



City of Toledo

One Government Center
Toledo, OH 43604

Agenda Review City Council

Tuesday, May 9, 2023

2:00 PM

Council Chambers

COUNCIL MEMBERS CHERRY AND MORRIS PRESENT:

[TMP-8813](#)

Recognize Engage Toledo Ambassador Academy.

COUNCILWOMAN McPHERSON PRESENTS:

[TMP-8814](#)

Recognize American Cultural Exchange Service (ACES).

APPOINTMENT FROM THE OFFICE OF THE MAYOR:

[TMP-8820](#)

Appointment - Environmental Protection & Climate Resilience Commission

Attachments: [Environmental Protection](#)

SECOND READING ITEMS:

[O-249-23](#)

Authorizing the appropriation and expenditure of an amount not to exceed \$2,942,000 from the Local Fiscal Recovery Fund for major building improvements at City of Toledo community and senior centers; authorizing the Mayor to accept bids and award contracts for said improvements; and declaring an emergency.

Body:

SUMMARY & BACKGROUND:

The city is the recipient of \$180.9 million through the American Rescue Plan Act (ARPA) to be used to address the public health and negative economic impacts of the COVID-19 pandemic. The Toledo Recovery Plan framework (authorized by Ordinance 530-21) includes \$3 million for improvements to the City of Toledo community and senior centers.

This Ordinance authorizes expending an amount not to exceed \$2,942,000 from the Local Fiscal Recovery Fund authorized by Ordinance 530-21 for preserving and maintaining major building components at the City of Toledo's community and senior centers including, but not limited to, roof replacement, replace HVAC systems, replace plumbing, replace parking lots, electrical upgrades, fire protection systems. Funds are available for appropriation and expenditure from the approved Local Fiscal Recovery Fund.

Attachments: [ARPA Final Rule](#)
[SMART Analysis](#)

Legislative History

5/2/23 City Council First Reading

[O-250-23](#)

Authorizing the expenditure of and amount not to exceed \$1,000,000 from the Capital Improvement Fund for community and senior center improvements; authorizing the Mayor to accept bids and award contracts for said improvements; and declaring an emergency.

Body: SUMMARY & BACKGROUND:
 In combination with \$3,000,000 of Local Fiscal Recovery Funding, Facility Operations will utilize this Capital Improvement Program funding for the renovations and improvements of Community and Senior Centers throughout the city. Improvements include, but are not limited to roofing, HVAC, electrical upgrades, interior improvements and parking lot improvements.

Legislative History

5/2/23 City Council First Reading

[O-252-23](#)

Authorizing the payment of \$250,000.00 from Allianz Global Corporate & Specialty SE to the City of Toledo on its insurance claim No. SF-USCC19599023; and declaring an emergency.

Body: SUMMARY & BACKGROUND:
 On December 25, 2022, the Water Reclamation Administration Building's sprinkler system burst flooding the basement and first

floor offices requiring immediate remediation/cleanup and repairs, as well as the preservation of documents. The costs associated with the remediation/cleanup, and repairs and replacement of the heating and sprinkler systems. On January 3, 2023, the City of Toledo filed its claim No. SF-USCC19599023 with Allianz Global Corporate & Specialty insurance company for reimbursement of such costs.

On January 5, 2023, Allianz Global Corporate & Specialty SE confirmed coverage of City of Toledo's claim No. SF-USCC19599023 subject to the terms and conditions of Allianz Global policy No. USC007053220. Such coverage applies to real and personal property owned by the City of Toledo. On March 27, 2023 Allianz Global Corporate & Specialty SE paid the amount of \$250,000.00 towards the resolution the City of Toledo's claims for repairs to the Water Reclamation Administration Building.

Legislative History

5/2/23 City Council held

[O-253-23](#)

Authorizing the appropriation and expenditure in an amount not to exceed \$148,099.35 from the Sewer Replacement Fund for the emergency repair/remediation of the Water Reclamation Administration Building located on 3900 Summit Street; authorizing the mayor to enter into necessary agreements; waiving the competitive bidding requirement of TMC 187; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

On December 25, 2022, the Water Reclamation Administration Building's sprinkler system burst, flooding the basement and first floor offices requiring immediate remediation/cleanup and repairs, as well as document preservation. On the afternoon of December 25, 2022, Cousino Restoration was hired and began the remediation, cleanup, and repair the damage to the administration building and recovery of documents required by EPA. Sufficient funds are available within the Sewer Replacement Fund to pay for these emergency repairs.

Attachments: [Cousino invoice](#)

Legislative History

5/2/23

City Council

held

**COUNCIL PRESIDENT CHERRY AND THE MEMBERS OF CITY COUNCIL
PRESENT:**[TMP-8831](#)**Amending the Toledo Municipal Code by repealing Section 2101.01 and enacting a new Toledo Municipal Code Section 2101.01; and declaring an emergency.****Body:** SUMMARY & BACKGROUND:

Toledo Municipal Code Chapter 2101 governs the terms and conditions of employment for the City of Toledo's Classified Exempt and Executive Exempt employees. This Ordinance repeals Municipal Code Section 2101.01, Classifications, and enacts a new Section 2101.01.

