 2018 and in order to facilitate the development of the Project.

Attachments: [Exhibit A](#)

[Exhibit B](#)

Legislative History

12/4/18 City Council First Reading

[O-517-18](#)

Authorizing the Mayor to enter into a contract extension for banking services for the three month period of January 1, 2019 to March 31, 2019; further authorizing the expenditures for banking services; and declaring an emergency.

Body: Toledo Municipal Code Section 192.17 sets forth the procedures for designating a Central Depository and a Secondary Custodian for banking and custodial services. The city’s current banking services contract expires December 31, 2018. Banking service proposals have been received and are being evaluated by the administration in accordance with established procedures for professional service contracts. This ordinance authorizes extending the current banking contract with Fifth Third Bank until March 31, 2019 in order to complete the evaluation and selection process.

Legislative History

12/4/18 City Council First Reading

[O-523-18](#)

Appropriating money for current ordinary expenditures of the various departments for the City of Toledo for the first quarter (January, February and March) of 2019; and declaring an emergency.

Body: 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 2019.

Attachments: [Attachment A](#)

Legislative History

12/4/18

City Council

First Reading

COUNCILMAN JOHNSON PRESENTS:**[TMP-3503](#)**

Authorizing the re-appropriation of \$35,000 in the General Fund Department of Police operating budget for a contribution to the Opioid Overdose Reduction Program; authorizing the expenditure of funds from the General Fund; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

This ordinance authorizes the expenditure of funds for a contribution to the Opioid Overdose Reduction Program. Funds will be re-appropriated within the Police department's 2018 operating budget to make this contribution this year.

Label: Councilman Johnson**COUNCILMAN SYKES PRESENTS:****[TMP-3502](#)**

Authorizing the appropriation and expenditure of \$20,075 from the General Fund for a Poverty Study for the City of Toledo and Lucas County from the University of Toledo's Jack Ford Urban Affairs Center; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Lucas County has been identified as a high-poverty area within Ohio. There is a need to understand the prevalence of poverty in Lucas County and the City of Toledo. This ordinance authorizes the appropriation and expenditure of \$20,075 for a Poverty Study for the City of Toledo and Lucas County from the University of Toledo's Jack Ford Urban Affairs Center.

Label: Councilman Sykes**Attachments:** [Urban Affairs Center proposal](#)**OFFICE OF THE MAYOR:**

1. [TMP-3492](#) **Authorizing the mayor to enter into an agreement with Shumaker Advisors, LLC to provide the City with government affairs services for a term of one (1) year with City-approved annual renewals, subject to available appropriation, up to a maximum of three (3) years; authorizing the expenditure of funds in an amount not to exceed \$60,000 annually; waiving the competitive bidding requirements of TMC 187; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

The City has strong interests at the state level, including an interest in the composition of the state budget and legislation that impacts the operations of local government, Toledo's interests must be adequately represented in the capital.

Label: Government Affairs Services
Office of the Mayor's
G. DeBacker (x1600)
(Revised)

DEPARTMENT OF PUBLIC SERVICE:

2. [TMP-3495](#) **Authorizing the Mayor to enter into a golf course management agreement for the operation of the Ottawa Park, Detwiler, and Collins Park municipal golf courses; authorizing the deposit of net golf course revenue into the golf course improvement fund; authorizing the Mayor to execute a settlement and release agreement with Master Golf Management Group with respect to the termination of the current golf course lease agreement; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

In the summer of 2008, the City of Toledo's Department of Public Service notified Master Golf Management Group, the city's current golf course tenant, of the city's intent to terminate the current golf course lease effective March 31, 2019. The golf course lease agreement authorized by Council Ordinance 116-10 was in its ninth year of a 10 year term. The city recently published a request for

proposals (RFP) for those interested in entering into a management agreement for the operation of the city's three municipal golf courses. The RFP was successful in soliciting three entities expressing an interest in managing the city's municipal golf courses. Each entity was interviewed by a panel of five city staff and two local residents active in the local golf community. The proposed management agreement requires the management company to submit a proposed annual course management budget to the Director of Public Service for approval with the annual net operating revenue deposited in the Golf Course Improvement Fund established by Toledo Municipal Code Section 953.03. This Ordinance further authorizes the Director of Public Service and the Director of Law to negotiate a settlement and release agreement with Master Golf Management Group with respect to the termination of the existing golf course lease and the associated accrued delinquent rent.

