



City of Toledo

One Government Center
Toledo, OH 43604

Agenda Review City Council

Tuesday, September 7, 2021

1:55 PM

Council Chambers

SPECIAL COUNCIL MEETING, TUESDAY, SEPTEMBER 7, 2021, 1:55 PM

[O-459-21](#)

Authorizing the expenditure of an amount not to exceed \$600,000 from the Capital Improvement Fund for capital improvement projects at City of Toledo facilities; authorizing the Mayor to accept bids and award contracts; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Facility Operations has encountered a steady increase in capital needs over the past few months in several of city-owned structures. The \$600,000 expenditure will be spent on the following improvements:

- Replace the roof at Streets, Bridges & Harbor - Byrne Rd. location
- Concrete repair/replacement Toledo Municipal Court entrance
- Install new liner at the Levis fountain
- Demolition of Spielbusch
- Replace vehicle/equipment lifts at the Imlay garage
 - Police and Fire Services
- Mechanical failures for electrical and HVAC

The fiscal impact of this Ordinance is as follows:

- The amount of funds requested: \$600,000
- The expenditure budget line item:

5040-26100-8CP1822FACILI

- 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)?: 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

[O-460-21](#)

Approving the revision of the current Collective Bargaining Agreement between the City of Toledo and AFSCME Local 7, Communication Operators Unit, for a successor agreement, consistent with the bargained understandings; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The City of Toledo and AFSCME Local 7, Communication Operators Unit, reached a tentative agreement over terms that revise the current collective bargaining agreement, which expired on June 30, 2020, for a successor agreement, for the new term of July 1, 2020 through approximately October 1, 2021, when the bargaining unit will cease to exist. The Union ratified that tentative agreement on August 23, 2021. Pursuant to Ohio Revised Code section 4117.10(B), the economic provisions of that agreement are now being submitted to City Council for consideration and passage. If not acted upon within 30 days, the agreement is deemed approved.

Pursuant to the statutory bargaining process under the Ohio Revised Code, the City and the Union met multiple times over the past month and a half to negotiate the terms of a successor agreement.

Specifically, regarding the economic terms, the agreement provides for a one-time COVID premium payment amount of three thousand five hundred dollars and zero cents (\$3,500.00). The purpose of the COVID premium payment is to recognize the Local 7 Communication Operators for their work during the COVID-19 pandemic. Only those employees who are employed as of the union ratification date, August 23, 2021, are entitled to the COVID premium payment. In addition, the agreement provides for double time for all overtime hours worked

from August 1, 2021 through October 1, 2021. The purpose of the double time pay for all overtime hours worked is to incentivize employees to volunteer for recall shifts rather than force members to work the shifts

Attachments: [Tentative Agreement](#)
[Memorandum](#)

[O-461-21](#)

Approving the revision of the current Collective Bargaining Agreement between the City of Toledo and AFSCME Local 2058, Communications Operator Supervisors' Unit, for a successor agreement, consistent with the bargained understandings; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The City of Toledo and AFSCME Local 2058, Communication Operator Supervisors' Unit, reached a tentative agreement over terms that revise the current collective bargaining agreement, which expired on May 31, 2021, and for a successor agreement, for the new term of June 1, 2021 through approximately October 1, 2021, when the bargaining unit will cease to exist. The Union ratified that tentative agreement on August 30, 2021. Pursuant to Ohio Revised Code section 4117.10(B), the economic provisions of that agreement are now being submitted to City Council for consideration and passage. If not acted upon within 30 days, the agreement is deemed approved.

Pursuant to the statutory bargaining process under the Ohio Revised Code, the City and the Union met multiple times over the past two weeks to negotiate the terms of a successor agreement.

Specifically, regarding the economic terms, the agreement provides for a one-time COVID premium payment amount of three thousand five hundred dollars and zero cents (\$3,500.00). The purpose of the COVID premium payment is to recognize the Local 2058 Communications Operator Supervisors for their work during the COVID-19 pandemic. Only those employees who are employed as of the union ratification date, August 30, 2021, are entitled to the COVID premium payment. In addition, the agreement provides for double time

for all overtime hours worked from August 1, 2021 through October 1, 2021. The purpose of the double time pay for all overtime hours worked is to incentivize employees to volunteer for recall shifts rather than force members to work the shifts.

Attachments: [Tentative Agreement Memorandum](#)

APPOINTMENTS FROM THE OFFICE OF THE MAYOR:

[TMP-6609](#) **Appointment - Home Improvement & Remodeling Board of Control**

Attachments: [Home Improvement & Remodeling](#)

[TMP-6610](#) **Appointment - Old West End Historic District Commission**

Attachments: [Old West End Historic District Comm](#)

SECOND READING ITEMS:

[O-404-21](#) **Granting a Special Use Permit, for Community Recreation- Active for a site located at 2007 N. Holland Sylvania Road, in the City of Toledo, Lucas County, Ohio; subject to certain conditions; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:
By application (SUP-4003-21) filed with the City of Toledo Central Permit Center, a request for a Special Use Permit, for a Community recreation- Active for the property located at 2007 N. Holland Sylvania Road, in the City of Toledo, Lucas County, Ohio; was submitted to the Toledo City Plan Commission for its review and recommendation.