City Council has recognized a need for a new position to oversee the daily administration and operations of the Council, including managing and supervising the legislative staff. To that end, the new Section 2101.01 adds the classification of City Council Chief of Staff as a classified exempt position, and assigns a salary group of E-3. In addition, the new position will serve as a liaison between Council and the administration and outside entities.

DEPARTMENT OF ECONOMIC DEVELOPMENT:1. [TMP-8808](#)**Authorizing the appropriation and expenditure of \$500,000 from the Local Fiscal Recovery Fund for Creation of a Food Systems, Education and Incubation Hub; authorizing the Mayor to enter into an agreement with Economic and Community Development Institute (ECDI) for said purpose; and declaring an emergency.****Body:** SUMMARY & BACKGROUND:

The City of Toledo is the recipient of \$180.9 million through the American Rescue Plan Act (ARPA) to be used to address the public health and economic impacts of the COVID-19 pandemic. The Toledo Recovery Plan framework (authorized by Ordinance 530-21) includes \$1 million for investment in healthy food initiatives. This ordinance allows for the appropriation and expenditure of \$500,000 for reimbursement of construction and

construction related expenses to create a Food Systems, Education and Incubation Hub.

This ARPA funded activity will be performed by subrecipient Economic and Community Development Institute (ECDI) ECDI is the number one Small Business Administration microlender in the country. Headquartered in Columbus, and working across the state of Ohio, ECDI works to fund, coach, and counsel small businesses with a focus on women, BIPOC, and new American entrepreneurs. ECDI has developed an organizational partnership with two additional non-profit organizations, Center for Innovative food Technology (CIFT) and Opportunity Kitchen, to create a hub for healthy food education, healthy food access, and entrepreneurial support in Toledo.

The Food Systems, Education and Incubation Hub will address multiple needs in our community. Food entrepreneurship increased exponentially during the Covid pandemic, and there is a significant need for technical training, business counseling, and access to licensed commercial kitchen space. The hub will provide entrepreneurs access to both the planned CIFT Smart Kitchen, (to be equipped through receipt of a \$1.1 million federal earmark) as well as opportunities to operate in incubator restaurants in the food hall.

The hub will advance workforce development by increasing Opportunity Kitchen's training capacity for returning citizens and others with barriers prepare for employment in the culinary industry.

A retail market commissary will provide underserved communities in the area access to healthy food through a unique partnership with neighborhood convenience stores. These stores have limited capacity to purchase fresh products wholesale due to a number of reasons, including supply chain order minimums and inability to incur inventory loss. The hub will offer a wholesaling program to supply these stores with fresh, healthy foods for their immediate community. Infrastructure is planned for aggregation, storage, and allocation of fresh produce and other grocery items for these neighborhood stores.

Attachments: [SMART Analysis](#)
[Final Rule](#)

2. [TMP-8810](#) **Authorizing the appropriation and expenditure of \$350,000 from the Local Fiscal Recovery Fund for a Healthy Food Small Market Grant Pilot Program; authorizing the Mayor to enter into an agreement with Toledo Lucas County Health Department for said purpose; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

The City of Toledo is the recipient of \$180.9 million through the American Rescue Plan Act (ARPA) to be used to address the public health and economic impacts of the COVID-19 pandemic. The Toledo Recovery Plan framework (authorized by Ordinance 530-21) includes \$ million for investments in healthy food initiatives. This ordinance allows for the appropriation and expenditure of \$350,000 for a pilot program to expand healthy food access through small, independent neighborhood markets, to meet the needs of City of Toledo residents impacted by the COVID-19 pandemic.

This ARPA funded program would be administered by subrecipient Toledo Lucas County Health Department (TLCHD). These subrecipient funds will be utilized to expand healthy food options sold in independently owned, licensed Retail Food Establishments (RFEs), of less than 5,000 square feet in building size, known as convenience stores or corner markets.

Awardee RFEs will be selected by TLCHD from applicants responding to a Notice of Funding Availability. Successful applicants will be located in both a low income and low food access census tract. Only independent owners may participate, chains and franchises are excluded. TLCHD will provide participants with use of appropriate equipment and displays to store and sell approved, healthy, refrigerated and frozen foods and fresh produce. The initial cost of stock and one-half of the cost of reorders will be subsidized up to \$10,000 per participant, in order to establish the market as a neighborhood source of healthy food and a viable business model for the operator. The goal of this program is to create sustainable sources of healthy food in

underserved neighborhoods as participants continue to stock approved foods beyond the subsidized period. TLCHD will provide monitoring of compliance as well as connect the participating business owners to entrepreneurial support providers and resources in the community to support their success.

