



City of Toledo

One Government Center
Toledo, OH 43604

Agenda Review City Council

Tuesday, May 17, 2022

2:00 PM

Council Chambers

COUNCIL MEMBER MELDEN PRESENTS:

[TMP-7442](#)

Recognize UT Basketball Coach Tricia Cullop.

COUNCIL MEMBERS HOBBS, McPHERSON, MORRIS, WHITMAN AND WILLIAMS PRESENT:

[TMP-7443](#)

Recognize Judge Myron Duhart and rename Boss Park as Judge Myron Duhart Park.

APPOINTMENTS FROM THE OFFICE OF THE MAYOR:

[TMP-7444](#)

Appointment - Toledo City Historic District Commission

Attachments: [Toledo City Historic District Comm](#)

[TMP-7445](#)

Appointment - Toledo-Lucas County Board of Health

Attachments: [T-LC Bd of Health](#)

SECOND READING ITEMS:

[O-210-22](#)

Amending the Toledo Municipal Code by enacting a new Chapter 182, Environmental Protection and Climate Resilience Commission and creating the One Percent for the Environment Program; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The City hereby declares its commitment to addressing factors of climate change/environmental inequalities in the City of Toledo by establishing an advisory commission and dedicating funding for these purposes. This commission will advise the Mayor and City Council on

energy, climate mitigation, and sustainability initiatives emphasizing local air and water quality, renewable energy development, residential energy and home efficiency, greenspace, workforce development, neighborhood safety, construction controls, waste alternatives and recycling, and watershed protections, especially in neighborhoods disproportionately impacted by environmental degradation.

Legislative History

5/10/22 City Council First Reading

[O-214-22](#)

Authorizing the Mayor to enter, execute and deliver a Real Estate Purchase Agreement and other needed instruments for the sale and conveyance of City owned real estate located at 1301-1327 North Detroit Avenue and part of 1414 Dorr Street, Toledo Ohio to the Toledo Urban Federal Credit Union; waiving the competitive bidding and advertising provisions of TMC 187.19; authorizing the deposit of net sale proceeds; making certain findings with respect thereto; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The City of Toledo is the owner of certain real property located at 1301-1327 North Detroit Avenue and part of 1414 Dorr Street (Parcel ID Numbers 05-03884, 05-03891, 05-03894, 05-03897, 05-03901, 05-03904, 05-03907, 05-03911 and part of 05-03917). In the decade of the 1970's, these lots were obtained by the City of Toledo, combined with adjacent lots, and maintained as green space.

Historically, the Dorr Street Corridor was a cultural and economic hub of the African American community in Toledo. This nine-block area contained 70 black-owned enterprises by 1971. Today, this vibrant economic corridor exists primarily in historical documentation and personal memories. Urban renewal programs in the mid-1970s resulted in the demolition of over 300 structures; homes, offices and storefronts, two theaters and a bowling alley, in less than three years. The Subject Property is in a portion of this Dorr Street Corridor, and the proposed development has the potential to catalyze redevelopment of this area as a neighborhood commercial corridor.

Toledo Urban Federal Credit Union (TUFCU) is a 501(c) (1) nonprofit organization, and Toledo's first community development credit union, offers banking services, loans and financial counseling. TUFCU opened its doors to serve the central city community on July 21, 1996, and has now grown to over 4800 members and \$13 million dollars in deposits. The TUFCU operates with a mission to "achieve economic empowerment through education for its members, to be active partners in the community, and to operate in a profitable and financially sound manner".

To further that mission and to accommodate their growth, TUFCU now proposes to construct, across historic Dorr Street, from its current location, an additional facility, to be utilized as a community resource center and TUFCU additional office space. The proposed, two-story structure will have a footprint of approximately 4500 square feet.

The Administration is proposing to enter into Real Estate Purchase Agreement with TUFCU for the sale and conveyance of the real property located at 1301-1327 North Detroit Avenue and a part of 1414 Dorr Street (see attached exhibit A) in exchange for the purchase price of one dollar (\$1.00). TUFCU will be required to provide the City with an Option to Repurchase the property for one dollar (\$1.00) if specified development goals are not met within 3 years of transfer of the property.