On June 10, 2021, the Toledo City Plan Commission recommended approval for the request for a Special Use Permit, for a Community Recreation- Active for the property located at 2007 N. Holland Sylvania Road, in the City of Toledo, Lucas County, Ohio

On July 14, 2021, Toledo City Council, Planning and Zoning Committee reviewed, and sent as disapproved a Special Use Permit for a Community Recreation- Active for the property located at 2007 N. Holland Sylvania Road, in the City of Toledo, Lucas County, Ohio and all other things required by law to be done, have been done.

Attachments: [Plan Commission Report](#)

Legislative History

7/20/21 City Council First Reading

8/17/21 City Council held

[O-431-21](#)

Authorizing the mayor to enter into the necessary contracts for purchase and installation of one (1) HIAB Crane, Winch and Remote Control; authorizing the appropriation and expenditure of \$90,066 from the Water Replacement Fund; waiving competitive bid provisions of TMC Chapter 187; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The Division of Water Distribution utilizes crane trucks within the day-to-day operations to load and transport steel plates and trench and shoring safety equipment. The crane truck is used to load, unload, transport steel plates, and transport trenching and shoring safety equipment. Recently the crane truck was involved in an incident where the crane hit power lines causing catastrophic failure to the components.

The fiscal impact of this Ordinance is as follows:

- The amount of funds requested: \$90,066
- The expenditure budget line item: 6063-34000-4UC1321STDSTD
- New revenue generated (operational revenue, grants, if any): no
- Revenue budget line item (if any): none
- Are funds budgeted in the current fiscal year (yes/no)? no
- Is this a capital project (yes/no)? no
- If yes, is it new or existing (new/existing)? n/a
- What section of the city's Strategic Plan does this support:

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

All pricing is considered estimated and could change due to today's economic condition.

Equipment Purchase

Estimated Price

HIAB Crane, Winch and Remote Control	
\$81,761	
Labor to remove old crane and install a new HIAB crane	
8,305	

Total

\$90,066

The total amount to be expended in the above schedule is not to exceed \$90,066.

Attachments: [Bullet Points](#)

Legislative History

8/17/21	City Council	First Reading
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[O-432-21](#)

Authorizing the appropriation from and expenditure of an amount not to exceed \$255,000 from the Sewer Replacement Fund for the purchase of a crane truck for the Sewer & Drainage Division; authorizing the mayor to accept bids and award contracts necessary for said purchase; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The Sewer & Drainage request authorization to purchase of a much-needed replacement crane truck. This ordinance authorizes the expenditure of \$255,000 from the Sewer Replacement Fund for the purchase of new crane truck.

The fiscal impact of this ordinance is as follows:

- The total amount of funds requested: \$255,000
- The expenditure budget line item: 6073-37000-4U1121STDSTD
- 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)? 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
 - o Environment (yes/no) yes

Attachments: [Bullet Points](#)

Legislative History

8/17/21 City Council First Reading

[O-433-21](#)

Authorizing the Mayor to enter into a 3-year agreement with Aquatic Informatics for Linko web-based software in a total amount not to exceed \$35,326 for the purpose of licensing updated software necessary for tracking and monitoring necessary permit information for industrial pretreatment facilities; authorizing the waiver of TMC Ch. 187 competitive bidding requirements; authorizing the expenditure of funds over the term of the agreement from the Water Operating Fund and Sewer Operating Fund; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Web-based Linko is existing software being moved to an online platform that will provide faster, upgraded performance of the current Linko software, which has performance issues due to its location on a city server. After extensive investigation by the ICT Department and Division of Environmental Services, use of a web-based server has been determined to provide the best possible functionality. The

Division of Environmental Services uses this intricate database for all permit required recordkeeping on industrial pretreatment facilities. Since some fees have already been paid on the current basic Linko service, the 2021 fee for web-based Linko will be \$5,650. Starting in 2022 the web-based service will be \$14,727 and the 2023 fee will be \$14,949. These amounts include all necessary software needs as well as support and maintenance for all users. The upgrade will also relieve some of this complicated software's burden on the ICT Department.

The fiscal impact of this ordinance is as follows:

- Total amount of funds requested for the 3-year contract: \$35,326.
 - o 2021: \$5,650
 - o 2022: \$14,727
 - o 2023: \$14,949
- The expenditure budget line item: 6060-38000-4000507STDSTD & 6070-38000-4000507STDSTD.
- New revenue generated (operational revenue, grants, if any): None
- Revenue budget line item (if any): N/A
- Are funds budgeted in the current fiscal year (yes/no)? Yes
- Is this a capital project (yes/no)? No
- If yes, is it new or existing (new/existing)? N/A
- What section of the City's Strategic Plan does this support:
 - o Excellence in Basic Services (yes/no) Yes
 - o Quality Community Investment (Livable City, Development) (yes/no) No
 - o Workplace Culture & Customer Service (yes/no) Yes
 - o Environment (yes/no) Yes

Attachments: [Bullet Points](#)

Legislative History

8/17/21 City Council First Reading

[O-434-21](#)

Authorizing the mayor to enter into an agreement for the purchase of three flow meter systems; authorizing expenditure in an amount not to exceed \$23,364 from

the Storm Water Operating Fund; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

This ordinance authorizes the City of Toledo to purchase of three flow meter systems to assist the Department of Public Utilities stormwater section in providing more accurate water quality data and in performing inspection analysis. This supports the City of Toledo's compliance with the Ohio EPA National Pollutant Discharge Elimination Systems (NPDES) permit for storm water. After advertisement, the sole bidder, Hach Company, was selected.

