



City of Toledo

One Government Center
Toledo, OH 43604

Agenda Review City Council

Tuesday, June 4, 2019

2:00 PM

Council Chambers

COUNCILMAN WANIEWSKI PRESENTS:

[TMP-4068](#)

Recognize Central Catholic High School, Division II State Championships, boys 1,600 relay and girls long jump.

Label: Councilman Waniewski

SECOND READING ITEM:

[O-262-19](#)

Establishing and implementing a program to provide an annual fire operational inspection permit for mobile food units and charging a permit fee; authorizing the acceptance and deposit of revenues in the General Fund; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

December 31, 2017 the State Fire Marshal's office enacted Ohio Fire Code Section 320 establishing operational provisions for Mobile Food Units. This extensive code applies to all mobile food units operated within this state. In addition to other applicable provisions of this code, all mobile food units being operated in this state shall comply with the provisions of this code for the type of cooking performed.

To assure compliance with the provisions of this code, The Toledo Fire and Rescue Department seeks to implement an annual fire operational inspection adhering to the provisions set by this state fire code, and issuing a permit for mobile food units operating within the boundaries of the City of Toledo as set forth in TMC 746.02 "General Operational Standards for Mobile Food Vendors."

The Toledo Fire and Rescue Department desires to assess a \$150

(One Hundred Fifty Dollar) fee for each annual inspection. This fee will help offset the cost of the annual inspection and the state mandated sight inspection each time a mobile food unit is set up to operate.

Attachments: [O-141-19 Establish TMC Chapter 746](#)
[Audio: Regional Growth, Development Small Business Enterpris](#)

Legislative History

5/28/19 City Council First Reading

COUNCILMAN RILEY PRESENTS:

[TMP-4063](#)

Authorizing the expenditure not to exceed \$50,000 from the Capital Improvement Fund District Improvement Program for the construction of an entry arch and sidewalks at Ottawa Park Amphitheater, city-owned property located in Ottawa Park; authorizing the Mayor to execute the necessary contract(s); and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The Friends of Ottawa-Jermain Park submitted a District Improvement Program application for improvement of Ottawa Park Amphitheater, city-owned property located in Ottawa Park in District 1. It is recommended that a portion of the project eligible for CIP funding be approved for District Improvement Program funding. The approved project will include an entry arch and sidewalks to be constructed for access to the amphitheater.

Label: Councilman Riley

Attachments: [Application](#)

TOLEDO MUNICIPAL COURT:

[TMP-4064](#)

Repealing Toledo Municipal Code Section 2134.28 “Part-Time Employee Benefits”, enacting a new Section 2134.28 “Part-Time Employee Benefits” to eliminate the offer of pro rata health benefits for part-time employees at the Toledo Municipal Court; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The Toledo Municipal Court is seeking to eliminate the offer of pro rata health benefits for part-time employees in order to ensure part-time employment is attractive and feasible for seasoned public employees.

Label: Emergency:
Update to Part-Time Employee Benefits
C. Lisa Falgiano (x1949)

Attachments: [Summary of recommended changes](#)[TMP-4065](#)

Authorizing the Mayor to accept and deposit an Incentive Award in the amount of \$95,401 from the State of Ohio, Department of Rehabilitation and Correction in connection with Fiscal Year 2019 Justice Reinvestment and Incentive Grant (JRIG). Subsidy agreement previously issued to the City and the Toledo Municipal Court Probation Department. The Department of Rehabilitation and Correction has reviewed the performance goals and determined that the grantee (City of Toledo and the Toledo Municipal Court Probation Department) will be awarded an incentive award in the amount of \$95,401. The Incentive award will be used to fund any community corrections program/services as defined by ORC 5149.30 (A) before June 30, 2021; authorizing the appropriation and expenditure of said amount from the Probation Performance Grant Funds; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The Toledo Municipal Court was awarded the J.R.I.G from the State of Ohio Department of Rehabilitation and Correction effective December 1, 2017 - June 30, 2019. The J.R.I.G included an incentive award provision that allowed the grantee to receive additional funds for successfully meeting specific performance goals related to offender treatment, jail population reduction/diversion, staff training and reduced recidivism. A recent assessment of the Toledo Municipal Court Probation Department's goal performance by the Department of Rehabilitation and Correction resulted in the issuance of the current

Incentive award for meeting all incentive goals. The Incentive Award expenditures shall be separate from any expenditure in the J.R.I.G total.

