



City of Toledo

One Government Center
Toledo, OH 43604

Agenda Review City Council

Tuesday, September 15, 2020

2:00 PM

Council Chambers

Agenda Review, Tuesday, September 15, 2020, 2:00 PM

APPOINTMENT FROM THE OFFICE OF THE MAYOR:

[TMP-5426](#)

Appointment - Human Relations Commission

Attachments: [Human Relations Commission](#)

SECOND READING ITEMS:

[O-356-20](#)

Enacting a new Section 115.05 of the Toledo Municipal Code, "Mandatory Yearly Ethics Training and Pledge of Ethical Conduct"; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Toledo City Council recognizes that the people of the City of Toledo are entitled to a responsible, fair and honest city government that operates at the highest level of ethical and moral conduct. Council also recognizes that those elected to public office have been given a public trust and that trust requires leadership in creating and sustaining a culture of ethics in the City of Toledo. Council is committed to assuring that the minimum core ethical standards established herein are adhered to in day to day practices at Toledo City Council and throughout the City. Council also recognizes that policies are most effective when members are thoroughly familiar with them and embrace their provisions. Therefore, a review of this Pledge of Ethical Conduct will be included in orientation for new council members and staff and the Pledge will be reviewed and signed annually by Council Members.

Attachments: [Audio: Agenda Review 9/1/2020](#)
[Audio: City Council 9/8/2020](#)

Legislative History

9/8/20

City Council

First Reading

[O-357-20](#)

Enacting Toledo Municipal Code Section 135.04, Affirmatively Furthering Fair Housing and Analysis of Impediments to Fair Housing Choice; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The purpose of this Ordinance is to address the serious health, safety, and economic concerns related to fair housing, expand access to housing opportunities, and further the goals of the Fair Housing Act including residential desegregation and promotion of housing choice.

The U.S. Department of Housing and Urban Development (HUD) recently promulgated regulations that reduced and/or eliminated certain obligations of entitlement jurisdictions to report on and measure their progress toward affirmatively furthering the goals of the Fair Housing Act including analyzing impediments to fair housing choice and taking proactive steps to reduce segregation and improve access to housing opportunities for protected classes recognized under Fair Housing Act. These efforts are essential to build inclusive, vibrant neighborhoods where all residents have access to the resources they need to thrive.

The City of Toledo remains committed to affirmatively furthering fair housing as originally intended in and set forth as a goal within the Fair Housing Act. *See* 42 U.S.C. 3608. The City of Toledo wishes to commit itself to continue to measure progress toward achieving the goals of the Fair Housing Act as was previously required prior to HUD's recent regulatory changes. The City intends to not only comply with HUD's newly reduced regulatory requirements, but also affirmatively further fair housing through completing an Analysis of Impediments to Fair Housing Choice along with a fair housing action plan to address the impediments identified in the analysis.

Attachments: [Audio: Agenda Review 9/1/2020](#)
[Audio: City Council 9/8/2020](#)

Legislative History

9/8/20

City Council

First Reading

[R-358-20](#)

Opposing the I-475 East/West Widening Project between US-23 and Douglas Road; and declaring an emergency.

Attachments: [Audio: Agenda Review 9/1/2020](#)
[Audio: City Council 9/8/2020](#)

[O-359-20](#)

Extending a Special Use Permit granted by Ordinance No. 398-19 for a period of 6 months for a Residential Drug & Alcohol Treatment Center located at 3132 Secor Rd., in the City of Toledo, Lucas County, Ohio; subject to certain conditions; and declaring an emergency.

Body: SUMMARY & BACKGROUND:
On September 17, 2019, the Council of the City of Toledo passed Ordinance No. 398-19 granting a Special Use Permit (SUP-5003-19) for a Residential Drug & Alcohol Treatment Center located at 3132 Secor Rd.

Due to delays experienced by the applicant, Empowered for Excellence, the Special Use Permit granted by Ordinance No. 398-19 will expire September 17, 2020 pursuant to T.M.C. §1111.0707 because the use has not been established or maintained. Applicant has requested from City Council a 6-month extension of the Special Use Permit to March 17, 2021 in order to allow additional time so that the project may be completed. Such extension is permitted with Council's approval.