The fiscal impact of this Ordinance is as follows:

- The total amount of funds requested: \$23,364
- The expenditure budget line item: 607A-38000-4000552STDSTD
- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): N/A
- Are funds budgeted in the current fiscal year (yes/no)? yes
- Is this a capital project (yes/no)? no
- If yes, is it new or existing (new/existing)?
- 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) no
 - Environment (yes/no) yes

Attachments: [Bullet Points](#)

Legislative History

8/17/21 City Council First Reading

[O-436-21](#)

Authorizing the Mayor to execute, deliver and accept needed instruments for the conveyance and acquisition of real property from FSC BGL Toledo Ohio, LLC for the realignment, reconstruction and improvement of a portion of Campbell Street; dedicating the same as public right-of-way; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The City of Toledo is proceeding with the reconstruction of Campbell Street between Pulaski Street and Hoag Street. There is currently a somewhat dangerous “s”-style curve in the roadway of Campbell Street at Junction Avenue, which needs to be realigned so that there is a smoother and less dangerous transition in the alignment of the road.

FSC BGL Toledo Ohio, LLC is the fee owner of a certain parcel of land located at 1411 Campbell Street (TD Parcel 18-02801). FCS BGL Toledo Ohio, LLC has agreed to convey 0.0424 acres of land to the City of Toledo necessary for the realignment of Campbell Street at Junction Avenue, at no cost. This land needs to be dedicated for public highway and roadway purposes, including but not limited to utilities, sewers and pedestrian improvements.

This ordinance does not require the City to expend or receive funds.

The fiscal impact of this ordinance is as follows:

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

Attachments: [Exhibit A](#)
[Bullet Points](#)

Legislative History

8/17/21 City Council Suspension

[R-442-21](#)

Endorsing and supporting the relationship between Toledo Football Academy and the Toledo Celtics Inc. for the purposes of applying for funding for the development and use of Schneider Park; and declaring an emergency.

Legislative History

8/17/21 City Council First Reading

[O-443-21](#)

Authorizing the Mayor to enter into a fifteen (15) year Lease, with three (3) optional five (5) year renewal period as well as other provisions, between the City of Toledo (“City”), Toledo Celtics, Inc, and Toledo Football Academy, Inc. (collectively “Club”) located at Schneider Park, Toledo, Ohio 43614; waiver of competitive bidding and 30-day notice requirement; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

This legislation authorizes the Mayor to enter into a new lease for an initial term of fifteen (15) years with three (3) renewals for five (5) years each at an annual rent of \$4,000 until the year 2031 when the annual rent increases to \$8,000. Operating expenses, including taxes, utilities, and insurance are to be paid by City, except that ground maintenance, including mowing, trimming, spraying, fertilizing, aerating, rolling, irrigation, debris clean up, trash collection and restroom cleaning and restocking supplies expense. Club can only use Premises for soccer or other recreational purposes consistent with park use. No assignments or sublease rentals will be permitted without the prior written consent of City.

Attachments: [Exhibit A](#)

Legislative History

8/17/21 City Council First Reading

COUNCIL MEMBERS MOLINE AND MORRIS PRESENT:

[TMP-6591](#)

Authorizing the appropriation and expenditure of an amount not to exceed \$105,000 from the unappropriated balance of the Capital Improvement Fund for the purchase of 130 ballistic vests for the Toledo Fire and

Rescue Department; authorizing the Mayor to accept bids and award a contract for said purchase; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

This ordinance authorizes the appropriation and expenditure of \$105,000 from capital improvement funds for the purchase of 130 ballistic vests for the Toledo Fire and Rescue Department. This purchase will be made after competitive bidding.

COUNCILMAN HOBBS PRESENTS:

[TMP-6592](#)

Authorizing the expenditure not to exceed \$12,676.07 from the Capital Improvement Fund District Improvement Program for the Ottawa-Jermain Mountain Bike Trail Improvements Project; 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 the Ottawa-Jermain Mountain Bike Trail Improvements Project in District 1. The proposal includes the installation of bridges, boardwalk style features, and other fun amenities to both eliminate the wet/muddy sections of the trail and to provide more interesting sections of the trail for both beginner and advanced riders. The proposal includes utilizing District Improvement funds for the purchase of materials, with the labor to be supplied by volunteers from the Friends of Ottawa-Jermain Park. The District Improvement Review Committee convened on August 30, 2021, and recommended approval of this application in an amount not to exceed \$ 12,676.07.