Label: Grant Addendum - Justice Reinvestment and Incentive Grant (JRIG)
FY19
Toledo Municipal Court
Lisa Falgiano (x1949)

OFFICE OF THE MAYOR:

1. [TMP-4031](#) **Authorizing the Mayor to establish the Downtown Toledo Parking Revenue Fund; and further authorizing the Mayor to request permission from the Auditor of the State of Ohio to establish the new funds; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:
The City of Toledo has determined that it would be appropriate to establish a new fund to facilitate the efficient operation of the accounting records of the City of Toledo. This new fund needs to be established to separately account for the revenue and expenditures generated from proposed policy changes to parking.

Label: New Fund for Parking

2. [TMP-4066](#) **Repealing Toledo Municipal Code Sections 743.01, 743.02, 743.03, 743.04, 743.07, 743.08, 743.09, 743.11, 743.13, 743.18, 1361.04; enacting New Toledo Municipal Code Sections 743.01, 743.02, 743.03, 743.04, 743.07, 743.08, 743.09, 743.11, 743.13, 743.18, 1361.04; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:
The City of Toledo seeks to comprehensively address issues related to parking lots in the downtown. Currently, the abundance of intrusions by parked vehicles into city right of way, including sidewalks and alleys, along with unmarked entrances and exits, are a danger to the health, general welfare and safety of the public and considered a nuisance by City Council. This Ordinance creates uniform parking lot regulation and standards in the Downtown Overlay District to improve

appearance and security in the heart of the City. This Ordinance also modernizes the General Parking Lot Code as set forth in Chapter 743; and amends the license fee schedule for surface parking lots in Toledo. License proceeds would be placed in a revenue accruing account and dedicated to enforcement of the parking code and improvements to downtown infrastructure.

In order to reduce hardship upon parking operators, the Code would be amended to allow the City to improve encroachments on the City rights of ways in situations which will be approved by the City and a newly formed downtown parking committee dedicated to surface lots. The companion Code provision for creation of the parking committee and design standard will be heard by the Plan Commission June 13th, 2019.

Label: Office of the Mayor

3. [TMP-4067](#)

Repealing Toledo Municipal Code Sections 1103.0202, 1103.0205, 1103.0207; enacting New Toledo Municipal Code Sections 1103.0202, 1103.0205, 1103.0207, 1103.0208, 1103.0209, 1103.0210, 1103.0211; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The City of Toledo seeks to comprehensively address issues related to parking lots in the downtown. Currently, the abundance of intrusions by parked vehicles into city right of way, including sidewalks and alleys, along with unmarked entrances and exits, are a danger to the health, general welfare and safety of the public and considered a nuisance by City Council. This Ordinance creates uniform parking lot design standards in the Downtown Overlay District to improve appearance and security in the heart of the City; and adds provisions to create a Downtown Parking Lot Review and Improvement Advisory Committee (DPLRIAC) with the authority to address requests for variances and advise the City on necessary and recommended improvements to the downtown public infrastructure.

Because this Ordinance seeks, in part, to amend provisions of the Planning and Zoning Code the processes of TMC 1111.0500 are

being followed.