Attachments: [SMART Analysis](#)
[Final Rule](#)

DEPARTMENT OF HUMAN RESOURCES:

3. [TMP-8790](#) **Authorizing the Mayor to enter into an Agreement with Anthem Blue Cross and Blue Shield for the provision of specific stop loss insurance services for a term of one (1) year; authorizing the expenditure of funds; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

The City of Toledo's Department of Human Resources sought competitive proposals regarding stop loss insurance services related to hospitalization, surgical-medical, major medical, and medical management services for City of Toledo employees from March 3, 2023 to April 4, 2023. Two (2) proposals were submitted. The Department of Human Resources, in consultation with McGohan Brabender, the City's Benefits Consultant, reviewed the proposals and recommend that Anthem Blue Cross and Blue Shield's proposal be accepted for a one (1) year contract beginning June 1, 2023 through May 31, 2024. It is estimated the cost of the coverage will be approximately \$746,000.00 for a one (1) year period.

Attachments: [Memo](#)

DEPARTMENT OF MARKETING & COMMUNICATIONS:

4. [TMP-8805](#) **Authorizing the expenditure not to exceed \$15,000 from the General Fund for the purpose of enhancements to the City of Toledo website; authorizing the Mayor to enter into a contract for said purpose; waiving the competitive procurement requirements of TMC Chapter 187; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

This ordinance authorizes the expenditure of up to \$15,000 for enhancements to the City of Toledo website to improve the functionality and user experience of the website as well ensure compliance and maintenance items are up to date. The specific enhancements to be made will include:

- Built-in translation capability
- Improvements to web forms and built-in form download option
- New options for photo galleries
- Updates to event calendar to add category filtering
- New functionality to make lists of resources or information searchable and sortable - improve the summer programming page
- Upgrade analytics capability (current analytics platform is end of life)
- Accessibility compliance review and updates
- Mobile site review and improvements

The Department of Marketing and Communications is requesting that requirements for competitive bidding be waived due to the specialized nature of the work to be performed and Madhouse's experience building our existing website. Funds for this project were allocated in the approved 2023 budget.

DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT:

5. [TMP-8758](#) **Authorizing the Mayor to accept, deposit, appropriate and expend the Community Development Block Grant from the U.S. Department of Housing and Urban Development (HUD) in the amount of \$7,355,028; authorizing the expenditure of CDBG carryover funds from all years prior to program year 2022 (48th) in the amount of \$382,789.80; and authorizing submission to the U.S. Department of Housing and Urban Development of the 2023-2024 Annual Action Plan; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

This legislation provides funding for a variety of programs both for the administration of the CDBG program and programs operated internally by various City Departments and operations,

Community Development Corporations, and Social Service agencies. This legislation authorizes the acceptance, deposit, appropriation and expenditure in the amount of \$7,355,028 as well as the expenditure of CDBG carryover funds in the amount of \$382,789.80 from all years prior to program year 2022 (48th) in federal funds and more specifically, the 2023-2024 Annual Action Plan for the 2023 Program Year to be submitted to HUD on May 17th, 2023.

The financial impact of this Ordinance is the receipt of \$7,355,028 from HUD to the City of Toledo for the administration of the CDBG Program as well as the allocation of funding to Community Development Corporations and various Social Service agencies in the Toledo community. Also, the expenditure of CDBG carryover funds in the amount of \$382,789.80 from all years prior to program year 2022 (48th).

Attachments: [Schedule A & B](#)

6. [TMP-8774](#) **Authorizing the Mayor to accept, deposit, appropriate, and expend the Emergency Solutions Grant in the amount of \$648,066 from the U.S. Department of Housing and Urban Development to fund Emergency Solutions Grant Program activities; authorizing submission to the U.S. Department of Housing and Urban Development the One-Year Action Plan; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

The City of Toledo (COT) receives from the U.S. Department of Housing and Urban Development (HUD) a designated Emergency Solutions Grant (ESG) amount, as an entitlement city and participating jurisdiction, for the purpose of ending homelessness in Toledo. The city's receipt and acceptance of the grant amount compels it to utilize the funds within certain HUD regulations, directives, and guidelines, as well as, pursuant to the HUD approved Five Year Consolidated Plan for the City of Toledo. Specifically, the Consolidated Plan which the COT must follow is in effect from 2020 through 2024. Each year, however, the COT submits to HUD its One Year Action Plan, describing how it will continue to implement and execute the Five-Year Consolidated

Plan. The City must submit the One Year Action Plan each year within the respective five-year period in order to continue to receive the annual ESG allocation from HUD. In the Five-Year Consolidated Plan, as well as, the 2023-2024 Action Plan, one of nine priorities is “ending homelessness”. Likewise, the Consolidated Plan and each year’s Action Plan, inclusive of the 2023-2024 Action Plan, specifies that the COT will partner and collaborate with the HUD designated Continuum of Care (CoC) entity for Toledo (and Lucas County), i.e., the Toledo Lucas County Homelessness Board (TLCHB), in addressing the goal of ending homelessness in the community. It is the TLCHB as the HUD designated CoC entity that coordinates the response (e.g., rapid re-housing), the resources (e.g., leveraging of several funding sources), and the responsibility (e.g., community focus/representation) for ending homelessness in the Toledo community.