Attachments: [Exhibit A](#)

Legislative History

5/10/22 City Council First Reading

COUNCIL MEMBER MELDEN PRESENTS:

[TMP-7446](#)

Authorizing the waiver TMC section 1111.0705 entitled "City Council Hearing and Decision" to allow the Zoning & Planning Committee of Toledo City Council to hold a public hearing prior to 30 days after receipt of the Plan Commission recommendation on Z-4001-22: Zone Change from CO to CN for the property located at

2909 W. Central Avenue; and declaring an emergency.**Body:** SUMMARY & BACKGROUND:

The purpose of this ordinance is to waive TMC. Sec. 1111.0705 that states as follows:

Not less than 30 days after receiving the Plan Commissions recommendation or after having allowed the time required for the Plan Commissions consideration, the City Council must hold at least one public hearing on the proposed Special Use Permit. Following the public hearing, at the same or subsequent meeting, the City Council must take action to approve, approve with modifications or deny the proposed amendment based on the criteria of section 1111.0706.

Plans have been brought forth to open a Nutrition Shake Shop and the nearest classification for this type of business is fast food and therefore it is need to change the zoning. As the business would like to continue operations as soon as possible, the waiver is requested.

The public notice requirement prior to the Council hearing under TMC sections 1111.0702 and 1111.0302 and 1111.0303 will be provided.

COUNCIL MEMBER KOMIVES PRESENTS:[TMP-7447](#)

Authorizing the City of Toledo to fund \$20,000 towards the Greater Toledo Digital Equity Coalitions (GTDEC) analysis of resident's broadband access and affordability throughout Lucas County; partnering with Bowling Green State University's Center for Regional Development for a full analysis and report of findings; with full oversight of the program by Toledo Lucas County Public Library; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Since the fall of 2021, Toledo Lucas County Public Library has been convening the "Greater Toledo Digital Equity Coalition," a cross-sector alliance composed of individuals representing entities such as the City of Toledo, Lucas County Board of Commissioners, Lucas County Metropolitan Housing Authority, Bitwise Industries, the Office of Congresswoman Marcy Kaptur, and numerous others. The intent of the Coalition is to further understand the specific hardships community

members must continuously overcome when accessing or using basic technological services. The Coalition now looks to formally engage Bowling Green State University's Center for Regional Development to conduct a digital equity gap analysis-ensuring that Lucas County entities are prepared to receive unprecedented investments from the federal government for broadband connectivity and to close the digital gap; across the U.S.

The Greater Toledo Digital Equity Coalition is seeking \$20,000 from the City of Toledo to finance the mentioned digital equity analysis/scan across Lucas County, allowing the Coalition to harness concrete data about where dollars should be applied to remedy inequities around access and cost. Furthermore, the Coalition hopes that initial funding and additional community investments will create a reserve to quickly develop and mobilize responsive programs that address the issues uncovered by the analysis. Lastly, a formal digital equity scan analysis will make Lucas County a stronger competitor for future state and federal grants to connect our community to information resources that support education, employment, healthy living, and entertainment.

**COUNCIL PRESIDENT CHERRY AND THE MEMBERS OF CITY COUNCIL
PRESENT:**

[TMP-7448](#)

Approving a Petition For Special Assessments for Special Energy Improvement Projects and a Project Plan for the Northwest Ohio Advanced Energy Improvement District under Chapter 1710 of the Ohio Revised Code for JAMLAND2, LLC and 4934 Lewis Ave., Toledo, Ohio 43612; 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; to approve a Special Assessment Agreement in connection with such special assessments; and declaring an emergency.

Attachments: [Exhibit A, B & C](#)
[Petition](#)

DEPARTMENT OF TRANSPORTATION:

1. [TMP-7425](#) **Declaring it necessary and providing for the replacement of sidewalks and driveway approaches on various streets in the City of Toledo; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

This resolution declares the City's intent and provides property owner notice of the replacement of existing sidewalk or the construction of new sidewalks as part of the annual sidewalk rehabilitation program. By attending to the replacement of sidewalks, the City will be preserving and enhancing this important asset for the benefit of residents. The 2022 approved Capital Improvement (CIP) budget allocates \$750,000 for City's portion of the total project cost to pay for the installation of pedestrian curb ramps. The anticipated assessed sidewalk budget identifies \$1,200,000 for the property owners' portion of the total project cost. The property owners' portion will be assessed to the properties identified as in need of sidewalk replacement or construction. It is necessary to perform both City portion and property owner portion together in this program since the rehabilitation is completed in conjunction with one another. This resolution initiates the assessment process by providing notice to those property owners whose property is in need of sidewalk rehabilitation in accordance with the City's sidewalk policy and assessment law. The locations targeted for this year's program are identified by address in Exhibit A.