Label: Office of the Mayor

DEPARTMENT OF PUBLIC UTILITIES:

4. [TMP-4051](#) **Providing for the rehabilitation of sidewalks and driveway approaches on various streets in the City of Toledo; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

The following resolution is procedurally required to allow for the repair or construction of new sidewalks in conjunction with our annual sidewalk rehabilitation program. By attending to the rehabilitation of sidewalks, we will be limiting the City's liability and maintaining this important asset for the benefit of our citizens. Ordinance 97-19 passed on 3/19/19 which allocated \$1,250,000 from the City's Capital Improvement Program (CIP) budget for City responsibility for sidewalk maintenance which includes sidewalks damaged or raised by City tree roots and the installation of pedestrian curb ramps. The proposed assessed sidewalk budget allocates \$310,000 for sidewalk rehabilitation to be assessed to the property owners. It is necessary to perform both City responsibility and property owner assessed sidewalks together in this program since the rehabilitation is completed in conjunction with one another. The following resolution will begin the assessment process and provide notice to those property owners needing to rehabilitate their sidewalk in accordance with the City's sidewalk policy. The locations targeted for this year's program are as follows.

Label: DPU06119SIDEWALKRESOLUTION
Division of Engineering Services
Karl Huss (x2847)

5. [TMP-4052](#) **Authorizing the appropriation and expenditure of \$310,000 from the Special Assessment Improvement Fund for the 2019 Sidewalk Program; authorizing the mayor to prepare plans and specifications, acquire required rights-of-way as appropriate, and enter into contracts for this project within the Division of**

Engineering Services; and declaring an emergency.**Body:** SUMMARY & BACKGROUND:

Per Ordinance 97-19, the Division of Engineering Services received \$1,250,000 from the Capital Improvement Program Fund for the 2019 Sidewalk Program. Further, Resolution xxx-19 was enacted to begin the assessment process and provide notice to property owners in accordance with the city's sidewalk policy.

All of the funds included in this ordinance are for work that is scheduled to begin in 2019. Authorization for appropriation and expenditure of these critical funds now will allow for timely bidding and construction to ensure all projects are completed this year in a balanced, efficient fashion.

Label: DPU061119SIDEWALKPROGRAM

Division of Engineering Services
Karl Huss (ext. 2847)

6. [TMP-4050](#)

Authorizing the acceptance, deposit, appropriation and expenditure of an amount not to exceed \$15,000 from Lucas County into the Capital Improvement Program Fund for the restriping of Bancroft Street within the Lucas County limits; authorizing the mayor to prepare plans and specifications and to enter into a joint cooperation agreement with Lucas County for the Bancroft Street Resurfacing project upon such terms and conditions as approved by the Director of Public Utilities and the Director of Law; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The Division of Engineering Services has a resurfacing project on Bancroft Street from Interstate 475 to Holland-Sylvania Road in 2019. The resurfacing will add striped bike lanes throughout the project that will continue into Lucas County rights-of-way. The county supports the bike lanes and has agreed to pay for striping within their jurisdiction. Funding for the project has been secured through Ordinances 66-19, 67-19, and 71-19 with TMACOG, Ohio Public Works Commission, and 2019 Matches and Planning CIP dollars. Lucas County has

committed to reimburse the City of Toledo up to \$15,000 for striping within their limits.

Label: DPU061119LucasCountyBancroftStreetAccepting
Division of Engineering Services
Timothy Grosjean (x1344)

DEPARTMENT OF PUBLIC SERVICE:

7. [TMP-4016](#) **Authorizing the appropriation and expenditure of \$34,712 from the unappropriated balance of the Street Construction Maintenance and Repair Fund (SCMR); authorizing the Mayor to modify the current contract with Gerken Materials to provide for hauling services; authorizing the Finance Director to pay Gerken Materials \$34,712 for asphalt hauling to the Anthony Wayne Trail; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:
The City of Toledo in cooperation with the Ohio Department of Transportation began its paving season early this year with the mill and fill of a portion of the Anthony Wayne Trail. Gerken Materials opened its asphalt plant early for this purpose and provided insulated bodies to haul hot mix asphalt to the site. Because Gerken Materials was the only asphalt plant in the area that was open, it was also only their hauling services that were available. Gerken Materials provided asphalt hauling services from March 18, 2019 through April 13, 2019. Our current contract is for asphalt material purchase. This legislation will provide for payment on the hauling service.