This Ordinance is to authorize the Mayor to submit to HUD the 2023-2024 One Year Action Plan, accept the 2023 Program Year ESG allocation from HUD, deposit the 37th (2023) Program Year ESG funds received from HUD into the appropriate Account Code, and expend the amount received pursuant to the Five-Year Consolidated Plan, and more specifically, the One Year Action Plan for the 2023 Program Year to be submitted to HUD on May 17th, 2023.

The financial impact of this Ordinance is the receipt of the \$648,066 from HUD to the City of Toledo for ending homelessness in the Toledo community.

Attachments: [Schedule A](#)

7. [TMP-8776](#) **Authorizing the Mayor to accept, deposit, appropriate and expend the HOME Investment Partnership Program Grant in the amount of \$2,551,780 from the U.S. Department of Housing and Urban Development (HUD) for the purpose of funding the 2023 HOME Investment Partnership Program; authorizing the expenditure of HOME Carryover funds from all years prior to program year 2023 (32nd) in the amount of \$1,261,292.36; and authorizing submission to the U.S.**

**Department of Housing and Urban Development the
2023-2024 Annual Action Plan; and declaring an
emergency.**

Body: SUMMARY & BACKGROUND:

The City of Toledo (COT) receives from the U.S. Department of Housing & Urban Development (HUD) a designated amount of HOME Investment Partnership Program (HOME) Grant dollars, as an entitlement city and participating jurisdiction, for the purpose of meeting HUD national objectives, as well as, providing affordable housing to low- and moderate-income individuals or families. The city's receipt and acceptance of the grant amount compels it to utilize the funds within certain HUD regulations, directives, and guidelines, as well as, pursuant to the HUD approved Five Year Consolidated Plan and the Annual Action Plan for the City of Toledo. Specifically, the Consolidated Plan which the COT must follow is in effect from 2020 through 2024. Each year, however, the COT submits to HUD its Annual Action Plan, describing how it will continue to implement and execute the current Five Year Consolidated Plan but within the subject Program Year. The City must submit the One Year Action Plan each year within the respective five-year period in order to continue to receive the annual HOME allocation from HUD.

This Ordinance is to authorize the Mayor to submit to HUD the 2023-2024 Annual Action Plan, accept the 2023 Program Year HOME allocation from HUD, deposit the HOME funds received from HUD into the appropriate Account Codes, and expend an amount of \$2,551,780 as well as the HOME carryover funds in an amount of \$1,261,292.36 from all years prior to program year 2023 (32nd) pursuant to the 2020-2024 Five-Year Consolidated Plan, and more specifically, the 2023-2024 Annual Action Plan for the 2023 Program Year to be submitted to HUD on May 17, 2023.

The financial impact of this Ordinance is the receipt of \$2,551,780 from HUD to the City of Toledo to provide affordable housing to low- and moderate-income individuals and families in the Toledo community. This Ordinance also authorizes the expenditure of HOME carryover funds in an amount of

\$1,261,292.36 from all years prior to program year 2023 (32nd).

Attachments: [Schedule A & B](#)

8. [TMP-8775](#) **Authorizing the disappropriation of \$61,874.92 from the previous Emergency Solutions Grant (ESG) grant year; authorizing the appropriation and expenditure of \$61,874.92 from the unappropriated balance of the ESG Operating Grant Fund; authorizing the Mayor to enter into any necessary agreements; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

St. Paul's Community Center (SPCC) has been operating the Winter Crises program for approximately 13 years with the support of the Lucas County Mental Health and Recovery Services Board (LCMHRSB), United Way, the Toledo Lucas County Homelessness Board (TLCHB) and the City of Toledo - Department of Housing and Community Development (DHCD) to keep people safe during the coldest months of the year. SPCC operated a Winter Crises program at its location, 230 13th Street for approximately 40 individuals per night during the coldest nights of the year, from December 15th 2022 to mid-March 2023. SPCC provided dinner, a hygiene kit, a cot and blankets and breakfast for each guest. Intake consisted of modified data collection and all data was entered into the Homelessness Managements Information System (HMIS). Guests also had access to hot showers, socks and undergarments, laundry facilities and a charging station. Additional SPCC staff provided security and acted as a source for community referrals. This legislation authorizes the disappropriation of \$61,874.92 to reallocate the 2021 ESG funding (35th) year to provide the necessary funding for a Winter Crisis Shelter to address homelessness during the coldest months of the year in the Toledo community.

The financial impact of this Ordinance is the ability to use prior year ESG funds to help support the Winter Crisis Shelter for the Toledo community's homeless population during the coldest months of the year. It will allow SPCC to expand emergency shelter services to serve up to 40 additional individuals and still provide overnight stays for up to 35 individuals that are normally

served during the cold winter months.