Attachments: [Request](#)
[Ord. 398-19](#)
[SUP-5003-19](#)
[Audio: City Council 9/8/2020](#)

Legislative History

9/8/20 City Council First Reading

[O-360-20](#)

Authorizing the expenditure of \$207,500 from the Risk Management Fund to settle the plaintiff's attorney fee claim in the litigation captioned *Drewes Farm Partnership v. City of Toledo*, Case No. 3:19-cv-00434-JZ, N.D. Ohio, Western Division;

authorizing an additional expenditure in an amount not to exceed \$35,000 from the Risk Management Fund to the law firm of Spengler Nathanson for the provision of professional assistance on behalf of the City of Toledo in the above-referenced litigation; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Voters participating in a special election held on February 26, 2019, passed a petition-driven amendment to the City of Toledo Charter titled Lake Erie Bill of Rights. On February 27, 2019, Drewes Farm Partnership filed a lawsuit against the City of Toledo in the U.S. District Court, Northern District of Ohio, Case No. 3:19-cv-00434-JZ, N.D. Ohio, Western Division. The lawsuit generally alleged that the Charter amendment was unconstitutional and violated Ohio and federal law. On February 27, 2020, the Court ruled that the citizen-initiated Charter amendment was unconstitutional and invalid in its entirety. In such federal cases, the Court can award reasonable attorney fees and costs to the prevailing party. Accordingly, Drewes Farms Partnership sought an award of legal fees and costs. The parties engaged in a mediation on August 19, 2020, and reached a proposed settlement on the attorney fee issue in the amount of \$207,500, contingent upon Council approval. The proposed settlement also includes the dismissal with prejudice of the motion for attorney fees and costs. Additionally, this ordinance seeks authorization of an additional \$35,000 to pay Spengler Nathanson for legal fees incurred by the City of Toledo as well as the fees and costs necessary to conclude the litigation and fee claim.

Attachments: [Audio: Agenda Review 9/1/2020](#)

[Audio: City Council 9/8/2020](#)

Legislative History

9/8/20 City Council First Reading

[O-361-20](#)

Authorizing the mayor to accept and deposit grant proceeds from The University of Cincinnati into the Operation Grants Fund to assist the Toledo Fire & Rescue Department with start-up costs to support the “Leave Behind” initiative; authorizing the appropriation

and expenditure of an amount not to exceed \$20,000 for said purpose; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The University of Cincinnati is pleased to announce that The Toledo Fire and Rescue Department has been awarded funding from the National Institute of Health (NIH) and the National Institute on Drug Abuse (NIDA). This funding will be used for the TFRD start-up costs to support the “Leave Behind” initiative.

EMS agencies frequently respond to 911 calls for opioid overdose or other conditions affecting people who suffer from opioid use disorder. In many cases these individuals are not transported to the hospital, but would still benefit from receiving Naloxone. TFRD will work with the HCS Ohio IC to operationalize, and implement procedures to “leave behind” Naloxone with at-risk individuals, particularly if they are not transported to an emergency department for further care.

In addition, the initiative will work on streamlining the required data collection for this project and linking this with other programs to assist with accurate and timely reporting of overdose information and Naloxone distribution.

The funds will be used to support such efforts of personnel identified as champions who will work on Leave It Behind program development and expanding program implementation including, but not limited to, training, data collection and management, reporting, and advertising. The funds may also be used for the potential, future, purchase of Naloxone or any other supplies that will directly be used to support the “Leave Behind” initiative.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$20,000
- The expenditure budget line item: 2016-53000-3G02216STDSTD
- New revenue generated (operational revenue, grants, if any): \$20,000
- Revenue budget line item (if any): 2016-53000-

3G02216STDSTD

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

Attachments: [Audio: Agenda Review 9/1/2020](#)

[Audio: City Council 9/8/2020](#)

Legislative History

9/8/20

City Council

First Reading

[O-362-20](#)

Authorizing the mayor to enter into a 24 month lease agreement with Owens Community College for office and classroom space located on the Owens Community College Main (Perrysburg) Campus for the purpose of training TFRD personnel; authorizing the expenditure of a sum not to exceed \$6,806.33 monthly from the General Fund; waiving the competitive bidding requirements of TMC 187.24; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Toledo Fire and Rescue Department has negotiated a lease agreement with Owens Community College to include the use of classroom and office space to provide administrative support, academy simulation skills training, educational testing, and state certification completion for TFRD personnel.

The lease agreement defines 5,834 Sq foot of space usage and provides to pay the amount not to exceed \$6,806.33 monthly for the term of the agreement. The term of this agreement will be for 24 months effective January 1, 2021 through December 31, 2022. Total expenditure amounts to \$163,351.92

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$Year 1: \$81,675.96 Year 2:\$81,675.96
- The expenditure budget line item: 1001-53000-533100-3341002stdstd
- New revenue generated (operational revenue, grants, if any): N/a
- Revenue budget line item (if any): N/A
- Are funds budgeted in the current fiscal year (yes/no)? N/A
- Is this a capital project (yes/no)? No
- If yes, is it new or existing (new/existing)? N/A
- What section of the City's Strategic Plan does this support:
 - o Excellence in Basic Services (yes/no): yes
 - o Quality Community Investment (Livable City, Development) (yes/no): yes
 - o Workplace Culture & Customer Service (yes/no): yes
 - o Environment (yes/no): Yes

Attachments: [Lease Agreement](#)

[Audio: Agenda Review 9/1/2020](#)