Attachments: [Application](#)

DEPARTMENT OF PUBLIC SERVICE:

1. **[TMP-6586](#)** **Authorizing the Mayor to enter into an Agreement with the Arts Commission of Greater Toledo to implement the 2021 Municipal Art Plan; authorizing the expenditure of \$333,057 from the Capital Improvement**

Fund for the 2021 1% For the Arts Program; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The Arts Commission of Greater Toledo is seeking funding from the 2021 CIP budget to fund the 1% For the Arts 2021 Municipal Art Plan. This legislation authorizes the Mayor to enter into an agreement with the Arts Commission of Greater Toledo to implement the 2021 Municipal Art Plan using said funds.

The fiscal impact of this Ordinance is as follows:

- The amount of funds requested: \$333,057
- The expenditure budget line item: 5040-60500-8CP1PERFORART
- 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)?: NA
- 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: [Toledo Municipal Art Plan 2021](#)
[Bullet Points](#)

DEPARTMENT OF NEIGHBORHOODS:

2. [TMP-6600](#)

Authorizing the Mayor to accept, deposit, appropriate and expend Emergency Rental Assistance funding (“ERA2”) from the U.S. Department of the Treasury in an amount of \$6,442,981.40; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

ERA2 is supplemental funding of \$6,442,981.40 from the U.S.

Department of Treasury to the City of Toledo for the administration of the ERA Program. The Emergency Rental Assistance Program (“**ERA Program**”) originally authorized by Ordinance 159-21 provided City of Toledo residents with financial assistance toward the payment of rental, utility, and internet expenses.

ERA2 funds will also provide financial assistance and housing stabilization services to eligible households that can then use the funding to pay rent, utility, and internet expenses on a home if the City determines all of the following:

1. One or more individuals within the household has qualified for unemployment benefits or experienced a reduction in household income, incurred significant costs, or experienced other financial hardship during or due, directly or indirectly to coronavirus pandemic;
2. One or more individuals within the household can demonstrate a risk of experiencing homelessness or housing instability; and
3. The household income is a low-income family (as such term is defined in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b))).

Additionally, the ERA Program requires prioritization of assistance for households with incomes less than 50% of the area median income or households with one or more individuals that have not been employed for the 90-day period preceding the application.

Attachments: [Schedule A](#)

3. [TMP-6601](#) **Authorizing the Mayor to accept a grant from the Ohio Department of Health, Bureau of Environmental Health & Radiation Protection Program in the amount of \$1,000,000 as a pass-through to the Historic South Initiative for the purposes of residential lead hazard control work, health and safety work and rehabilitation/remodeling work; authorizing the deposit, appropriation and expenditure of funds in the Operation Grants Fund; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

The City of Toledo received an award from the Ohio Department of Health (ODH) for the lead hazard control work, health and safety work and rehabilitation/remodeling work of owner-occupied or rental properties in the old south end.

The fiscal impact of this ordinance is as follows:

- The total amount of funds requested: none
- The expenditure budget line item: 2016 16200
5GL7013STDODH
- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): 2016 16200 407400
5GL7013STDODH
- Are funds budgeted in the current fiscal year (yes/no)?: yes
- Is this a capital project (yes/no)? No
- If yes, is it new or existing (new/existing)? N/A
- What section of the City's Strategic Plan does this support:
 - o Excellence in Basic Services (yes/no) no
 - o Quality Community Investment (Livable City, Development) (yes/no) yes
 - o Workplace Culture & Customer Service (yes/no) no
 - o Environment (yes/no) no

4. [TMP-6599](#)

Authorizing the appropriation and expenditure of \$165,000.00 for the collection, hauling, and processing of materials collected through the 2021 EngageToledo Recycling events; authorizing the mayor to accept bids and enter into necessary contracts for recycling and disposal services; waiving the competitive procurement requirements of TMC Section 187; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The Division of Code Enforcement, in partnership with the Departments of Public Service, Public Utilities, and EngageToledo, will increase the number of scheduled recycling events in 2021. These events are open to the public and provide the opportunity for

participants to engage with a variety of vendors for recycling materials, hazardous waste, tires, televisions and other various electronics, personal documents, and general debris. The ordinance will authorize the increase in the amount of materials collected from all twenty-three (23) recycling events.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$165,000.00
- The expenditure budget line item: 1001-56400-5634001STDSTD
- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): none
- Are funds budgeted in the current fiscal year (yes/no)?: no
- Is this a capital project (yes/no)? no
- If yes, is it new or existing (new/existing)? n/a
- What section of the City's Strategic Plan does this support:
 - o Excellence in Basic Services (yes/no) yes
 - o Quality Community Investment (Livable City, Development) (yes/no) yes
 - o Workplace Culture & Customer Service (yes/no) yes
 - o Environment (yes/no) no

DEPARTMENT OF LAW:

5. [TMP-6597](#)

Authorizing the Mayor to enter into a Real Property License Agreement with the Lucas County Economic Development Corporation with respect to a closed stub alley adjacent to 300 Jefferson Avenue, Toledo, Ohio; making certain findings with respect thereto; and declaring an emergency.