Attachments: [Schedule A](#)

9. [TMP-8746](#)

Approving a Community Reinvestment Area real property tax exemption for Toledo Place Apartments, LLC, for the construction of a new multi-unit residential facility, located at 1301 Linden Lane., Toledo, Ohio 43615, property in the Reynolds Corners Community Reinvestment Area; authorizing the execution of an agreement and other documents related thereto; making certain findings and determinations in connection therewith; and declaring an emergency.

Body:

SUMMARY & BACKGROUND:

Ordinance No. 69-05, passed on February 8, 2005, Toledo City Council (the “Ordinance”) created the “Reynolds Corners Community Reinvestment Area” pursuant to Sections 3735.65 through 3735.70 of the Ohio Revised Code. This area was subsequently confirmed as Community Reinvestment Area No. 095-4265-02 by the Ohio Department of Development on April 27, 2005.

Toledo Place Apartments, LLC, (the “Owner”), submitted an application and agreement for a CRA real property tax exemption. The exemption is requested for the construction of a new residential apartment building, located at 1301 Linden Lane, Toledo, Ohio 43615. This site is approximately **4,773 acres** of land. The Owner proposes to construct a **61,956 sq ft** facility at an estimated investment cost of **\$7,573,743**. Owner intends to employ two (2) part-time employees.

This proposed project is in conformance with Toledo’s Reynolds Corner Community Reinvestment Area requirements as established by the above referenced ordinances. The Toledo Public School District was notified and has approved the granting of a fifteen (15) year tax exemption, and has entered into a School District Payment Agreement with Toledo Place Apartments, LLC for an annual payment in lieu of taxes. This Ordinance is required to authorize a 100% real property tax exemption for fifteen (15)

years for taxes that would otherwise be generated due to the increase in the assessed valuation of the real property at the project site.

Attachments: [Exhibit A](#)

10. [TMP-8745](#)

Approving a Community Reinvestment Area real property tax exemption for Toledo Place Apartments, LLC, for the construction of a new multi-unit residential facility, located at 1302 Linden Lane., Toledo, Ohio 43615, property in the Reynolds Corners Community Reinvestment Area; authorizing the execution of an agreement and other documents related thereto; making certain findings and determinations in connection therewith; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Ordinance No. 69-05, passed on February 8, 2005, Toledo City Council (the “Ordinance”) created the “Reynolds Corners Community Reinvestment Area” pursuant to Sections 3735.65 through 3735.70 of the Ohio Revised Code. This area was subsequently confirmed as Community Reinvestment Area No. 095-4265-02 by the Ohio Department of Development on April 27, 2005.

Toledo Place Apartments, LLC, (the “Owner”), submitted an application and agreement for a CRA real property tax exemption. The exemption is requested for the construction of a new residential apartment building, located at 1302 Linden Lane, Toledo, Ohio 43615. This site is approximately **4,632 acres** of land. The Owner proposes to construct this **61,956 sq ft** facility at an estimated investment cost of **\$7,348,744**. Owner intends to employ two (2) part-time employees.

This proposed project is in conformance with Toledo’s Reynolds Corner Community Reinvestment Area requirements as established by the above referenced ordinances. The Toledo Public School District was notified and has approved the granting of a fifteen (15) year tax exemption, and has entered into a School District Payment Agreement with Toledo Place Apartments, LLC

for an annual payment in lieu of taxes. This Ordinance is required to authorize a 100% real property tax exemption for fifteen (15) years for taxes that would otherwise be generated due to the increase in the assessed valuation of the real property at the project site.

Attachments: [Exhibit A](#)

11. [TMP-8699](#) **Authorizing the Mayor to accept bids and award contracts for necessary Lead Ordinance marketing, communications, training development, and related activities; authorizing an expenditure of an amount not to exceed \$250,000 from the General Fund; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

The purpose of this ordinance is to authorize the expenditure of available funding for the purpose of marketing, training development, communications and other Lead Ordinance duties that will support the Lead Safe Ordinance (397-20).

12. [TMP-8807](#) **Authorizing the Mayor to enter into a two-year Lease, with one renewal option for an additional five-year period with the Neighborhood Health Association of Toledo, Inc. for a portion of a city-owned building located at 1 Aurora Gonzalez Dr.; accepting and depositing rent proceeds into the General Fund; waiving the 30-day notice requirement of Toledo Municipal Code Chapter 187; making certain findings with respect thereto; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

This legislation authorizes the Mayor to enter into a lease agreement with the Neighborhood Health Association of Toledo, Inc. ("NHA") for a portion of a city-owned building located at 1 Aurora Gonzalez Drive, for the purpose of providing free to low-cost medical, dental and specialty health care services to area residents. The initial term is for two (2) years with a renewal option for an additional term of five (5) years at an annual rent of \$500.00. Operating expenses, including insurance are to be paid by NHA, except that any maintenance expense greater than \$500.00 per occurrence for year 1 of term and \$1,000 per occurrence for year 2 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: [NHA Lease Agreement](#)
[Legal Description](#)