[Audio: City Council 9/8/2020](#)

Legislative History

9/8/20 City Council First Reading

[O-363-20](#)

Authorizing the issuance and sale of Water System Revenue Bonds of the City in an aggregate principal amount not to exceed \$100,000,000 for the purpose of paying costs of certain capital improvements to the City's water supply, storage and distribution system consisting of the acquisition and installation of water meters and related improvements; authorizing the execution of one or more Supplemental Indentures to supplement the Amended and Restated Trust Indenture securing outstanding water system revenue bonds of the City; authorizing and approving related matters; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The City is authorized under Article XVIII of the Constitution of the State of Ohio and the Charter of the City to: (a) own and operate the

public utility referred to as the Water System (the “**Utility**”); (b) borrow money for the purpose of paying costs of improvements to the Utility and refunding outstanding obligations previously issued for that purpose; and (c) issue bonds secured by a pledge of and lien on the Net Revenues of the Utility. By Ordinance No. 345-84, passed May 15, 1984, this Council authorized an Indenture of Mortgage dated as of June 1, 1984 (the “**Original Indenture**”) to secure water system revenue bonds issued by the City. The Original Indenture was amended and restated effective as of June 1, 2003 as provided in the Amended and Restated Indenture (Fifth Supplemental Indenture), under authority of Ordinance No. 250-03 passed by this Council on April 15, 2003 (the Original Indenture, as amended by the Amended and Restated Indenture and as further amended to date, is referred to herein as the “**Indenture**”). As of July 1, 2020, the aggregate amount of bonds that the Utility has issued under the Indenture that remains outstanding is \$321,360,000 (the “**Outstanding Bonds**”).

As part of its current capital improvement and maintenance plan, the Department of Public Utilities has determined that it is necessary and desirable to acquire and install new water meters to replace the existing water meters that service the Utility and to make related improvements (collectively, the “**Improvements**”), certain of which Improvements shall also provide benefit to the City’s Sanitary Sewer System, and that it is necessary and proper and in the best interest of the City to issue revenue bonds in one or more series in the maximum aggregate principal amount of \$100,000,000 (the “**Series 2020 Bonds**”) at this time under the Indenture to pay costs of the Improvements, to make any required deposits to the Debt Service Reserve Fund, to pay any capitalized interest on the Series 2020 Bonds and to pay costs of issuance of the Series 2020 Bonds.

Attachments: [Bullet Points](#)

[Audio: Agenda Review 9/1/2020](#)

[Audio: City Council 9/8/2020](#)

Legislative History

9/8/20

City Council

First Reading

[O-364-20](#)

Making certain findings related to the cost-benefit

analysis of the Metering Infrastructure (AMI) and Leak Detection System conducted pursuant to a contract with Johnson Controls, Inc. (JCI) as authorized by Ord. 339-18 as amended by Ord. 291-19; authorizing the mayor to enter into a contract with JCI for project management, construction and implementation of the AMI project; authorizing the appropriation from the unappropriated bond proceeds in the amount of \$43,897,291 into the Water Bond Improvement Fund and the appropriation from the unappropriated sewer bond proceeds in the amount of \$43,892,844 into the Sewer Bond Improvement Fund and authorizing the expenditure of same; authorizing the appropriation in an amount not to exceed \$5,000,000 from the unappropriated balance of bond proceeds into the Water Bond Improvement Fund and an amount not to exceed \$5,000,000 from the unappropriated balance of bond proceeds into the Sewer Bond Improvement Fund for improvements to SAP necessary to support the Project and authorizing the expenditure of the same; authorizing the expenditure of \$3,788,468 from the Utilities Administrative Services Fund over 20 years for measurement and verification service; authorizing the expenditure of funds from the Utilities Administrative Services Fund for annual software licenses; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Ord. 339-18 as amended by Ord. 291-19 authorized a performance-based 2-phase contract with Johnson Controls, Inc. (“JCI”) for an Automated Meter Reading (AMR)/Advanced Metering Infrastructure (AMI) and Leak Detection System (the “Project”) for the Division of Water Distribution as the lowest and best bidder. The first phase of the project has been completed. The first phase consisted of completing 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. The Ordinance also authorized the execution of an amendment and addendum to the contract with JCI for implementation of the identified water system improvements upon a showing that the cost of the project will not exceed the amount of enhanced revenues and savings from operational efficiencies generated over the average life of the improvements and a benefits guarantee from JCI.

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 Advanced Metering Infrastructure (AMI), leak detection, and the interface to the existing Department of Public Utilities (DPU) billing system. The Project will improve the system's infrastructure, reduce operating costs, and provide real-time utility consumption and cost data, improve customer service, and reduce costs and response times for resolving customer issues due to improved system information. In addition to project management functions, JCI will monitor and verify that the City realizes the anticipated enhanced revenue benefits from the Project.