Attachments: [2022 Sidewalk Program Assessment](#)

2. [TMP-7387](#) **Authorizing the mayor to enter into and execute cooperative agreements between the City of Toledo and Lucas County and to give consent to Lucas County for roadway improvements and resurfacing work on Talmadge Road from Laskey Road to Alexis Road within the City limits; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

Lucas County will be resurfacing Talmadge Road from Laskey Road to Alexis Road. The portion of the project is within the City of Toledo Limits. This project is scheduled to construct in the summer of 2024.

Lucas County will administer the design and construction of the project with County funds and is paying for a majority of the construction. The City of Toledo will participate in the costs by paying a lump sum amount of \$49,000, to be paid for with Matches and Planning funds, that is approximately 6.8% of the total estimated constructed cost of \$717,000.

Attachments: [Agreement](#)

DEPARTMENT OF PUBLIC SERVICE:

3. [TMP-7428](#) **Authorizing the mayor to enter in to a contract with Cargill De-Icing Technology for the purchase of bulk salt; authorizing the expenditure of funds from the Special Assessment Fund; waiving the competitive procurement requirements of TMC Chapter 187; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

Each year, the Division of Road & Bridge Maintenance (formerly Streets, Bridges & Harbor) replenishes its bulk salt inventory for the purpose of snow and ice control. Salt prices have been very volatile in recent years. The City of Toledo can receive as many as four or as few as zero bids depending on the month and season. In the past, the City of Toledo has paid as much as \$100/ton of salt. The 2020 Contract was issued to the lowest and best bidder, Cargill, for the amount of \$39.21/ton. In 2021, the City of Toledo entered into a contract with Cargill for the amount of \$40.38/ton. In 2022, Cargill has offered the amount of \$40.78/ton, only a 1% increase over last year. The City of Toledo requires approximately 15,000 tons to replenish inventory for a total amount of \$611,700. Because of the large amount of salt that needs to be delivered by ship, it is imperative that the contract be awarded to schedule the deliveries to the Arms Dock, as the City of Toledo no longer has its own port.

4. [TMP-7414](#) **Authorizing the expenditure of an amount not to exceed \$500,000 from the Capital Improvement Fund for the Road & Bridge Maintenance Matches and Planning Program; authorizing the mayor to prepare plans and**

specifications, acquire required rights-of-way as appropriate, accept bids and award contracts for Road & Bridge Maintenance Matches and Planning improvement projects within the Division of Road & Bridge Maintenance; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Every year, the Division of Road & Bridge Maintenance (formerly Streets, Bridges & Harbor) includes in its annual CIP fund request a line item for Matches and Planning. This line item represents the funding that is needed in order to supply match amounts for outside grants and loans the Division has anticipated and secured, as well as to plan for future projects with design, testing and environmental work. Some of these projects include, but are not limited to, Kuhlman Drive over NSRR, Berdan over NSRR, Miami Street Embankment, and Summit Street Embankment. This funding is included in the 2022 - 2026 CIP Plan appropriated under Ord. 90-22. It is imperative that the Division of Road & Bridge Maintenance's Matches and Planning Program be authorized immediately as there are strict deadlines for planning, design, environmental, bid, and construction associated with each grant fund source.

5. [TMP-7421](#)

Authorizing the Mayor to enter into a contract for spray-applied alternate daily landfill cover material for the Hoffman Road Landfill for a period of one (1) year with an option of up to three (3) successive one-year renewals; authorizing the expenditure not to exceed \$100,000 annually from the General Fund for the said purchase; waiving the competitive procurement requirements of TMC Chapter 187; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

This Ordinance authorizes the appropriation and expenditure of resources from the general fund for the purchase off alternate daily landfill cover material from LSC Environmental Products, LLC (LSC) for the Hoffman Road Landfill (landfill). The landfill is required to apply a daily cover on the active working face in accordance with Ohio Administrative Code (OAC) 3745-27-19. LSC manufactures a spray-applied mulch and mineral mortar slurry cover material

(VERDac™) used at various landfill facilities across the U.S. VERDac™ is only manufactured by LSC and is more cost effective and advanced relative to previously used spray-applied cover products and is an approved material for alternate daily cover in the U.S.