DEPARTMENT OF PARKS & YOUTH SERVICES:

13. [TMP-8796](#) **Authorizing the appropriation and expenditure of \$1,250,000 from the Local Fiscal Recovery Fund for a universal pre-kindergarten (pre-k) program; authorizing the Mayor to enter into an amended grant agreement with HOPE Toledo for said purpose; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:
The city has been awarded \$180.9 million through the American Rescue Plan Act (ARPA) to be used to address the public health and negative economic impacts of the COVID-19 pandemic. The Toledo Recovery Plan framework (authorized by Ordinance 530-21) includes \$2.5 million for a universal pre-k program. This ordinance allows for the appropriation and expenditure of \$1.25 million in 2023 for the HOPE Toledo organization. Ordinance 191-22 authorized the appropriation and expenditure of the initial funds in 2022.

HOPE Toledo is an Ohio corporation not-for profit that holds a 501c3 tax exempt status with the Internal Revenue Service. HOPE Toledo's mission is to support and ensure high-quality education, from preschool to post-secondary and trade school, for every young person in the city of Toledo, to create generational economic change for the betterment of Toledo's families and community. The funds as presented in the Toledo Recovery Plan will be used to provide scholarship dollars for eligible families to have access to quality preschool education and to support and develop preschool providers in the City of Toledo.

Attachments: [Final Rule](#)
[Smart Analysis](#)

DEPARTMENT OF LAW:

14. [TMP-8801](#)

Authorizing the Mayor to purchase an insurance policy covering City property with Fireman’s Fund Insurance Company for a period of one year with an option to renew for three one-year periods subject to available annual appropriation; authorizing the expenditure of \$579,520 annually subject to increase and/or decrease in insurable values from the Risk Management Fund; and declaring an emergency.

Body:

SUMMARY & BACKGROUND:

The City maintains a blanket “all-risk” insurance policy covering its property, and Fireman’s Fund Insurance Company has provided insurance coverage for the City for over nine years. Since the last renewal, the City conducted a comprehensive RFP for the upcoming renewal period and as a result awarded the contract to the Hylant Group to provide property insurance through Fireman’s Fund Insurance Company; offering the same coverage limits for the City’s property, as well as maintaining the lower deductible for the insurance coverage of the City’s sewer lines.

As a direct result, Fireman’s Fund Insurance Company offers the maximum and best coverage, inspection and engineering support at the lowest premium cost.

The last ordinance authorizing the Mayor to enter into a contract for property insurance was passed in May 28, 2019. The authorization now is for one year with the option of renewing for three one-year periods. This commitment, from the City to Fireman’s Fund Insurance Company, and from Fireman’s Fund Insurance Company to the City, serves as the basis for the most favorable outcome both in coverage and in working with the City to further develop and implement loss prevention measures.

DEPARTMENT OF FIRE & RESCUE OPERATIONS:

- 15. [TMP-8804](#) **Authorizing the Mayor to accept an Ohio State Homeland Security Program Grant from the Ohio Emergency Management Agency in an amount not to exceed \$205,806 for the City of Toledo, Department of Fire & Rescue Operations; authorizing the deposit, appropriation, and expenditure of said amount from the Operation Grant Fund; authorizing the Mayor to accept bids and award contracts for the same; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:
 The Ohio Emergency Management Agency has awarded the Toledo Fire and Rescue Department a FY2022 State Homeland Security Program Grant of Two-Hundred Five Thousand, Eight-Hundred and Six dollars (\$205,806.00). The State Homeland Security Program (SHSP) is a core assistance initiative that provides funds to facilitate emergency response capabilities at the State, local, tribal, and territorial levels, purposed to enhance national resiliency and recovery against disruptions from incidents both natural and manmade.

The award supports equipment purchases relating to the Targeted Sustainment of Specialty Teams in the City of Toledo and State of Ohio.

DEPARTMENT OF PUBLIC UTILITIES:

- 16. [TMP-8791](#) **Authorizing the expenditure in an amount not to exceed \$300,000 from the Water Operating Fund for concrete restoration within the City; authorizing the mayor to accept bids and enter into contracts; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:
 The City of Toledo Division of Water Distribution has reached an agreement with Local 7 to allow subcontracting on concrete restoration work. This effort is limited to the designated area and serves only to assist with the backlog of work. It will not set a precedent for future restoration work. This ordinance authorizes the expenditure of funds to repair utility cut damaged due to water main break repairs and improvements within the City. This is necessary to maintain safe, reliable service.