Body:

SUMMARY & BACKGROUND:

Ordinance 633-85 passed September 3, 1985, authorized the closure of a stub alley to facilitate access to the SeaGate Convention Center and an adjacent former hotel. As part of the SeaGate Convention Center renovation project, the Lucas County Economic Development Corporation ("LCEDC") has requested that the City grant a license

agreement for LCEDC to utilize the alley for the purpose of including the same as part of the pocket park to be developed and maintained at the southwest corner of Jefferson Avenue and Summit Street. The license agreement will be for an initial term of twenty (20) years with automatic one (1) year renewals thereafter subject to termination upon providing a nine (9) month written notice. The license agreement will be conditioned upon the alley being operated and maintained as public park space. The consideration for the license agreement will be Ten Dollars (\$10.00).

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$0
- The expenditure budget line item: NA
- New revenue generated (operational revenue, grants, if any): \$ NA
- Are funds budgeted in the current fiscal year (yes/no)? :NA
- Is this a capital project (yes/no)? : NA
- If yes, is it new or existing (new/existing)? : NA
- 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) no
- Environment (yes/no) yes

Attachments: [Exhibit A](#)
[Drawing of property](#)

6. [TMP-6598](#)

Authorizing the Mayor to enter into a temporary Real Property License Agreement with the Whiting-Turner Construction Co. for a portion of city-owned property adjacent to the federal courthouse property, for the sole purpose of constructing and maintaining a temporary restricted walkway during the construction phase of the Federal Ashley Courthouse expansion and modernization project; making certain findings with respect thereto; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The Whiting-Turner Construction Co. has been selected by the U.S Government Services Administration as the construction manager for the James M. Ashley & Thomas W. L. Ashley U.S. Courthouse Modernization and Annex Project. In order for the construction to proceed and to comply with Federal law and security regulations, it is necessary to construct a temporary restricted, secured walkway from a temporary federal parking lot to the Ashley Courthouse.

Whiting-Turner is requesting temporary access on City property for purposes of constructing a temporary secured, restricted walkway between the Ashley Courthouse and a new temporary secured parking lot, as indicated on the attached Exhibit A. Whiting-Turner will install an 8-foot chain link fence and lay concrete for the walkway between the courthouse and temporary secured parking lot. The contractor has committed to returning the site back to its current condition upon completion of the project. The city-owned property to be licensed is currently zoned Commercial-Office.

Whiting-Turner is requesting to install the secured walkway as soon as possible. The proposed license shall extend through December 31, 2023, but may be terminated by either party upon thirty days (30) days written notice. The Ordinance also authorized an amendment to extend the license should the Ashley Courthouse Project not be completed by Dec. 31, 2023. The consideration for the license agreement shall be one dollar (\$1) per year. Whiting-Turner as licensee shall be solely liable for the cost of any improvements made to the licensed area to accommodate the walkway.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$0
- The expenditure budget line item: NA
- New revenue generated (operational revenue, grants, if any): \$1annually
- Are funds budgeted in the current fiscal year (yes/no): N/A
- Is this a capital project (yes/no)?: N/A

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

Attachments: [Exhibit A](#)

DEPARTMENT OF POLICE OPERATIONS:

7. [TMP-6580](#)

Authorizing the Mayor to enter into a contract for the purchase of ballistic shields; authorizing the expenditure in an amount not to exceed \$54,000 from the Law Enforcement Trust Fund for the purchase of ballistic shields; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

This ordinance authorizes the expenditure of \$54,000 from trust funds for the purchase of ballistic shields from Ambitec Incorporated. Bids were solicited through Planet Bids and Ambitec Incorporated was the winning bidder.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$54,000
- The expenditure budget line item: 2090-52000-3T32302STDSLCL
- New revenue generated (operational revenue, grants, if any): 0.
- Revenue budget line item (if any): NA
- Are funds budgeted in the current fiscal year (yes/no)?: yes
- Is this a capital project (yes/no)? No.
- If yes, is it new or existing (new/existing)? 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/no) No.

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

8. [TMP-6533](#)

Authorizing the Mayor to enter into a contract with Miami Industrial Trucks, Inc.; for the purchase of a floor scrubber; authorizing the expenditure in an amount not to exceed \$32,000 for the purchase of a floor scrubber; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

This ordinance authorizes the total expenditure of \$32,000 from capital improvement funds for the purchase of a floor scrubber for the police firing range. This is an emergency purchase due to the fact that the current floor scrubber unexpectedly failed and parts are not available for repair. The floor scrubber is a necessary piece of equipment to safely operate the range. Without the scrubber lead contamination will build to dangerous levels risking exposure to people and contamination outside of the firing range. This purchase replaces a scrubber that is nearly 30 years old and is unrepairable. Three bids were obtained and Miami Industrial Trucks, Inc. was the overall lowest and best bid.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$32,000.00
- The expenditure budget line item:
5040/52000/xxxxxxxxxxxxxx
- New revenue generated (operational revenue, grants, if any): 0.
- Revenue budget line item (if any): NA
- 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)? No.
- 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) No.
 - Workplace Culture & Customer Service (yes/no)

Yes.