Ohio Revised Code section 717.02 authorizes municipalities to enter 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. The operational savings are projected to be approximately \$50 million and the enhanced revenue benefit is projected to be approximately \$123 million over the 20-year life of the Project, for gross benefit estimated at \$173,234,561 (net present value of \$123,925,927). Net benefit after all costs is estimated to be

\$28,945,473. Additional information on the cost-benefit analysis is attached as Exhibit A.

After the completion of the analysis necessary to determine both recommended system improvements, including increase in billable revenue, the city has determined which improvements it will move forward with based on estimated returns on investment. This ordinance authorizes the contract /addendum detailing the implementation phase of the Project.

The total cost of the capital 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 costs under its contract will be fully paid for over time from savings. Future appropriations will be allocated to DPU operational budgets for measurement and verification services for 20-years.

This implementation phase performance contract requires additional Council findings and authorizations.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$87,790,135
- The expenditure budget line item: 6062-31000-4UB1918STDSTD, 6062-34000-4UB1918STDSTD, 6072-31000-4UB1918STDSTD, 6072-34000-4UB1918STDSTD
- New revenue generated (operational revenue, grants, if any): \$87,790,135
- Revenue budget line item (if any): 6062-31000-408935-4UB1918STDSTD, 6062-34000-408935-4UB1918STDSTD, 6072-31000-408935-4UB1918STDSTD, 6072-34000-408935-4UB1918STDSTD
- Are funds budgeted in the current fiscal year (yes/no)? yes
- Is this a capital project (yes/no)? yes
- If yes, is it new or existing (new/existing)? new

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

Attachments: [Bullet Points](#)

[Exhibit A](#)

[Audio: Agenda Review 9/1/2020](#)

[Audio: City Council 9/8/2020](#)

Legislative History

9/8/20

City Council

First Reading

[O-365-20](#)

Authorizing the mayor to enter into an agreement with Opex for the purchase of a Check Processing Machine and associated hardware, software and other necessary items or services; authorizing the appropriation of \$64,360 from the unappropriated balance of the Water Replacement Fund; authorizing the expenditure of same; waiving the competitive procurement provisions of TMC Chapter 187; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The Department of Public Utilities (DPU), Division of Utilities Administration's check processing machine is eight years old. Now that DPU has transitioned to monthly billing, there is a need for a parallel system not only to process checks but to also serve as a backup. Since DPU processes all check payments through EFT, the acquisition of a check processing machine with digital capabilities is necessary.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$64,360
- The expenditure budget line item: 6063-31000-4UC1720STDSTD
- New revenue generated (operational revenue, grants, if

any): none

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

Attachments: [Bullet Points](#)

[Audio: Agenda Review 9/1/2020](#)

[Audio: City Council 9/8/2020](#)

Legislative History

9/8/20

City Council

First Reading

[O-366-20](#)

Authorizing the appropriation and expenditure of bond proceeds from the Water Bond Improvement Fund in an amount not to exceed \$10,440,000; authorizing the mayor to enter into a contract renewal for the previously bid contract with URS Corporation for Professional Construction Management and Program Support Services, and other necessary work and tasks, relating to the implementation of the Capital Improvement Program for the Division of Water Treatment; waiving the competitive procurement requirements of TMC Chapter 187; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The Division of Water Treatment has identified \$500 million in needed improvements to the facilities it operates and is implementing an aggressive capital improvements program to evaluate, design, and construct projects to ensure the reliable supply of potable water to the area as well as to meet the requirements of the Ohio EPA. To assist

the current engineering staff in the Division, a Professional Construction Management (PCM) team is under contract to provide program support services and to coordinate the construction administration, design review and field services activities. As the Capital Improvement Program continues to be implemented and new projects are authorized, additional funds are now necessary to renew the existing contract for Professional Construction Management and Support Services through the last four years of the capital improvement program through 2024.

This ordinance provides continued funding for Professional services that includes master program scheduling; financial, budgeting, progress and status reporting; public and MBE outreach; web based document administration; plant site stormwater pollution protection planning activities; construction administration, design review and field services, and other necessary work and tasks, relating to the implementation of the Capital Improvement Program for the Division of Water Treatment. Funding for these services is available from the Water Bond Improvement Fund (2018 Bond Issuance).