Attachments: [Bullet Points](#)

6. [TMP-6997](#) **Authorizing the expenditure of an amount not to exceed \$18,000,000 from the Capital Improvement Fund for necessary major building improvements and replacements at the Toledo Municipal Court House; authorizing the Mayor to accept qualifications and proposals and award a design-build construction contract pursuant to ORC Section 153.693; and declaring an emergency**

Body: SUMMARY & BACKGROUND:

This Ordinance authorizes expending an amount not to exceed \$18,000,000 from appropriated capital improvement funds for preserving, improving and replacing major building components at the Toledo Municipal Court House including but not limited to roof replacement, HVAC systems, windows, lighting and fixtures, back-up generation including new switch gears, five (5) elevators and two (2) escalators, front entrance redesign and replacement. Funds are available for expenditure from the approved Capital Improvement Fund budget. This project will be financed through a general obligation bond issuance. Companion legislation authorizing notes in anticipation of bonds has also been submitted.

The Ohio Revised Code (ORC) in Sections 153.65 through 153.73 authorizes the use of design-build for public improvement projects by municipalities. The ORC details the bid and selection process for design-build involving a prequalification process, a request for pricing proposals and negotiation with the selected firm determined to have submitted the best value proposal. The design-build process has been found to be advantageous by reducing risk on the project by having a single source of responsibility while still maintaining the city's involvement in the design and construction services for the project. It

allows for greater value engineering and necessary flexibility without slowing the project.

This Ordinance authorizes the Mayor to enter into a design-build construction contract pursuant to ORC Section 153.693 for improvement to the Toledo Municipal Court.

7. [TMP-7437](#)

Authorizing the appropriation and expenditure of an amount not to exceed \$58,000 from the Local Fiscal Recovery Fund for a Facility Condition Assessment for City of Toledo Community and Seniors Centers; authorizing the Mayor to accept bids and award contracts for professional services to complete said assessment; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The city is the recipient of \$180.9 million through the American Rescue Plan Act (ARPA) to be used to address the public health and negative economic impacts of the COVID-19 pandemic. The Toledo Recovery Plan framework (authorized by Ordinance 530-21) includes \$3.0 million for improvements to the City of Toledo community and senior centers.

This Ordinance authorizes the appropriation and expenditure of \$58,000 to complete a Facility Condition Assessment for the improvements needed at the City's community and senior centers. Subsequent legislation will be presented to authorize the appropriation and expenditure of funds for the improvements recommended as a result of the Facility Condition Assessment.

Attachments: [RFP](#)

[SMART](#)

8. [TMP-7407](#)

Authorizing the expenditure not exceed \$500,000 for the collection, hauling, and processing of materials collected through the 2022 Clean Toledo 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 Urban Beautification, in partnership with the Departments of Public Service, Public Utilities, and Engage Toledo, will increase the number of scheduled recycling events in 2022. 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 expansion of the 2022 from twenty-three (23) total events to twenty-four (24), and support the large volume of materials collected for proper recycling for the on-site vendors.

DEPARTMENT OF FINANCE:

9. [TMP-7416](#) **Levying special assessments for the 2021 Sidewalk Program; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

This is the Ordinance to levy the assessments for the cost and expense for the repair or construction of new sidewalks in the City of Toledo for the 2021 sidewalk program. The services described in Section 1 have been completed and the final cost of those services has been determined.

Attachments: [Property Listing](#)

10. [TMP-7424](#) **Providing for the issuance and sale of \$1,170,000 of notes, in anticipation of the issuance of bonds, for the purpose of paying costs of constructing, reconstructing and rehabilitating sidewalks, including, where necessary, driveway approaches and curbs, in certain locations on designated streets; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

This Ordinance authorizes the issuance and sale of \$1,170,000 of notes in anticipation of the issuance of bonds to provide funding for the City's 2022 Sidewalk Program. With the issuance of the notes authorized by this ordinance, the City's outstanding debt will be increased by not more than \$1,170,000. The notes will be subject to statutory direct debt limits and the statutory and constitutional indirect debt limitation and reduce the City's legal borrowing capacity.