- Environment (yes/no) No.

DEPARTMENT OF PUBLIC UTILITIES:

9. [TMP-6602](#) **Authorizing the mayor to enter into an agreement with Deloitte Consulting, LLP to design and configure the utility billing system necessary to implement the debt forgiveness program authorized by council in ordinance 389-21; authorizing the expenditure in an amount not to exceed \$18,650 from the Utility Administrative Services Fund waiving competitive bid requirements of TMC Chapter 187; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

The Division of Utilities Administration currently has a contract with Deloitte Consulting, LLP (Deloitte) for the Application Maintenance Services (AMS) for our billing system. The services were previously bid and awarded as authorized in Ordinance 475-20. The addition of this scope of work would exceed the annual contract amount authorized in ordinance 475-20, making this legislation necessary to design and configure the billing system in order to be able to implement the debt forgiveness program as authorized by City Council in ordinance 387-21 in the time frame established via that Ordinance. By waiving the competitive bidding requirements of the TMC 187, this ordinance authorizes the city to enter into a supplemental agreement with Deloitte Consulting LLP to design and configure the billing system.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: n/a
- The expenditure budget line item: 6078-31000-4000524STDSTD
- 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)? yes
- Is this a capital project (yes/no)? n/a

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

Attachments: [Bullet Points](#)

10. [TMP-6587](#)

Authorizing the mayor to accept and deposit additional grant proceeds into the Operation Grant Fund in the amount of \$83,007 received from the Ohio Environmental Protection Agency and reducing grant proceeds into the Operation Grant Fund in the amount of \$14,670 received from the United States Environmental Protection Agency; authorizing the mayor to execute necessary agreements in connection with the grants; authorizing the appropriation and expenditure of said funds; authorizing the mayor to accept bids and award contracts for the purchase of supplies, equipment, vehicles, and other necessary items to carry out the terms of these grants; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Ordinance 466-19 previously authorized the acceptance of an Air Grant from the Ohio Environmental Protection Agency (OEPA) in the amount of \$1,276,500 and a grant amount from the United States Environmental Protection Agency (USEPA) in the amount of \$558,890 both of which were authorized to be deposited into the Operation Grant Fund. Subsequently, the OEPA increased their grant award by \$83,007 and the USEPA decreased their grant award by \$14,670. Therefore, this ordinance is to authorize the acceptance and deposit of the additional award received from the OEPA, The required match for these two grants is in the General Fund.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: none
- The expenditure budget line item: 2016-38000-6G2020SSTDSTD; 2016-38000-6G2020VSTDSTD & 2016-38000-6G2020PSTDSTD
- New revenue generated (operational revenue, grants, if any): \$68,337
- Revenue budget line item (if any): 2016-38000-6G2020SSTDSTD; 2016-38000-6G2020VSTDSTD & 2016-38000-6G2020PSTDSTD
- 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) no
 - o Environment (yes/no) yes

Attachments: [Bullet Points](#)

11. [TMP-6588](#)

Authorizing the mayor to execute and enter into grant agreements with the United States Environmental Protection Agency and, as necessary, the Ohio Environmental Protection Agency; authorizing the mayor to accept and deposit grant proceeds into the Operation Grant Fund in an amount not to exceed \$1,347,358 from the Ohio Environmental Protection Agency, and an amount not to exceed \$558,754 from the United States Environmental Protection Agency; authorizing the appropriation and expenditure of said funds; authorizing the mayor to accept bids and award contracts for the purchase of supplies, equipment, vehicles, and other necessary items to carry out the terms of these grants; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The Ohio Environmental Protection Agency (OEPA) has awarded to

the Division of Environmental Services a grant in the amount of \$1,347,358 and the United States Environmental Protection Agency has awarded an OEPA pass-through grant to the Division of Environmental Services in the amount of \$558,754 to continue through September 30, 2023. These grant funds are used to cover certain operational expenses for the Air Permitting and Monitoring Section of the Division of Environmental Services. A local match of \$156,700 per year is required per the terms of this grant agreement that will be included in the 2022 and 2023 budget ordinances. The General Fund will be utilized to fund this match.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: none
- The expenditure budget line item: 2016-38000-6G2022SSTDSTD; 2016-38000-6G2022VSTDSTD & 2016-38000-6G2022PSTDSTD
- New revenue generated (operational revenue, grants, if any): \$1,906,112
- Revenue budget line item (if any): 2016-38000-6G2022SSTDSTD; 2016-38000-6G2022VSTDSTD & 2016-38000-6G2022PSTDSTD
- Are funds budgeted in the current fiscal year (yes/no)?:
none
- Is this a capital project (yes/no)? no
- If yes, is it new or existing (new/existing)? N/A
- What section of the City's Strategic Plan does this support:
 - o Excellence in Basic Services (yes/no) yes
 - o Quality Community Investment (Livable City, Development) (yes/no) yes
 - o Workplace Culture & Customer Service (yes/no)
no
 - o Environment (yes/no) yes