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$10,440,000
- The expenditure budget line item: 6062-32000-4UB2916STDSTD
- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): none
- Are funds budgeted in the current fiscal year (yes/no)?: no
- Is this a capital project (yes/no)?: yes
- If yes, is it new or existing (new/existing)?: existing
- What section of the City's Strategic Plan does this support:
 - o Excellence in Basic Services (yes/no) yes
 - o Quality Community Investment (Livable City, Development) (yes/no) yes
 - o Workplace Culture & Customer Service (yes/no)

yes

- Environment (yes/no) yes

Attachments: [Bullet Points](#)

[Audio: Agenda Review 9/1/2020](#)

[Audio: City Council 9/8/2020](#)

Legislative History

9/8/20 City Council First Reading

[O-367-20](#)

Authorizing the mayor to enter into agreements for the implementation of Cityworks PLL software and other integration software programs and services as needed for the division of Building Inspection; authorizing the expenditure of \$400,000 from the Capital Improvement Fund; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

This ordinance authorizes the expenditure of funds for the implementation of Cityworks PLL (permits Land and Licensing) and associated software and integration. The City owns an enterprise license of Cityworks and there is no cost for licensing. The cost is for the build out of Cityworks for the department of Building Inspections to replace the antiquated software, Accela, that they are currently using for building permits. The Cityworks software resides on the GIS platform and has the ability to track service requests, work orders, storeroom, licenses, and inspections, which relate to assets and service requests throughout the city. The software was used by DPU originally, but has grown to include a majority of city divisions and is also tied to SeeClickFix. Adding Building Inspections into this platform with allow greater collaboration and communication between City Departments. This implementation project was competitively bid in accordance with Toledo Municipal Code Chapter 187.

- The amount of funds requested: \$400,000
- The expenditure budget line item: 5040-17500-8CP2007PLLIMP
- New revenue generated (operational revenue, grants, if any):
none

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

Attachments: [Audio: Agenda Review 9/1/2020](#)
[Audio: City Council 9/8/2020](#)

Legislative History

9/8/20 City Council First Reading

[O-368-20](#)

Authorizing the mayor to extend participation and coverage of the City of Toledo's health care plan to the employees of the Lucas County 9-1-1 Regional Council of Government; authorizing the acceptance and depositing of proceeds for said purpose; and declaring an emergency.

Body: SUMMARY & BACKGROUND:
By the passage of Ordinance 31-20, the City Council authorized the mayor to execute an agreement to create the Lucas County 9-1-1 Regional Council of Governments ("COG"), which would consolidate multiple public safety answering points ("PSAPs") into a single operation and provide enhanced mutual aid and coordination among public agencies as well as create operational efficiencies resulting in cost savings for the participating jurisdictions. As part of that consolidation, the City wishes to provide health care and life insurance to the COG employees, with the COG reimbursing the City for those costs.

Attachments: [Ord. 31-20](#)
[Audio: Agenda Review 9/1/2020](#)
[Audio: City Council 9/8/2020](#)

Legislative History

9/8/20

City Council

First Reading

[O-369-20](#)

Authorizing the mayor to enter into cooperative grant agreements with and to accept financial assistance from the State of Ohio Department of Transportation (ODOT) for multiple traffic signal upgrade projects; authorizing the acceptance, deposit, appropriation and expenditure of grant proceeds in the Capital Improvement Fund in an amount not to exceed \$340,000; authorizing the mayor to execute all necessary documentation for the grants; authorizing the mayor to accept bids and award contracts related to the construction; and declaring an emergency.

Body:**SUMMARY & BACKGROUND:**

The Division of Transportation has been working closely with ODOT to secure grant funding for multiple projects that is 100% federal funding with no match. All amounts are grant dollars and are assigned to specific projects as follows:

A maximum of \$160,000 has been allocated by ODOT through the Safety funding for a traffic signal upgrade at the intersection of 11th, Indiana & Washington.

A maximum of \$180,000 has been allocated by ODOT through the Safety funding for a traffic signal upgrade at the intersection of Bancroft, Indian & Secor.

Passage of this ordinance is required to enable the City of Toledo to accept outside funding for these projects.

The fiscal impact of this Ordinance is as follows:

- The amount of funds requested: \$340,000
- The expenditure budget line item: 540G-22500-8GA7157STDSTD, 540G-22500- 8GA7158STDSTD
- New revenue generated (operational revenue, grants, if any): \$340,000
- Revenue budget line item (if any): 540G-22500-8GA7157STDSTD, 540G-22500- 8GA7158STDSTD
- Are funds budgeted in the current fiscal year (yes/no)?: no

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

Attachments: [Bullet Points](#)

[Audio: Agenda Review 9/1/2020](#)

[Audio: City Council 9/8/2020](#)

Legislative History

9/8/20

City Council

First Reading

[O-370-20](#)

Authorizing the expenditure of and amount not to exceed \$100,000 from the Capital Improvement Fund for the repair and restoration of basketball courts at various City of Toledo parks; authorizing the mayor to accept bids and enter into agreements for said purpose; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Toledo City Parks are home to more than 40 half and full basketball courts. These courts are vitally important to the residents of neighborhoods where they reside, and receive significant usage. Many of the courts are in need of either complete reconstruction or a more simple process of resurfacing. This restoration project will restore the playability of these courts for all to enjoy. The amount of \$100,000 has been appropriated with the approved 2020 CIP budget.