Label: DPS Golf Course Management Agreement
Parks, Recreation & Forestry
Karen Ranney Wolkins (x2326)/Paul M. Rasmusson (x7868)
Revised

CITY PLAN COMMISSION:

3. [TMP-3498](#) **Authorizing the re-appropriation of \$5,000 in the General Fund from the Human Relations Commission to the Toledo Lucas County Plan Commission for a Monroe Street corridor study; authorizing the expenditure of fund from the General Fund; waiving the competitive bidding requirements of TMC Chapter 187; authorizing the Mayor to enter into an agreement with the Toledo Design Center for the Monroe Street corridor study; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:
This ordinance authorizes the expenditure of funds for a Monroe Street corridor study. The total estimated cost for the study is \$20,000, of which \$5,000 will be paid in 2018 to begin the project. The remaining will be paid in 2019. This ordinance authorizes the re-appropriation of \$5,000 in remaining funds from the Human Relations Commission 2018 approved budget to the Plan Commission's 2018 budget for the

payment that will be made this year. Funds for the remaining \$15,000 cost will be proposed for inclusion in the 2019 operating budget.

Label: Monroe Street Corridor - Toledo Design Center
Plan Commission
Tom Gibbons (x2199)
Revised

DEPARTMENT OF NEIGHBORHOOD & BUSINESS DEVELOPMENT:

4. [TMP-3493](#) **Authorizing the mayor to enter in a Memorandum of Understanding (MOU) with Lucas Metropolitan Housing Authority (LMHA) and Lucas County for the provision of environmental and historic reviews associated with CDBG and HOME Program projects; authorizing the deposit of revenue into the HOME Fund; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:
The City of Toledo acts as the responsible party for undertaking Environmental Reviews (ER) for all City of Toledo federally-funded programs, including but not limited to Community Development Block Grant and Home Investment Partnerships Program and is responsible for approving all reviews. City agrees to delegate its environmental review assessments to a qualified third-party consultant, approved by the City of Toledo and further agrees to review on all acceptable environmental review assessments and determinations conducted by a qualified third-party consultant. LMHA will provide the City with all available project and environmental information needed for formal review and approval. In the event LMHA's third party consultant is unable to complete an Environmental Review Assessment, the City will conduct the ER and sign off on the review with final determination. Compensation for actual expenses incurred for performance includes but is not limited to: cost of publishing notices, travel, postage, delivery charges, staff time, and actual costs incurred with any surveys or investigations. Funds received for ER completions by City staff will be deposited into HOME Fund.

Label: Department of Neighborhood & Business Development
Housing Division

Amy Odum (x3647), Veronica Burkhardt (x2605)
(Revised)

5. [TMP-3487](#) **Authorizing the Mayor to enter, execute and deliver a Real Estate Purchase Agreement and other needed instruments for the sale and conveyance of 2830 N. Michigan Street to Joseph S. Foreman of 2816 N. Michigan Street; authorizing the deposit of net sale proceeds; making certain findings with respect thereto; waiving the notice and bidding provisions of T.M.C. 187.19; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

The City operates a Land Reutilization Program pursuant to Section 187.19(a) of the Toledo Municipal Code which authorizes the City to accept nonproductive land and dispose of same pursuant to Chapter 5722 of the Ohio Revised Code. The Department of Economic & Business Development oversees the review and processing of the program. Joseph S. Foreman of 2816 N. Michigan Street, Toledo, Ohio 43611, has appropriately applied for acquisition of vacant city landbank parcel at 2830 N. Michigan Street. In the block in which Mr. Foreman resides, he has already purchased eleven vacant parcels to maintain along with his residence. The additional lots will provide added greenspace and lot expansion. The negotiated sale price for these parcels is One Hundred and Fifty Dollars (\$150.00) plus recording and transfer fees.