Attachments: [Bullet Points](#)

DEPARTMENT OF FINANCE:

12. [TMP-6606](#) **Authorizing the disappropriation of \$2,120,211 in the General Fund and the appropriation of same from the**

General Fund for the City of Toledo's 2021 fourth quarter payment for the Lucas County 911 Regional Council of Governments; authorizing the expenditure of \$2,120,211; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The purpose of this ordinance is authorizing the payment of \$2,120,211 for the Lucas County 911 Regional Council of Governments. Toledo City Council, through Ordinance 31-20, authorized the Mayor to execute an agreement to create the Lucas County 911 Regional Council of Government (COG) in accordance with Section 167.03(A)(5) of the Ohio Revised Code and to organize and operate a Public Safety Answering Point in accordance with Chapter 128 of the Ohio Revised Code. The COG is prepared to begin operations starting October 1, 2021. This ordinance is necessary to reappropriate funds from the Fire & Rescue Department General Fund budget to the Safety Administration General Fund budget for Toledo's fourth quarter 2021 payment for the COG.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$2,120,211
- The expenditure budget line item: disappropriation from 1001-530000-3341002STDSTD and appropriated to 1001-51000-3399003STDSTD
- 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 - through budget reappropriation (from wages and fringes to services)
- Is this a capital project (yes/no)?: no
- 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

DEPARTMENT OF PUBLIC SERVICE:**13. [TMP-6608](#)**

Authorizing the expenditure of an amount not to exceed \$2,500,000 from the Capital Improvement Fund for the renovation of the Frederick Douglass Community; 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 \$2,500,000 from the appropriated CIP funds authorized by Ordinance 323-21 for major building improvements at the Frederick Douglass Community Center including, but not limited to, lighting, HVAC and automation, building envelope, roofing improvements and other general improvements. Funds are available for expenditure from the approved Capital Improvement Fund.

The fiscal impact of this Ordinance is as follows:

- The total amount of funds requested: \$2,500,000
- The expenditure budget line item: 5040-26100-8CP2140FDCOMM
- 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)? N/A
- What section of the City's Strategic Plan does this support:
 - Excellence in Basic Services (yes/no) yes
 - Quality Community Investment (Livable City, Development) (yes/no) yes
 - Workplace Culture & Customer Service (yes/no) yes
 - Environment (yes/no) no

Attachments: [Bullet Points](#)**14.** [TMP-6527](#)

Authorizing the Mayor to enter into a contract for the purpose of cleaning and rehabilitating stormwater control features at the Hoffman Road Landfill; authorizing the expenditure of an amount not to exceed \$200,000 from the General Fund; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The Solid Waste Division anticipated multiple landfill infrastructure related projects when preparing the 2021 Budget, one of which was removing sediment from three landfill stormwater ponds, removing vegetation from said ponds, and rehabilitating the outlet structure of one pond. This work is necessary not only to comply with the requirements of the landfill's new operating permit, but also ensured continued compliance with operating provisions contained in Ohio Administrative Code (OAC) 3745-27-19. Funding for said infrastructure project was included in the Division's approved operating budget for 2021 as authorized by Ordinance 470-20/36-21. The Division of Solid Waste duly solicited bids to complete said work.

The fiscal impact of this Ordinance is as follows:

- The amount of funds requested: \$200,000
- The expenditure budget line item:
1001-24500-6232002STDSTD
- 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) Yes
 - o Quality Community Investment (Livable City, Development) (yes/no) Yes
 - o Workplace Culture & Customer Service (yes/no)
No
 - o Environment (yes/no) Yes

Attachments: [Bullet Points](#)

DEPARTMENT OF FINANCE:

15. **Withdrawn**

16. **Withdrawn**

17. [TMP-6594](#)

Providing for the issuance and sale of notes for the purpose of paying, in anticipation of the levy and collection of special assessments, a part of the cost of lighting streets, alleys and other public ways of the City, sprinkling, sweeping, cleaning and removing snow from streets, alleys and other public ways of the City, and controlling blight and disease of shade trees within rights of way and planting, maintaining, trimming and removing shade trees in and along streets of the City, all during the year 2021; authorizing the execution and delivery of a Trust Agreement securing the payment of the Notes; authorizing the execution and delivery of certain other documents in connection with the issuance of the Notes; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

This Council has previously, by proper legislation, declared the necessity of providing certain City services (the “Services” as defined in Section 1) in 2021, has caused estimated special assessments for the Services to be prepared and filed in the aggregate amount of \$32,276,140 and has received and accepted the reports, findings and recommendations of the Board of Revision with respect to the Services to be provided and the assessments therefor.

The City is authorized, under Chapter 133 of the Revised Code, (a) to issue notes in anticipation of the levy and collection of special assessments to pay costs of certain services, including the Services; and (b) to enter into a trust agreement to provide for the payment and security of such notes.