The fiscal impact of this Ordinance is as follows:

- The amount of funds requested: \$100,000
- The expenditure budget line item: 5040-60300-8CP2002CRTSUR
- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): none

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

Attachments: [Bullets Points](#)

[Audio: City Council 9/8/2020](#)

Legislative History

9/8/20	City Council	First Reading
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[R-371-20](#)

Declaring the intent to vacate a 10-foot wide alley running north and south from Erie Street and adjacent to Lots 6-10 in the PalmerzBlair Subdivision and lots 1-5 of the McElroy's Subdivision all located within the Stickney Addition, in the City of Toledo, Lucas County, Ohio; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Petitioner has filed a request to vacate the 10-foot wide alley running north and south from Erie Street and adjacent to Lots 6-10 in the PalmerzBlair Subdivision and lots 1-5 of the McElroy's Subdivision all located within the Stickney Addition lying in the City of Toledo, Lucas County, Ohio.

Attachments: [Audio: Agenda Review 9/1/2020](#)

[Audio: City Council 9/8/2020](#)

[R-372-20](#)

Declaring the intent to vacate a 10-foot wide alley lying between Lots 23 thru 28 within Peck's Addition to the City of Toledo. Together with a 12 foot wide alley lying west of Lots 28 thru 46 and east of a 2 foot buffer lot along the westerly subdivision line of said Peck's

Addition to a point of terminus at the Northwesterly right of way of the Anthony Wayne Trail, in the City of Toledo, Lucas County, Ohio; and declaring an emergency.

Body: SUMMARY & BACKGROUND:
Petitioner has filed a request to vacate the 10-foot wide alley lying between Lots 23 thru 28 within Peck's Addition to the City of Toledo. Together with a 12 foot wide alley lying west of Lots 28 thru 46 and east of a 2 foot buffer lot along the westerly subdivision line of said Peck's Addition to a point of terminus at the Northwesterly right of way of the Anthony Wayne Trail, in the City of Toledo, Lucas County, Ohio.

Attachments: [Audio: Agenda Review 9/1/2020](#)
[Audio: City Council 9/8/2020](#)

Legislative History

9/8/20 City Council First Reading

[R-373-20](#)

Declaring the intent to vacate a portion of the public alley (16 feet wide), within the block bounded by Washington Street, Erie Street, Lafayette Street and South Ontario Street, in the City of Toledo, Lucas County, Ohio; and declaring an emergency.

Body: SUMMARY & BACKGROUND:
Petitioner has filed a request to vacate a portion of the public alley (16 feet wide), within the block bounded by Washington Street, Erie Street, Lafayette Street and South Ontario Street in the City of Toledo, Lucas County, Ohio.

Attachments: [Audio: Agenda Review 9/1/2020](#)
[Audio: City Council 9/8/2020](#)

Legislative History

9/8/20 City Council First Reading

COUNCILWOMAN MOLINE PRESENTS:

[TMP-5421](#)

Recognizing September 22, 2020 as National Voter Registration Day.

[TMP-5422](#)

Recognizing DeAndre Ware for his life saving actions in Las Vegas.

COUNCIL MEMBER GADUS PRESENTS:

[TMP-5423](#)

Supporting an Essential Workers Bill of Rights.

COUNCIL MEMBER KOMIVES PRESENTS:

[TMP-5419](#)

Amending Toledo Municipal Code Section 129.09(b) “Right to Know Act”, to change the phone number on Police business cards from Civilian Police Review Board to Internal Affairs Section; and declaring an emergency.

Body: SUMMARY & BACKGROUND:
Ord. 201-20, passed June 16, 2020, required the business cards for Police Officers to contain the phone number for the Civilian Police Review Board. City Council now desires for the business cards to contain the phone number for the Internal Affairs Section.

CO8UNCIL PRESIDENT CHERRY AND THE MEMBERS OF CITY COUNCIL PRESENT:

[TMP-5420](#)

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

Attachments: [Exhibit A, B & C and Receipt](#)
[Petition](#)
[Cooperative Agreement](#)
[Assessment Agreement](#)

DEPARTMENT OF POLICE OPERATIONS:

1. [TMP-5411](#) **Authorizing the mayor to accept and deposit grant proceeds from the Criminal Justice Coordinating Council (CJCC) for the United States Department of Justice/Bureau of Justice Assistance/Edward Byrne Memorial Justice Assistance Grant Program BJA 2020-JG-LE-1000 in the amount of \$121,860.55; authorizing the mayor to enter into an agreement for the purchase of body worn cameras; authorizing the appropriation and expenditure of an amount not to exceed \$121,860.55 from the unappropriated balance of the Operation Grants Fund for the purchase of body worn cameras; authorizing the expenditure of an amount not to exceed \$11,826.95 from the General Fund for the purchase of body worn cameras; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