Label: DEBD LB Sale 2830 N. Michigan - Foreman
Development/Real Estate
WJ Burkett x 1692

Attachments: [Exhibit A](#)

DEPARTMENT OF LAW:

6. [TMP-3489](#) **Authorizing the mayor to collect revenue and expend funds estimated at \$200,000 annually in the Expendable Trust Fund to provide for the Civil Legal Assistance Services (CLAS) program through December 31, 2020; authorizing the mayor to enter into any necessary agreements to expend these funds which have been**

appropriated; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Ordinance 632-05, passed on September 6, 2005, established and authorized the Civil Legal Assistance Services (CLAS) program through October 31, 2008. The City of Toledo extended the program in 2007 to assist indigent persons who have been sued in a civil action in Toledo Municipal Court in cases involving eviction and consumer collections. Legal Aid of Western Ohio, Inc. (LAWO) has been providing the Civil Legal Assistance Services (CLAS). The current program is funded through the collection of an additional \$10.00 per case civil filing fee approved by the Judges of the Toledo Municipal Court and will expire on December 31, 2018 unless renewed. Staff attorneys are made available daily in Municipal Court to represent indigent defendants. The agreement was extended for an additional two years in 2010 (see Ord. 481-10), in 2013 (see Ord. 40-13), in 2014 (see Ord. 499-14), and again in 2016 (see ord. 422-16). The City of Toledo and LAWO desire to extend this program for another two years.

Label: CLAS PROGRAM
Department of Law
D. Emch (x1020)
(Revised)

DEPARTMENT OF PUBLIC UTILITIES:

7. [TMP-3486](#) **Authorizing the expenditure of \$107,000 from bond proceeds in the Water Bond Improvement Fund for the purchase of property located at and known as 642 Collins Park (Lucas County TD Parcels 13-20331 and 13-20414), together with various services related thereto, including but not limited to the purchase of real property interests, surveys, testing, title work, appraisals, closing costs, relocation costs, environmental assessments and other incidental fees and expenses, for the expansion of and improvements to the Collins Park Water Treatment Plant; authorizing the mayor to accept bids for services and execute agreements as necessary and appropriate associated with the purchase of said**

property herein; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The Ohio EPA has ordered multiple projects to be undertaken to mitigate and improve the Collins Park Water Treatment Plant and its related water system. The city recently completed construction of a new electrical substation and is currently in the process of constructing a new maintenance facility on existing city property as part of the required improvements. The property located at 642 Collins Park is immediately adjacent to and in between these two facilities. The current owner has expressed a desire to sell the property to the City of Toledo. The acquisition of the property at 642 Collins Park will provide additional space for operations at the new maintenance facility, and will further provide increased safety and security adjacent to the new electrical substation facilities. Funding for this purpose has previously been authorized in the Water Bond Improvement Fund as Water Plant Improvement.

Label: DPU121818ACQUIRE642COLLINS PK
Utilities Administration
Jamie Miller (x1409)
(Revised)

Attachments: [EXHIBIT A](#)

8. [TMP-3485](#) **Authorizing the mayor to renew the Public Water System License from the State of Ohio Environmental Protection Agency for 2019, for operation of the Water Treatment Facility; authorizing the expenditure of \$114,690.46 from the Water Operating Fund; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

The State of Ohio passed a revision to Section 6109.21 of the Revised Code in 1994 to require all municipal water treatment facilities to pay a yearly licensing fee to operate their plants. The fee is based on the total number of service connections that exist in the distribution system. The Toledo system has 133,361 connections. According to the rate structure, each tap costs \$0.86 for a total of \$114,690.46. The licensing requirement started in 1994 and upon proper application is renewable each succeeding year. All fees are placed in a special account for use by the Ohio Environmental Protection Agency in water

related programs. The fee payment is due by December 31, 2018, which is thirty days before the expiration of the current license or 10% (ten percent) late penalties may be imposed.

Label: DPU121818OEPALICENSETOOPERATE
WATER TREATMENT
P. Bannister (x1846)

9. [TMP-3490](#)

Authorizing the mayor to enter into and execute cooperative agreements between the City of Toledo and the State of Ohio, Department of Transportation (ODOT) and giving consent to ODOT to repair the existing bridge on Corey Road over I-475 by providing a new bridge deck surface; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The Ohio Department of Transportation (ODOT) is responsible for major maintenance of bridges over I-475 within the City of Toledo and has prepared plans and programmed funding to replace the deck surface of the Corey Road Bridge over I-475 next year. ODOT is not requesting any financial participation from the City of Toledo on this project and will administer construction of the project. This ordinance and cooperative agreements are needed to allow ODOT to conduct this work within the limits of the City of Toledo. The City of Toledo desires the State of Ohio, Director of Transportation, to proceed with the aforesaid highway improvements.