This Council has determined that it is necessary and appropriate at this time (a) to borrow in anticipation of the levy and collection of those special assessments (and to issue the Notes authorized in Section 2 to

evidence that borrowing) in order to provide funds to pay costs of the Services; and (b) to enter into the Trust Agreement with U.S. Bank National Association authorized in Section 7 to provide for the payment and security of those Notes.

18. [TMP-6595](#)

Providing for the issuance and sale of notes in an aggregate principal amount not to exceed \$700,000, in anticipation of the issuance of bonds, to provide funds to pay costs of improving the City's storm water drainage system by constructing a storm water sewer main from an existing main at a point in Central Avenue just west of its intersection with Upton Avenue southwesterly in City streets and easements acquired and to be acquired approximately 1,400 feet to connect to an existing main in ProMedica Parkway; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

This is one of two of ordinances that authorize the issuance of general obligation bond anticipation notes the City plans to sell in Fall 2021. This ordinance authorizes the sale of up to \$700,000 of general obligation bond anticipation notes to provide funds to be used to retire an outstanding bond anticipation note issued in July 2021 to provide approved debt funding for the Storm Water Drainage System Improvement Project that is stated to mature on December 31, 2021 and is being held as a treasury investment of the City. With the issuance of the notes authorized by this ordinance and the retirement of the outstanding note, the City's outstanding debt will neither increase nor decrease the City's legal borrowing capacity. The notes will be subject to statutory direct debt limitations and the statutory and constitutional indirect debt limitation.

Pursuant to Ordinance No. 328-21 passed by this Council on July 13, 2021, a note in anticipation of bonds in the amount of \$700,000, dated as of July 15, 2021 (the Outstanding Note), was issued for the purpose described in Section 1, which Outstanding Note is to mature on December 31, 2021.

This Council finds and determines that the City should retire the Outstanding Note with the proceeds of the Notes described in Section 1 and other funds available to the City.

The Director of Finance, as fiscal officer of this City, has certified to this Council that the estimated life or period of usefulness of each class

of the improvements described in Section 1 is at least five years, the estimated maximum maturity of the Bonds described in Section 1 is at least twenty years, and the maximum maturity of the Notes described in Section 3, to be issued in anticipation of the Bonds, is July 15, 2041.

Attachments: [Fiscal Officer's Certificate](#)

19. [TMP-6596](#)

Providing for the issuance and sale of notes in an aggregate principal amount not to exceed \$8,300,000, in anticipation of the issuance of bonds, to provide funds to pay costs of improving the City's street system, in cooperation with the Department of Transportation of the State of Ohio and otherwise, by improving certain designated streets by constructing, reconstructing and rehabilitating the pavement base, bridges, curbs, drainage improvements, driveway approaches, pedestrian ramps, bicycle paths and sidewalks, widening, realigning, adjusting radius cutbacks, manholes and catch basins, preparing the surface and surfacing and resurfacing, and installing traffic signs, signals and signalization, where necessary, and improving certain designated bridges by constructing, reconstructing, replacing, rehabilitating, restoring and widening bridge decks, supporting piers, abutments, arches, beams, columns and other structural steel components and bridge bearing systems and related embankments and drainage facilities, restoring and installing expansion joints, bridge railings and traffic barrier railings and constructing, reconstructing and rehabilitating the pavement base, curbs, drainage improvements, driveway approaches, bicycle paths and sidewalks and surfacing and resurfacing the roadway on those bridges and approaches to those bridges, where necessary, in each case together with the necessary appurtenances and work incidental thereto, and acquiring real estate and interests in real estate in connection therewith; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

This is one of two of ordinances that authorize the issuance of general obligation bond anticipation notes the City plans to sell in Fall 2021. This ordinance authorizes the sale of up to \$8,300,000 of general obligation bond anticipation notes to provide approved debt funding

for portions of the street and bridge construction, reconstruction, rehabilitation and resurfacing projects included in the City's 2021 Capital Improvement Program. With the issuance of the notes authorized by this ordinance, the City's outstanding debt will be increased by not more than \$8,300,000. The notes will be subject to statutory direct debt limitations and the statutory and constitutional indirect debt limitation and reduce the City's legal borrowing capacity. The Director of Finance, as fiscal officer of this City, has certified to this Council that the estimated life or period of usefulness of each class of the improvements described in Section 1 is at least five years, the estimated maximum maturity of the Bonds described in Section 1 is at least fifteen years, and the maximum maturity of the Notes described in Section 3, to be issued in anticipation of the Bonds, is two hundred forty months.

Attachments: [Fiscal Officer's Certificate](#)

COUNCILWOMAN DR. ADAMS, CHAIR, NEIGHBORHOODS, COMMUNITY DEVELOPMENT & HEALTH COMMITTEE, REPORTS AS APPROVED:

[O-418-21](#)

Enacting Chapter 1768 of the Toledo Municipal Code, Tenants' Right to Counsel in Eviction Proceedings; authorizing the appropriation and expenditure of \$250,000 from the unappropriated balance of the General Fund; authorizing the Mayor to enter into an agreement with Legal Aid of Western Ohio; and declaring an emergency.

Legislative History

8/17/21

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.