Label: DPS 2019 SBH Gerken \$34,712
Streets, Bridges & Harbor
Jeremy Mikolajczyk (x1537)
Paul Rasmusson (x7868)

Attachments: [Bullet Points](#)

8. [TMP-4045](#) **Authorizing the Mayor to renew the city's agreement with ReCommunity through 2021 in order to continue facilitation of the processing of single-stream recycling materials; authorizing the Agreement to have deferred**

payment terms indexed to the prevailing annual market rate of recyclables; authorizing appropriation and expenditures; waiving the competitive bidding provisions of TMC 187; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The City of Toledo, Department of Public Service, Division of Solid Waste, has had recycling services since 1986. Recycling efforts have been beneficial in extending the useful life of the Hoffman Road Landfill. The Division of Solid Waste has utilized ReCommunity (as successor to FCR Recycling) from December 2008 until present to process the recyclable materials. The existing agreement with the City and ReCommunity will end in July 2019.

Renewing the contract to January 1, 2022 will allow the city to continue to process single-stream recyclables and allow the city to comply with the Solid Waste Management Plan, as approved by Council. In addition, the Lucas County Solid Waste Management District (LCSWMD) plans to develop a Materials Recovery Facility (MRF) for processing of single-stream recyclables by 2022. Renewing this contract through 2021 will put the expiration of this contract on the same schedule as the planned development of the LCSWMD MRF, which would be a more conducive time period to allow the city an opportunity to renegotiate contract terms, or seek other bids to identify potential alternatives for recycling processing.

Label: DPS ReCommunity Recycling Processing
Solid Waste
Ryan Murphy (x2640)/Paul M. Rasmusson (x7868)
Revised

Attachments: [Bullet Points](#)

9. [TMP-4047](#) **Authorizing the expenditure of an amount not to exceed \$100,000 from the Capital Improvement Fund for upgrades to the fuel system; authorizing the mayor to enter into the necessary contracts for said project; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

The current software installed in the city's fuel system is no longer upgradable and must be replaced. Fleet Operations will advertise and contract the upgrade to the software and hardware to the City of Toledo's fuel system city-wide. This project was included in the approved 2018 Capital Improvement budget.

Label: DPS Fuel System Upgrade - \$100,000
Division of Fleet and Facilities
Rick M. Akeman (x2550), Paul M. Rasmusson (x7868)
(Revised)

Attachments: [Bullet Points](#)

10. [TMP-4048](#) **Authorizing the expenditure of \$49,502 from the Capital Improvement Fund for facility improvements; authorizing the mayor to accept bids and award contracts for labor, materials and professional services necessary to complete said project(s); and declaring an emergency.**

Body: SUMMARY & BACKGROUND:
This Ordinance authorizes expending an amount not to exceed \$49,502 from Facility and Fleet Operations' approved 2018 Capital Improvement Fund budget for facility improvements.

Label: DPS Facility Building Improvements - \$49,502
Division of Fleet and Facilities
Rick M. Akeman (x2550), Paul M. Rasmusson (x7868)
(Revised)

Attachments: [Bullet Points](#)

DEPARTMENT OF NEIGHBORHOOD & BUSINESS DEVELOPMENT::

11. [TMP-4040](#) **Approving the Northwest Ohio Advanced Energy Improvement District Residential Program Plan; authorizing and approving the execution, delivery, and performance of a City Residential PACE Cooperative Agreement with respect to property assessed clean energy transactions in cooperation with the Northwest Ohio Advanced Energy Improvement District and the Toledo-Lucas County Port Authority; authorizing the Toledo-Lucas County Port Authority to approve**

petitions and plans for public improvements or public services submitted by the owners of real property within the City requesting that their property be added to the territory of the Northwest Ohio Advanced Energy Improvement District and assessed for the costs of such plans on behalf of the Council of the City.