17. [TMP-8793](#)

Authorizing the Mayor to enter into a Real Estate Purchase, Sale and Development Agreement with the Board of Education for the Washington Local School District (“Washington Local”); authorizing the acceptance of a portion of the property located at 1936 Northover Road, in fee, from Washington Local, for the future construction of two elevated water storage tanks and other required improvements; authorizing the acceptance of a temporary construction easement over the remainder of the property located at 1936 Northover, from Washington Local; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

On October 7, 2020, Toledo City Council passed Ordinance Number 400-20 authorizing the transfer of the then City-owned property located at 1936 Northover Road (TD 22-03411) to the Board of Education of Washington Local School District (Washington Local) in support of its initiative to “establish outdoor learning areas, enhance environmental education, create walking paths and nature trails, and build a storm water retention pond.” That conveyance was completed on or about November 25, 2020.

As part its approved general plan for finished water storage, the Division of Water Treatment needs to build 2 two-million-gallon elevated water storage tanks near the area of Jackman and Northover Roads. Numerous options were explored and it was determined that the property at 1936 Northover provided the acreage required and was the most practical and cost-efficient site available.

Washington Local has agreed to deed approximately 3.6277 acres of the property located at and known as at 1936 Northover back to the City for the construction of the necessary elevated water storage tanks, for the total sum of \$1. It has also agreed to grant a temporary construction easement for necessary equipment and material staging and other construction-related activities. Since the majority of the property is a delineated wetlands area, and in support of Washington Local’s outdoor learning objectives, City

of Toledo has agreed to construct a boardwalk on the parcel as part of the property and wetlands restoration upon completion of the water storage tank project.

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

18. [TMP-8762](#) **Authorizing the expenditure of an amount not to exceed \$10,000 annually, subject to future appropriations from the Water Operating Fund for additional fleet vehicle telematics and monitoring services pursuant to an existing master services agreement with Samsara Inc.; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:
Water Treatment will be utilizing the contract with Samsara, Inc., which has been selected by the City of Toledo as the fleet management provider of software and monitoring systems as authorized by Ordinance 107-22. This legislation authorizes the expenditure of funds for the first year's costs for software & services for the division of Water Treatment up to the budgeted amounts for the duration of the agreement with Samsara, Inc., which is for the next five years with the option to renew for another five-year period.

19. [TMP-8761](#) **Authorizing the mayor to enter into a contract with Lucas County Engineering for the Lake Erie Starts Here media campaign; authorizing the expenditure of an amount not to exceed \$15,984 annually, subject to future appropriations; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:
This ordinance authorizes a contract for the Lake Erie Starts Here media campaign as managed by Lucas County Engineering. This is a regional campaign and our participation in the campaign allows for the collection of metrics needed for reporting activities tied to our NPDES permit to Ohio EPA.

DEPARTMENT OF TRANSPORTATION:

20. [TMP-8798](#) **Authorizing the Mayor to enter into a water**

distribution system condition assessment agreement for a term of 3-years; authorizing an expenditure not to exceed \$100,000 annually; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Since 1999, the city has been performing a yearly watermain replacement program. The current evaluation process is a manual process performed on a case-by-case basis. Evaluation criteria includes main breaks, pipe age, pipe size, pipe material, location, main criticality, and flow/pressure improvement potential.

The city is seeking a program to evaluate the entire water distribution system using this data along with additional data (topology, geography, seismic, proximity to railroads/highways/bodies of water) to determine the likelihood of failure along with the consequence of the failure and cost to prioritize main replacements before breaks occur.

DEPARTMENT OF PUBLIC UTILITIES:

21. [TMP-8800](#)

Authorizing the Mayor to enter into agreements to purchase wholesale electricity in real time and in various megawatt or megawatt-hour blocks; authorizing the Mayor to enter into agreements to sell, balance, deliver and manage electricity for customers of Toledo Public Power; authorizing the Mayor to purchase equipment, infrastructure and real estate interests to facilitate the operation of Toledo Public Power; authorizing only Toledo Public Power to aggregate and bid demand response of retail customers in accordance with FERC Order 719; authorizing the Mayor to execute the necessary agreements and contract amendments on behalf of Toledo Public Power to facilitate demand response and other electricity opportunities including but not limited to renewable energy plans; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Toledo Public Power has been in existence since 2007 and serving retail electricity to its sole customer, OmniSource LLC, since 2009. The current power contract between the parties was

executed in 2019 and runs for ten years. One of the original authorizing ordinances, 319-09, provided an adequate framework for the first decade of operating Toledo Public Power but OmniSource has expressed an interest in acquiring additional, varied electricity products. In particular, OmniSource would like to explore demand response and other programs to assist in stabilizing or reducing its monthly power costs. Despite over a decade of predictable monthly invoices, record high prices in 2022 and the current volatility in the electricity markets has caused unpredictable spikes in power costs.