The notes are to be sold to the City Treasury and will be held as an investment. They are expected to remain outstanding until they may be retired with proceeds of notes to be issued with other notes as a part of a scheduled private placement of general obligation notes later in 2022. The bonds in anticipation of which the notes are to be issued are to be retired over a period of 20 years.

The Director of Finance, as fiscal officer of the City, has certified to this Council that the estimated life or period of usefulness of the improvement described in Section 1 is at least five years, the estimated maximum maturity of the Bonds described in Section 1 is 20 years and the maximum maturity of the Notes described in Section 3, to be issued in anticipation of the Bonds, is 240 months from their date of issuance.

11. [TMP-7440](#)

Providing for the issuance and sale of \$18,000,000 of notes, in anticipation of the issuance of bonds, for the purpose of paying costs of renovating, remodeling, equipping and re-equipping and otherwise improving the Municipal Court Building, together with necessary appurtenances and work incidental thereto; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

This Ordinance authorizes the issuance and sale of \$18,000,000 of notes in anticipation of the issuance of bonds to provide funds for the purpose of paying costs of renovating, remodeling, equipping and re-equipping and otherwise improving the Municipal Court Building, together with necessary appurtenances and work incidental thereto. With the issuance of the notes authorized by this Ordinance, the City's outstanding debt will be increased by not more than \$18,000,000. The notes will be subject to statutory direct debt limits and the statutory and constitutional indirect debt limitation and reduce the City's legal borrowing capacity.

The notes are to be sold in a scheduled private placement or public sale of general obligation notes. They are expected to remain outstanding until they may be retired with proceeds of bonds to be issued with other bonds as a part of a scheduled public sale of general obligation bonds later in 2022.

The Director of Finance, as fiscal officer of the City, has certified to this Council that the estimated life or period of usefulness of the improvement described in Section 1 is at least five years, the estimated maximum maturity of the Bonds described in Section 1 is at least 20 years and the maximum maturity of the Notes described in Section 3, to be issued in anticipation of the Bonds, is 240 months from their date of issuance.

DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT:

12. [TMP-7433](#) **Authorizing the appropriation and expenditure of \$2,900,000 from Local Fiscal Recovery Fund for the City of Toledo Roof Tops Program; authorizing the Mayor to accept bids, award contracts and enter into necessary agreements for said program; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

This Ordinance authorizes the appropriation and expenditure of \$2,900,000 for projects and costs associated with the Toledo Roof Tops Program. The Toledo Roof Tops Program will consist of a partnership with Toledo Urban Federal Credit Union, Maumee Valley Habitat for Humanity and the Department of Housing and Community Development to provide financial assistance to eligible households for repair or replacement of approximately seven hundred (700) failing roofs on owner-occupied housing in Qualified Census Tracts (QCT). Roof Tops grants will be provided to households with income at or below 60% of the area median selected through a lottery. Households with income at or below 80% of the area median, not selected in the lottery, will have an opportunity to apply for assistance consisting of a 50/50 Low-interest loan/matching grant through the Toledo Urban Federal Credit Union. The ARPA Roof Tops funds will be allocated to partners outlined in Attachment A for administration and grants to fund construction costs.

To facilitate timely disbursement of construction funding, City of Toledo Department of Housing and Community Development Roof Tops construction funding will be escrowed with title companies, selected through a RFQ.

Attachments: [Exhibit A](#)
[ARPA Final Rule](#)

13. [TMP-7434](#) **Authorizing the appropriation and expenditure of \$900,000 from the Local Fiscal Recovery Fund for the Englewood Code Compliance Pilot Program; authorizing the Mayor to accept bids, award contracts and enter into**

necessary agreements for said program; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