Body: SUMMARY & BACKGROUND:

As set forth in Ohio Revised Code Chapter 1710, the Ohio General Assembly has authorized property owners to include their properties within energy special improvement districts (ESIDs) upon a petition to a municipal corporation or township. ESIDs are voluntary organizations of municipal corporations, townships, and property owners who undertake special energy improvement projects that benefit real property and finance those special energy improvement projects through voluntary special assessments.

The Toledo, Oregon, Maumee, Northwood, Perrysburg, Sylvania, Whitehouse, Township of Monclova, Township of Springfield, Township of Swanton, Township of Sylvania, Ohio Advanced Energy Improvement Corporation, doing business under the registered trade name Northwest Ohio Advanced Energy Improvement District (the District) was created under Ohio Revised Code Chapters 1702 and 1710 as an ESID and established pursuant to Resolution No. 207-11 of the Council of the City approved on May 18, 2011.

The City has determined to develop the *Northwest Ohio Advanced Energy Improvement District Residential Program Plan* as a proposed plan for public improvements and public services under Ohio Revised Code Chapter 1710, substantially in the form attached to and incorporated into this Ordinance as **Exhibit A** (the Residential PACE Plan), and any petitions by the owners of residential real property located within the boundaries of the City for special assessments to finance the costs of special energy improvement projects on their properties shall be considered, and, if approved, implemented, under and subject to the terms and conditions of the Residential PACE Plan.

The Residential PACE Plan sets forth the terms and conditions under

which the City and the District will facilitate the financing of special energy improvement projects on residential real property located within the City and the District.

In order to provide for the efficient implementation of the Residential PACE Plan, the District and the Toledo-Lucas County Port Authority, a port authority and political subdivision of the State of Ohio (the Program Port Authority), have entered into an Ohio Residential PACE Cooperative Agreement to establish acceptable program parameters and consumer protections for residential PACE financing programs in Ohio.

In order to provide for the efficient implementation of the Residential PACE Plan, the City has determined to enter into a City Residential PACE Cooperative Agreement as a cooperative agreement with the Program Port Authority (the Cooperative Agreement). Under the Cooperative Agreement the City and the Program Port Authority will cooperatively agree to cause the Program Port Authority to exercise certain powers, perform certain functions, and render certain services on behalf of the City, all as authorized under this Ordinance, the Cooperative Agreement, and Ohio Revised Code Sections 4582.17(B) and 9.482.

Label: Residential PACE Program
Department of Neighborhoods and Business Development
Amy Odum (x3647)
(Revised)

Attachments: [Toledo Residential PACE Plan](#)

12. [TMP-4044](#) **Repealing in its entirety Ord. 154-19; authorizing the mayor to accept, deposit, appropriate and expend the Community Development Block Grant (CDBG) from the U.S. Department of Housing and Urban Development (HUD) in an amount of \$7,423,463; authorizing the expenditure of CDBG carryover funds from all years prior to program year 2019 (45th) in the amount of \$1,035,000; and authorizing submission to the U.S. Department of Housing and Urban**

**Development of the One-Year Action Plan; and
declaring an emergency.**

Body: SUMMARY & BACKGROUND:
Ordinance 154-19 passed by Council and signed by the Mayor was an estimate of what was anticipated to be received from the Department of Housing and Urban Development (HUD) for the Community Development Block Grant (CDBG). The City of Toledo was informed by HUD it will receive \$7,423,463 for Fiscal Year 2019.

The financial impact of this Ordinance is the receipt of \$7,423,463; \$711,899 more than what was anticipated from HUD to the City of Toledo for the administration of the CDBG Program. No new programs or activities are added to those approved by City Council and the Mayor under Ordinance 154-19.