The purpose of this legislation is to allow the Toledo Police Department to receive grant proceeds in the amount of \$121,860.55 from federal JAG funds for the purchase of body worn cameras. There are no matching requirements for this grant. This legislation further authorizes the expenditure of \$11,826.95 from the General Fund for the purchase of body worn cameras. A total of 195 body worn cameras will be purchased with this legislation for a total expenditure of \$133,687.50.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$133,587.50
- The expenditure budget line item: 2016-52000-3G07713STDSTD (\$121,860.55)
1001-52000-3381002STDSTD (\$11,826.95)
- New revenue generated (operational revenue, grants, if any): \$121,860.55
- Revenue budget line item (if any): 2016-52000-

3G07713STDSTD

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

DEPARTMENT OF PUBLIC UTILITIES:

2. [TMP-5414](#)

Authorizing the mayor to accept bids and award contracts for the purchase of hydrants, hydrant valves and appurtenances; authorizing the appropriation and expenditure in an amount not to exceed \$500,000 from the Water Replacement Fund; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The City of Toledo has initiated a systematic, annual anti-tampering hydrant replacement program to replace old hydrants in high tampering and turn on areas. Money for this program has been budgeted in the 2020 Department of Public Utilities Capital Improvement Program. It is the intent of this ordinance to appropriate and expend \$500,000 from the Water Replacement Fund for the purchase of hydrants, hydrant valves and appurtenances. This work is necessary to maintain safe, reliable water service in the City of Toledo service area.

The fiscal impact of this Ordinance is as follows:

- The total amount of funds requested: \$500,000
- The expenditure budget line item: 6063-34000-4UC0520STDSTD,
- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): N/A
- Are funds budgeted in the current fiscal year (yes/no)? yes
- Is this a capital project (yes/no)? yes

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

Attachments: [Bullet Points](#)

3. [TMP-5415](#)

Authorizing the appropriation and expenditure of an amount not to exceed \$800,000 from the unappropriated balance of the Sewer Replacement Fund for the Sewer Televising and Condition Assessment 2020 project; authorizing the mayor to prepare plans and specifications, acquire rights-of-way and easements as necessary, accept bids and enter into contracts after due advertising; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

This ordinance appropriates and authorizes the expenditure of \$800,000 from the Sewer Replacement Fund for the Division of Engineering Services' Sewer Televising project 2020. The work being funded includes the cleaning of various sewer lines and submittal of television records. This project will allow inspection of sewers under upcoming roadway projects and referrals from the Division of Sewers and Drainage. This program also works in conjunction with the Basement Flooding Remediation Program to clean and inspect sewers associated with basement flooding to prevent further basement flooding occurrences. Sufficient funds are available within the Sewer Replacement Fund to pay for this replacement.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$800,000
- The expenditure budget line item: 6073-35000-4UC1820STDSTD
- New revenue generated (operational revenue, grants, if any): none

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

Attachments: [Bullet Points](#)
[Sanitary Budget 2020-2021](#)
[Sewer CIP Approved](#)

DEPARTMENT OF DEVELOPMENT:

4. [TMP-5417](#) **Approving a Community Reinvestment Area real property tax exemption for Phoenix Toledo Industrial Investors, LLC, 401 E. Kilbourn Avenue, Suite 2017, Milwaukee, WI 53202, for the redevelopment of an industrial structure and parcel of real property located at 1313 Campbell Street, Toledo, Ohio 43607, located in the Southwest Community Reinvestment Area; authorizing the execution of needed agreements and other documents related thereto; making certain findings and determinations; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:
Ordinance No. 787-95 enacted on December 20, 1995 as amended by Ord. No. 57-96 enacted on February 7, 1996, designated the "Southwest Community Reinvestment Area", pursuant to Sections 3735.67 through 3725.671 of the Ohio Revised Code, and declared that these tax exemption incentives promote and expand conforming use in the designated area. This area was subsequently certified by the Ohio Department of Development as Community Reinvestment Area ("CRA") effective February 15, 1996.

On October 29, 2019, Toledo City Council authorized Ordinance 494 granting a Community Reinvestment Area real property tax exemption to Phoenix Toledo industrial Investors, LLC (“Property Owner”) for the redevelopment of a 226,929 square foot structure located at 1411 Campbell Street Toledo, OH 43607 for Brenntag North America, Inc.’s (“Tenant”) new distribution facility. The Property Owner acquired the adjacent dilapidated industrial building located at 1313 Campbell Street to provide additional acreage for the Tenant’s operations that will include additional parking, rail spur and storage, tank farm and a stormwater detention pond.

Phoenix Toledo Industrial Investors, LLC has submitted an application and agreement for a CRA real property tax exemption. The exemption is requested for the redevelopment of a former dilapidated industrial structure, located at 1313 Campbell Street, Toledo, Ohio 43607, into expanded outdoor operations for Brenntag North America, Inc.’s new distribution facility. The Owner estimates it will invest \$778,890.38 to redevelop this 13.59-acre site.