This Ordinance authorizes the appropriation and expenditure of \$900,000 of American Rescue Plan Act funds for projects and costs associated with the Englewood Code Compliance Pilot Program (ECCP). In January 2021 the Center for Community Progress completed a technical assistance report - *A More Strategic, Equitable Approach to Housing and Building Code Enforcement in Toledo, Ohio* (“Code Enforcement Assessment”). A major finding of the Code Enforcement Assessment is that property maintenance challenges are largely due to pervasive poverty and an aging housing stock, requiring a more equitable code enforcement approach that recognizes that different strategies are needed for different types of owners, properties, and housing markets. The ECCP will move to address this finding, by piloting a non-legal code compliance path through funding and housing rehabilitation management for homeowners in Englewood Qualified Census Tracts (QCTs), with household incomes at or below 50 percent of the area median. The ECCP will target approximately 90 residential properties, displaying repair needs that are current code violations. The ECCP will leverage or support the blight removal and new rental housing investments planned for the Driggs Dairy site. Upon completion, lessons learned from the ECCP will be replicated in other target neighborhoods.

The Department of Housing and Community Development will provide marketing, application intake, income eligibility approval, construction management and outcomes reporting for the ECCP. To facilitate timely disbursement and completion of ECCP housing rehabilitation, ECCP funding will be escrowed with up title companies, selected through a RFQ.

Attachments: [Attachment A](#)
[ARPA Final Rule](#)
[SMART Template](#)

DEPARTMENT OF POLICE OPERATIONS:

14. [TMP-7432](#) **Authorizing the Mayor to enter into an agreement and accept and deposit \$220,000 from the Office of Criminal Justice Services for an Ohio Violent Crime Reduction Grant (2022-VCR-AO2-375); authorizing the appropriation and expenditure of funds from the Operation Grants fund; authorizing the Mayor to accept bids and award contracts; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

The Toledo Police Department has requested and received \$220,000 in Ohio Violent Crime Reduction Grant funds from the Ohio Office of Criminal Justice Services. There is no local match required for this grant. The grant funds will be used to purchase an Integrated Ballistics Identification System (IBIS) device. IBIS technology identifies possible matches between pairs of spent bullets and cartridge cases, in order to give detectives more timely information about crimes, guns, and suspects. The balance of the grant funds will be used for computers and overtime.

Attachments: [Brochure](#)

15. [TMP-7427](#) **Authorizing the Mayor to enter into an agreement with the Bureau of Justice Assistance through the Office of Criminal Justice Services and to accept and deposit a Paul Coverdell Forensic Science Improvement grant 2021-PC-NFS-7816 in the amount of \$30,202.51 for the Toledo Police Department; authorizing the appropriation and expenditure of funds from the Operation Grants fund; authorizing the Mayor to accept bids and award contracts; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

The Toledo Police Department has requested and received \$30,202.51 in Paul Coverdell Forensic Science Improvement Grant funds from the Ohio Office of Criminal Justice Services for the Toledo Police Forensic Laboratory.

There is no match required for this grant. The grant funds will be used to purchase equipment and supplies for the Toledo Police Forensic

Laboratory.

16. [TMP-7418](#) **Authorizing the expenditure of an amount not to exceed \$100,967.57 from the Operations Grants Fund and an amount not to exceed \$1,506.82 from the General Fund for the purchase of an Agilent Technologies gas chromatograph mass spectrometer; waiving the competitive bid requirements of Chapter 187 of the Toledo Municipal Code; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

This Ordinance authorizes waiving the competitive bid process for the purchase of an Agilent Technologies gas chromatograph mass spectrometer (GC/MS). The Forensic Lab will use this device to process drug cases and reduce case backlogs. Funds for this purchase have been previously appropriated under separate legislation. The funds are provided by BJA grant 2021-JG-LE-1000 (ord. 184-22) \$71,560.02, Paul Coverdell Forensic Science Improvement grant 2020-PC-NFS-7816 (ord. 148-21) \$29,407.55, and General Fund \$1,506.82. The total expenditure for the purchase of the Agilent gas chromatograph mass spectrometer is \$102,474.39.

The forensic lab has been using an Agilent GC/MS for over 18 years and all personnel are trained in its use. In addition every accredited laboratory in the State of Ohio uses Agilent GC/MS instruments. Agilent GC/MS was specifically designed for Forensic Toxicology and this is the only available mass spectrometer with technologies that provide greater spectral integrity by eliminating surface activity reactions. For these reasons, the competitive bidding requirements of Toledo Municipal Code Chapter 187 are requested to be waived.