Label: DPU121818REPAIRCOREYROADBRIDGEOVERI-475
Engineering Services
David Dysard (x2693)
(Revised)

DEPARTMENT OF PUBLIC SERVICE:

10. [TMP-3480](#)

Authorizing the mayor to enter into a lease agreement and development agreement with the YMCA of Greater Toledo, the Historic South Initiative, and the Cal Ripken Sr. Foundation for the construction and operation of a youth development park located within Danny Thomas Park located at 2583 Broadway Street; authorizing the expenditure of \$300,000 from the Capital Improvement

Fund for the city's contribution to the project; waiving the notice and competitive bidding requirements of TMC Section 187.19; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The Cal Ripken Sr. Foundation is a national 501(c)(3) nonprofit organization founded in 2001 to honor the legend and spirit of Cal Ripken, Sr. through transformational at-risk youth programs, youth development parks, and multi-purpose parks. The Foundation works with communities to create safe opportunities for youth to develop valuable life skills, build character, connect positively with local law enforcement, and learn how to make productive choices for their future. The Foundation is working in local communities across the country to develop and construct synthetic-surface youth development parks. These multi-purpose, low-maintenance facilities serve as outdoor classrooms designed to provide recreational, educational, and athletic experiences. This ordinance allows the City of Toledo to enter into a 20-year lease agreement with one ten (10) year renewal with the YMCA of Greater Toledo and the Historic South Initiative as tenants. Additionally, the City of Toledo will contribute \$300,000 from the Capital Improvement Fund in order to assist with project development and construction. Upon completion of construction, the YMCA will operate the facility. Contingent on passage of this ordinance and the lease, the YMCA and Historic South Initiative have negotiated a development agreement with the Cal Ripken Foundation Sr. which will assume full responsibility for construction of the youth development park.

Label: Danny Thomas Park Cal Ripken, Sr. Foundation, Inc.
Department of Public Service
Paul M. Rasmusson (x7868)
(Revised)

11. [TMP-3494](#)

Authorizing the Mayor to enter into the necessary contracts for rental equipment; authorizing the expenditure of \$20,000 from the Expendable Demolition Trust Fund for the rental of one (1) excavator equipped for demolition from Ohio CAT for the Department of Public Service, Division of Streets, Bridges & Harbor; waiving the competitive bidding requirements of TMC

Chapter 187; and declaring an emergency.**Body:** SUMMARY & BACKGROUND:

The Division of Streets, Bridges & Harbor (SB&H) is partnered with the Lucas County Land Bank to perform housing demolition within the City of Toledo. During the summer, when demolition is most active, both in-house excavators went out-of-service with extensive repairs needed. While bids and contracts took place, it became necessary to rent an excavator to continue on schedule with the Land Bank program and to have in the event crews were required to assist with emergency fire demolitions. Ohio CAT, located in Perrysburg, was the only supplier of an excavator equipped for demolition operations when acquiring rental pricing. Currently, the Division has both excavators back in service and a new smaller excavator has been purchased.

Label: DPS SB&H Emergency Demo Excavator Rental \$20,000
Streets, Bridges & Harbor
Jeremy A. Mikolajczyk (X1537)/Paul M. Rasmusson (X7868)
Revised

12. [TMP-3499](#)**Declaring it necessary to improve a portion of the Hill Avenue by upgrading existing street lights; and declaring an emergency.****Body:** SUMMARY & BACKGROUND:

It was determined lighting on Hill Avenue's western-most city limit to Byrne Road could be enhanced for the safety of citizens through improved street lighting. Light Emitting Diode (LED) street lamps offer brighter lighting patterns at a lower cost due to less energy consumption. Increasing light intensity on various streets and intersections by replacing the current streetlights with LED streetlights will reduce dangerous intersections and increase public safety in general.

Label: DPS Upgrade Hill Avenue Street Lighting
Department of Public Service
Paul Rasmusson (x7868)
Revised

13. [TMP-3508](#)**Authorizing an expenditure not to exceed \$51,000 from the Capital Improvement Fund for emergency repairs of the boiler system at Streets, Bridges and Harbor located**

at 1189 W. Central Ave.; authorizing the Mayor to enter into the necessary contract for said emergency repairs; waiving the competitive procurement requirements of Chapter 187 of the Toledo Municipal Code and making certain findings with respect thereto; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

This Ordinance authorizes expending \$51,000 from Facility Operations' approved 2018 CIP funds for contractual services for the emergency repair to the boiler system located at 1189 W. Central Ave. (Streets, Bridges and Harbor).