Label: 45th (2019) Program Year CDBG
Department of Neighborhood and Business Development
Bonita Bonds (x1401)
(Revised)

Attachments: [Schedule A & B](#)

13. [TMP-4043](#)

Repealing in its entirety Ord. 155-19; authorizing the Mayor to accept, deposit, appropriate and expend the Emergency Solutions Grant (ESG) from the U.S. Department of Housing and Urban Development (HUD) in an amount of \$632,768 to fund Emergency Solutions Grant Program activities; and declaring an emergency

Body: SUMMARY & BACKGROUND:
Ordinance 155-19 passed by Council and signed by the Mayor was an estimate of what was anticipated to be received from the Department of Housing and Urban Development (HUD) for the Emergency Solutions Grant (ESG). The City of Toledo was informed by HUD it will receive \$632,768 for Fiscal Year 2019. This Ordinance makes the necessary amendments to Ordinance 155-19 by amending the relevant Sections in said legislation.

The financial impact of this Ordinance is the receipt of \$632,768; \$26,378 more than what was anticipated from HUD to the City of Toledo for the administration of the ESG program to end homelessness in the Toledo community. No new programs or activities are added to those approved by City Council and the Mayor under Ordinance 155-19.

Label: 33rd (2019) Program Year ESG
Department of Neighborhood and Business Development
Bonita Bonds (x1401)
(Revised)

Attachments: [Schedule A](#)

DEPARTMENT OF POLICE OPERATIONS:

14. [TMP-4002](#) **Authorizing the mayor to enter into a contract for the purchase of mobile data terminals for police vehicles; authorizing the expenditure of \$293,988.83 from the Law Enforcement Trust Fund and \$98,369.26 from the Capital Improvement Fund; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:
The purpose of this legislation is to allow the Toledo Police Department to purchase mobile data terminals (MDT) for police vehicles. This ordinance authorizes expending \$98,369.26 from the approved 2018 Capital Improvement Plan (CIP) budget as well as \$293,988.83 from the Law Enforcement Trust Fund. This purchase is being made pursuant to Ohio state-term contract #STS534363. The MDT's are for 15 new vehicles and to replace 53 additional MDT's which are obsolete and will no longer be functional as of January 1, 2020.

Label: Mobile Data Terminals Police Vehicles
Toledo Police Department
Lt. James Brown (x3203)
(Revised)

DEPARTMENT OF PUBLIC UTILITIES:15. [TMP-4011](#)

Amending Ordinance 339-18, which authorized the mayor to execute a contract with Johnson Controls, Inc. Automatic Meter Reading / Advanced Metering Infrastructure (AMR/AMI) and Leak Detection Project Development; authorizing the Mayor to execute an amendment and addendum to the contract upon completion of the audit and technical analysis phases of the project to address implementation of system improvements, subject to the limitation that total project costs shall not exceed the savings and additional revenue generated by project improvements over the average life of such improvements; authorizing the expenditure of funds; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Ord. 339.18 authorized a contact with Johnson Controls, Inc. for an Automated Meter Reading (AMR)/Advanced Metering Infrastructure (AMI) and Leak Detection System for the Division of Water Distribution as the lowest and best bidder. Ord. 339.18 and authorized \$700,000 for the project for the initial audit phase of the project. However, the Ordinance it did not authorize necessary amendments to the contract for the implementation phase of the project as provided for in the bid specifications. This Ordinance seeks to correct deficiencies in the original ordinance to allow the project to move forward as originally bid.

The project will be implemented through a performance contract to modify the city's existing domestic water meter system to include the replacements of selected water meters, the implementation of Automated Meter Reading (AMR)/Advanced Metering Infrastructure (AMI), leak detection, and the interface to the existing Department of Public Utilities billing system. The project will improve the system's infrastructure, reduce operating costs, and provide real-time utility consumption and cost data.