The regional transmission organization that services Toledo Public Power has various programs that make payments to customers if they modify their operating status on short notice. These programs, called demand response, reduce the operating costs and increase the efficiency of the electric transmission grid. This type of program is regulated by the Federal Energy Regulatory Commission (“FERC”) via Order No. 719, 125 FERC ¶ 61,071, 73 Fed. Reg. 64,099; 18 C.F.R. § 35.28(g)(1)(iii) and g(1)(i)(A) (“Order 719”). In order to protect Toledo Public Power, its customer(s) and the integrity of Toledo’s electric utility, only Toledo Public Power is hereby authorized to aggregate and bid into demand response programs.

Toledo Public Power is further authorized to continue executing the necessary agreements and contract amendments to purchase equipment, infrastructure and real estate interests to further serve Toledo Public Power, as well as facilitate other electricity programs, including but not limited to renewable energy opportunities.

22. Withdrawn

THE CLERK REPORTS:

[TMP-8815](#)

Declaring the intent to vacate a portion of Wayman Palmer Court within the Plat of Shaws Addition, all within the City of Toledo, Lucas County Ohio; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Petitioner has filed a request to vacate a portion of Wayman Palmer Court, all within the Plat of Shaws Addition, all within the City of Toledo, Lucas County Ohio.

[TMP-8816](#)

Declaring the intent to vacate the full 15.0 feet wide alley between North 12th Street, on the west and Canton Street on the east adjoining Lots 203 through 209 also Lot 211 on the north and Lots 227 thru 233 also Lot 25, on the South, within the Plat of Woodruffs Addition, all within the City of Toledo, Lucas County Ohio; and declaring an emergency.

Body:

SUMMARY & BACKGROUND:

Petitioner has filed a request to vacate the full 15.0 feet wide alley between North 12th Street, on the west and Canton Street on the east adjoining Lots 203 through 209 also Lot 211 on the north and Lots 227 thru 233 also Lot 25, on the South, all within the Plat of Woodruffs Addition, all within the City of Toledo, Lucas County Ohio.

[TMP-8817](#)

Declaring the intent to vacate the full 15-foot-wide alley adjacent to Lots 1 thru 13, within the Plat of Radcliffs Bancroft Street Addition, all within the City of Toledo, Lucas County Ohio; and declaring an emergency.

Body:

SUMMARY & BACKGROUND:

Petitioner has filed a request to vacate the full 15-foot-wide alley adjacent to Lots 1 thru 13, within the Plat of Radcliffs Bancroft Street Addition, all within the City of Toledo, Lucas County Ohio.

[TMP-8818](#)

Declaring the intent to vacate a portion of Utica Street, adjacent to Lot 3, within the Bell and Corbusier Partition Plat, all within the City of Toledo, Lucas County Ohio; and declaring an emergency.

Body:

SUMMARY & BACKGROUND:

Petitioner has filed a request to vacate a portion of Utica Street, adjacent to Lot 3, within the Bell and Corbusier Partition Plat, all within the City of Toledo, Lucas County Ohio all within the City of Toledo, Lucas County Ohio.

[TMP-8819](#)

Declaring the intent to vacate a Portion of Maxwell Road - Between Thoman Place and Troxell Place,

within the Plat of Woodmont Park all within the City of Toledo, Lucas County Ohio; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Petitioner has filed a request to vacate a Portion of Maxwell Road - Between Thoman Place and Troxell Place within the Plat of Woodmont Park all within the City of Toledo, Lucas County Ohio.

**ITEM LIKELY TO BE RELIEVED OF FINANCE, DEBT & BUDGET
OVERSIGHT COMMITTEE:**

[O-235-23](#)

Authorizing the Mayor to enter into a Grant Agreement with the National League of Cities Institute (NLCI) for purposes of accepting a City Inclusive Entrepreneurship Grant of \$15,000; authorizing the deposit, appropriation and expenditure of \$15,000, to conduct an outreach program promoting diverse and equitable public procurement; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The National League of Cities Institute (NLCI) City Inclusive Entrepreneurship (CIE) Program is providing a grant of \$15,000 to the City of Toledo to support the city's commitment to expanding contracting opportunities with the City of Toledo for small businesses. The Departments of Economic Development, Diversity, Equity and Inclusion and Finance participated in a Public Procurement cohort of NLCI member cities, which was guided by the Government Performance Lab of Harvard University. The City of Toledo has been selected to receive a \$15,000 grant to implement concepts developed through participation in the cohort. Planned uses of the funds include:

- Creation of a contracting opportunities page on the entrepreneurial resources website [tolramp.biz](#).
- Production of a video detailing how to bid for City of Toledo contracts, changes to City procurement policies and procedures, and how to certify with the City as a Minority Owned or Women Owned Business Enterprise. This video will be placed on the City's website and [tolramp.biz](#), as well as

shown at contractor educational events.

- Event to train members of the entrepreneurial supportive services community to aid their advisees in bidding on City contracts.
- Events to educate potential contractors about the process of bidding and opportunities available for small businesses.
- Printed materials educating potential contractors about the process of bidding and opportunities available for small businesses.

Legislative History

5/2/23

City Council

Referred To:

The Clerk of Council's Office 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 for arrangements.