The boiler system located at 1189 W. Central Ave. (Streets, Bridges and Harbor) has failed unexpectedly and is not repairable. This boiler is the only source of heat for the administrative offices and is critical in being replaced to prevent further damage to the building's heating system.

Label: DPS Emergency Boiler Repair
Facility Operations
Rick M. Akeman (x2560)/Paul Rasmusson (x7868)
Revised

DEPARTMENT OF HUMAN RESOURCES:

14. [TMP-3513](#) **Approving the revision of the current Collective Bargaining Agreement between the City of Toledo and AFSCME Local 2058, Communication Operators Supervisors Unit, for a successor agreement, consistent with the bargained understandings; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

The City of Toledo and AFSCME Local 2058, Communication Operators Supervisors Unit, reached a tentative agreement over terms that revise the current collective bargaining agreement, which expired on May 31, 2018, for a successor agreement, for the new term of June 1, 2018 through May 31, 2021. The Union ratified that tentative agreement on December 4, 2018. Pursuant to Ohio Revised Code

section 4117.10(B), the economic provisions of that agreement are now being submitted to City Council for consideration and passage. If not acted upon within 30 days, the agreement is deemed approved.

Pursuant to the statutory bargaining process under the Ohio Revised Code, the City and the Union met multiple times over the past five (5) months to negotiate the terms of a successor agreement.

The tentative agreement reached provides for a more efficient progressive disciplinary process, which will streamline the timeframes for City administrators. In continuation of the City's efforts to civilianize the Communications Bureau Shift Supervisor positions, this agreement separates the Supervisor - Police Communications classification from the general supervisor position and establishes a new Supervisor - Fire Communications classification. The creation of this new classification will result in the reassignment of Fire Lieutenants to line operations and provide a career path for the current Fire Communications Specialists. Further, the agreement requires all new hires to enroll and remain in the direct deposit program for the duration of their employment.

Regarding the economic terms, effective January 1, 2019, the agreement provides for a salary group upgrade for Supervisor - Police Communications from a salary group 11 to a salary group 13. Further, the agreement establishes the Supervisor - Fire Communications classification as a salary group 11. The purpose of the Supervisor - Police Communications upgrade is to assist the City's retention and recruiting efforts for positions at the Fire Communications Bureau ("Bureau") and make the wage rates competitive with those offered by surrounding municipalities. Other than the change in salary group assignment, the agreement does not provide annual base salary increases for the life of the agreement. To help curb health care costs, the agreement provides for an increase in the emergency room co-pay from \$100 to \$200. The remaining terms of the health care provision remain the same, with the Parties agreeing to continue to negotiate that issue together with the other affected bargaining units as part of a multi-unit bargaining.

Label: AFSCME Local 2058 Communication Operators Supervisors
Tentative Agreement
HR Dept- Victoria Coleman (x1503); Anthony Markwood (x1525)

Attachments: [Exhibit A](#)
[Exhibit B](#)
[Exhibit C](#)
[Memo](#)
[CBA 2015-2018](#)

**COUNCIL PRESIDENT CHERRY, CHAIR, ZONING & PLANNING COMMITTEE,
REPORTS AS APPROVED:**

[TMP-3504](#) **Zone change at 323 20th St.**

Body: SUMMARY & BACKGROUND:

Label: Zoning & Planning Committee

Attachments: [Plan Commission Report](#)

[TMP-3505](#) **Amend SUP for St. Ursula Academy at 4109 Indian Rd.**

Body: SUMMARY & BACKGROUND:

Label: Zoning & Planning Committee

Attachments: [Plan Commission Report](#)

[TMP-3506](#) **SUP for Community Recreation - active for baseball
fields at 1800 Krieger Dr.**

Body: SUMMARY & BACKGROUND:

Label: [SUBJECT]

Attachments: [Plan Commission Report](#)

[TMP-3507](#) **SUP for used auto sales facility at 2433 - 2435
Tremainsville Rd.**

Body: SUMMARY & BACKGROUND:

Label: Zoning & Planning Committee

Attachments: [Plan Commission Report](#)

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.