The project scope includes: performance of an American Water

Works Association (AWWA) water system audit and evaluation, including leak detection analysis and meter data acquisition system (collectively “the system”) to determine the efficiency of the system and to identify improvements and operational efficiency measures; conducting a technical feasibility analysis; lifecycle cost analysis of systems and technologies; identification of system improvements that will generate a return on investment for the system; financial analysis to determine estimated savings and new revenue generation to fund improvements, technical design of system improvements; and project management of implementation of improvements to the system’s infrastructure. The final phase of the project includes performance management, where JCI will monitor and verify that the anticipated benefits from the project are realized by the City.

Ohio Revised Code section 717.02 authorizes municipalities to enter into installment payment performance contracts for installation of automatic meter reading system or other construction or modifications of water utility systems. The awarding of a contract under this provision is conditioned upon a finding that the amount of money spent on improvements is not likely to exceed the amount of money the municipal corporation would save in operating, and maintenance costs over the average life of the improvements.

Once the analysis necessary to determine both recommended system improvements, including cost and savings and additional revenue estimates, the city will determine which improvements it will move forward with based on estimated returns on investment. The amendment detailing the implementation phase of the improvements will then be finalized.

The total cost of the project will not exceed the cost savings and additional revenue realized by the City over the average life of the improvements. The performance based contract with JCI will include a guarantee from JCI that the project will be fully paid for over time from utility and operational savings.

This performance contract is as a guide for future implementation of the

projects and water service expansions and execution of the performance contract requires additional authorizations left out of the original Ord. 339-18.

Label: DPU AMR/ Amend Ord. 339-18
Water Distribution
Abed Semaan (x1702)

Attachments: [Ord. 339-18](#)

16. [TMP-4049](#) **Authorizing the expenditure of \$27,023 from the Sanitary Sewer Operating Fund to Taylor Excavating for the emergency repair of multiple collapsed laterals located at 4136 Burnham; authorizing the mayor to enter into necessary agreements and waiving the competitive bidding requirement of the TMC 187; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:
A sewer main (Sewer No. CO007) collapse in the sidewalk near 4136 Burnham Ave. occurred in early April 2019. Due to other repairs and all crews being assigned elsewhere, when the inspection section found multiple sanitary sewer laterals had collapsed in the center of Burnham that needed immediate repair, and to assure the safety of the citizens, the Department of Public Utilities (DPU) required the expertise and equipment available through a private contractor to complete repairs in April 2019. TMC Section 187 requires City Council to be informed of the emergency and for authorization to pay the repair and waiving the competitive bidding. Sufficient funds are available within the DPU operating budget to pay for this emergency sanitary sewer repair.

Label: DPU061119BURNHAM
Sewer & Drainage Services
David Pratt (x2172)

DEPARTMENT OF PUBLIC SERVICE:

17. [TMP-4055](#) **Authorizing the expenditure of \$491,250 for numerous capital Park improvement projects as outlined below; authorizing the Mayor to accept bids and award**

contracts necessary to compete said projects; and declaring an emergency.

Body: SUMMARY & BACKGROUND:
This Ordinance authorizes expending \$491,250 from Parks, Recreation and Forestry approved 2019 Capital Improvement Plan (CIP) budget to install new features, replace worn equipment, and rebuild athletic fields.

Label: DPS 2019 CIP Parks and Recreation Projects \$491,250
PARKS, RECREATION AND FORESTRY
Karen Ranney Wolkins (x2326)
Paul M. Rasmusson (x7868)

Attachments: [Bullet Points](#)

DEPARTMENT OF LAW:

18. [TMP-4059](#) **Authorizing the Mayor to enter into an amended joint economic development district agreement with the Board of Trustees of Troy Township, Wood County, Ohio, for the purpose of extending the agreement's term 10 years to expire December 31, 2039; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:
Pursuant to the authority of Ordinance 565-09 passed on October 13, 2009, the City entered into a joint economic development district agreement with Troy Township, Wood County, Ohio, to create a Joint Economic Development District located on property immediately south of the intersection of Interstate 280 and State Route 23 in Wood County, Ohio. The purpose is to facilitate economic growth and recently prompted the enlargement of the district per ordinance 417-18. Amending the agreement to extend the term by 10 years comes at the recommendation of the Joint Economic Development District Board and is necessary to assist the Board in best utilizing its district's maintenance fund.