This proposed project is in conformance with Toledo’s Southwest 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 twelve (12) year tax exemption, subsequently entering into a School District Payment Agreement with Phoenix Toledo Industrial Investors, LLC for an annual payment in lieu of taxes. This Ordinance is required to authorize a 100% real property tax exemption of twelve (12) years for taxes that would otherwise be generated due to the increase in the assessed valuation of the real property at the project site.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: N/A
- The expenditure budget line item: N/A
- New revenue generated (operational revenue, grants, if any): N/A
- Revenue budget line item (if any): N/A
- Are funds budgeted in the current fiscal year (yes/no)?:

N/A

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

DEPARTMENT OF PUBLIC UTILITIES:

5. [TMP-5416](#)

Authorizing the mayor to enter into a cooperative agreement with Lucas County for roadway resurfacing and improvement work on Corey Road from the bridge over I-475 to the city limits to the southeast; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Lucas County will be constructing a roadway project which includes resurfacing Corey Road, Springbrook Drive, and King Road. A portion of the project on Corey Road from the bridge over I-475 to approximately 1850' to the Southeast is within the City of Toledo limits. This project is scheduled to construct in 2021.

Lucas County will administer the design and construction of the project with county funds and is paying for 100% of the construction outside of the city limits. Lucas County has been awarded funding from the Ohio Public Works Commission (OPWC) to help fund the project. The City of Toledo will participate in the costs by paying for 66% of the portion that is within the city limits, to be paid for with Matches and Planning Funds. The other 34% is funded by OPWC.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$100,195
- The expenditure budget line item: 5040-35000-8CP1903STREET
- New revenue generated (operational revenue, grants, if

any): none

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

Attachments: [Bullet Points](#)

DEPARTMENT OF PUBLIC SERVICE:

6. [TMP-5405](#)

Authorizing the annual expenditure of an amount not to exceed \$300,000 from the Capital Improvement Fund for vehicle replacement for the Toledo Police Department under an existing agreement with Enterprise Fleet Management; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Ordinance 254-19 authorized the mayor to enter into a contract with Enterprise Fleet Management for vehicle and equipment replacement for the city's fleet. The Toledo Police Department plans to utilize this contract for leasing patrol vehicles for the Department over the next three (3) years.

The fiscal impact of this Ordinance is as follows:

- The total amount of funds requested: \$900,000 (\$300,000 annually)
- The expenditure budget line item: 5040-52000-8CP2010POLLSE
- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): N/A
- Are funds budgeted in the current fiscal year (yes/no)? yes

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

7. [TMP-5410](#)

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 to give consent to ODOT for Pedestrian Safety Improvements within the City limits; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The City of Toledo (LPA) and the State of Ohio have identified the need for a pedestrian safety improvement project for various pre-approved intersections located within the City of Toledo. The total cost of this project is up to \$1.3 million. Improvements will include: enhancements to pavement markings, signage, roadway features (median, curb ramps, sidewalk) and signals. ODOT will provide 100% of the cost of the project.

The fiscal impact of this Ordinance is as follows:

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

Development) (yes/no) yes

- Workplace Culture & Customer Service (yes/no) yes
- Environment (yes/no) no

Attachments: [Pedestrian Safety Improvement Program](#)
[Bullet Points](#)

8. [TMP-5418](#)

Authorizing the expenditure of \$35,000 from the Special Assessment Fund and the expenditure of \$35,000 from the Capital Improvement Fund for the repair and/or replacement of the Streets, Bridges and Harbor Cold Bay roof; authorizing the mayor to accept bids and award contracts for said purpose; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

This Ordinance authorizes expending \$35,000 from the approved Streets, Bridges and Harbor Special Assessment operating budget and \$35,000 from Facility and Fleet Operations' 2020 approved CIP funds and for the structural repairs needed at the Streets, Bridges and Harbor cold bay roof. Funds are available for expenditure from the approved 2020 Operating and Capital Improvement Budgets.

The fiscal impact of this Ordinance is as follows:

- The total amount of funds requested: \$70,000
- The expenditure budget line item: 5040-26100-8CP2016HVACMA, 3050-23100-2421001STDSTD, 3050-23100-2422001STDSTD
- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): N/A
- Are funds budgeted in the current fiscal year (yes/no)? Yes
- Is this a capital project (yes/no)? Yes
- If yes, is it new or existing (new/existing)? Existing
- What section of the City's Strategic Plan does this support:
 - Excellence in Basic Services (yes/no) yes
 - Quality Community Investment (Livable City, Development) (yes/no) yes
 - Workplace Culture & Customer Service (yes/no) yes

- o Environment (yes/no) no

Attachments: [Talking Points](#)

Any other matter that may properly come before the Committee

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.