Label: Troy-Toledo JEDD Amendment
Law
Paul Syring (x1025)

**ITEMS LIKELY TO BE RELIEVED OF REGIONAL GROWTH, DEVELOPMENT
& SMALL BUSINESS ENTERPRISE COMMITTEE:**[O-144-19](#)

Repealing Toledo Municipal Code Sections 743.01, 743.02, 743.03, 743.04, 743.07, 743.08, 743.09, 743.11, 743.13, 743.18, 1103.0202, 1103.0205, 1103.0207, 1361.04; enacting New Toledo Municipal Code Sections 743.01, 743.02, 743.03, 743.04, 743.07, 743.08, 743.09, 743.11, 743.13, 743.18, 1103.0202, 1103.0205, 1103.0207, 1103.0208, 1103.0209, 1103.0210, 1103.0211, 1361.04; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The City of Toledo seeks to comprehensively address issues related to parking lots in the downtown. This Ordinance creates uniform parking lot standards in the Downtown Overlay District to improve appearance and security in the heart of the City. This Ordinance also modernizes the General Parking Lot Code as set forth in Chapter 743; adds provisions to create a Downtown Parking Lot Review and Improvement Advisory Committee (DPLRIAC) with the authority to address requests for variances and advise the City on necessary and recommended improvements to the downtown public infrastructure.

This Ordinance also amends the license fee schedule for surface parking lots in Toledo. License proceeds would be placed in a revenue accruing account and dedicated to enforcement of the parking code and improvements to downtown infrastructure.

In order to reduce hardship upon parking operators, the Code would be amended to allow the City to improve encroachments on the City rights of ways in situations approved by the City and the DPLRIAC.

Because this Ordinance seeks, in part, to amend provisions of the Planning and Zoning Code the processes of TMC 1111.0500 should be followed.

Attachments: [Audio: Agenda Review 3/26/2019](#)
[Audio: City Council 4/2/2019](#)

Legislative History

4/2/19 City Council refer to the Regional
Growth, Development,
& Small Business
Enterprise Committee

[O-145-19](#)

Approving and Adopting the Toledo Lucas County Port Authority's Amended Operating Plan and Budget relating to On Street Parking Hours, Rates and Fees; authorizing and directing the Commissioner of Transportation to make amendments to the Rules of the Commissioner to effectuate the Amended Operating Plan and Budget; authorizing the mayor to execute necessary amendments to the area of the On-Street Parking Service Area; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

In 2011 the City of Toledo and the Toledo Lucas County Port Authority ("Port Authority") entered into a Parking Facilities, Franchise and Enforcement Services Agreement (the "Agreement")(attached hereto as Exhibit A) that, among other things provided the Port Authority with the franchise for paid, on street parking in a Service Area in downtown Toledo. Under the terms of the Agreement, parking hours, rates and fees could generally only be changed with Council approval. In the event changes were necessary, the agreement provided for submission of a request by the Port Authority to Council accompanied by an operating plan and budget. Moreover, the Agreement sets forth the franchise Service Area and provides for amendment of that Service Area as may be required.

Attachments:

[Exhibit B](#)

[Service Area Proposed](#)

[Audio: Agenda Review 3/26/2019](#)

[Audio: City Council 4/2/2019](#)

[Exhibit B \(Revised\)](#)

[Parking Government Area](#)

[Port Authority letter](#)

[KWIK letter](#)

Legislative History

4/2/19

City Council

refer to the Regional
Growth, Development,
& Small Business
Enterprise Committee

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.