Attachments: [Sole Source Justification](#)

DEPARTMENT OF PUBLIC UTILITIES:

17. [TMP-7441](#) **Authorizing the mayor to enter into contracts or amendments to existing contracts related the systems integration necessary for the implementation of the AMI**

project; waiving competitive proposal requirements of Ch. 187; authorizing the total expenditure of up to \$8,000,000 from specified account codes; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The DPU is moving forward with AMI/SAP and related systems integration services. This work is an essential part of the AMI project to integrate billing, account and other customer and utility support systems to interface and integrate with the new meter systems, including Sensus Autoread and Sensus Flexnet. The initial phase of this has been contracted through JCI as authorized by Ord. 364-20. As the AMI contractor JCI will be involved in various aspects of this integration process. However, as a significant portion of this process deals with the integration/interface and upgrade of existing city systems capabilities, it is more cost effective and efficient for the City to contract directly for certain of these services. Contracts pursuant to this Ordinance are anticipated with, but not limited to, Deloitte Consulting, LLP, SL-serco, Inc. and Smart Energy Water (“SEW”).

This Ordinance does not increase the appropriation or expenditure of funds as currently provided under Ord. 364-20, but clarifies that the City may contract directly with various contractors for necessary integration services and authorizes the expenditure of funds appropriated under Section 4 of Ord. 364-20 for this purpose. This ordinance waives competitive bidding for these professional services agreements under this Ordinance as the scope of some this work was previously subject to competitive proposals through the AMI contract with JCI, or are current city contractors for related or complementary work, or sole suppliers or selected for expertise related to proprietary software either currently utilized or to be utilized related to the AMI meters and systems to be installed.

18. [TMP-7439](#)

Authorizing the mayor to enter into a Lease Agreement with the Ohio Building Company, Ltd., for 36,241 square feet of administrative office and customer service space for the Division of Utilities Administration, in the Ohio Building located at 420 Madison Avenue; further authorizing the expenditure for said lease; and declaring

an emergency.

Body: SUMMARY & BACKGROUND:

Ordinance 253-12 approved a ten (10) year lease agreement for the Division of Utilities Administration to lease administrative office and customer service space with the Ohio Bldg. Company Ltd., located at 420 Madison Avenue. The current lease agreement expires on May 31, 2022. This ordinance continues the lease with the Ohio Building for a seven (7) year period beginning June 1, 2022 and expiring on May 31, 2029. This ordinance also authorizes the payment for building operating costs (BOC) with a 2% annual cap and parking for DPU employees.

Attachments: [Lease Agreement](#)

19. [TMP-7430](#) **Authorizing the expenditure in an amount not to exceed \$ 1,124,880 from the Sewer Replacement Fund, \$1,660,000 From the Water Replacement Fund and \$ 668,120 from the Storm Water Replacement Fund for the purchase or lease of vehicles and equipment; authorizing the mayor to accept bids and enter into contracts; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

This Ordinance authorizes the expenditure of \$1,124,880 from the Sewer Replacement Fund, \$668,120 from the Storm Water Replacement Fund, and \$1,660,000 from the Water Replacement Fund for the purchase or lease of vehicles and equipment for the Department of Public Utilities. The Department of Public Utilities intends to trade-in existing vehicles or equipment toward purchases when possible. Funding has been approved for 2022 in accordance with the current 5-year vehicle replacement program. These vehicles are necessary to maintain a safe, reliable Department of Public Utilities.

Attachments: [Account Codes](#)

20. [TMP-7431](#) **Authorizing the mayor to accept bids and award contracts for the Hydrant Replacement Program; authorizing the expenditure in an amount not to exceed \$700,000 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 planned in the Department of Public Utilities Capital Improvement Program. It is the intent of this ordinance to expend \$700,000 from the Water Replacement Fund for the purchase of hydrants, hydrant valves and other related materials.

21. [TMP-7429](#)

Authorizing the expenditure in an amount not to exceed \$150,000 from the Water Operating Fund for the street cut pavement restoration in Lucas County; authorizing the mayor to accept bids and enter into contracts; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The City of Toledo Division of Water Distribution requesting subcontracting street cut pavement restoration work outside the city limits. This effort is limited to the designated area and serves only to assist with the backlog of work. This ordinance authorizes the expenditure of funds to repair utility cut damaged due to water main break repairs and improvements in Lucas County.

22. [TMP-7417](#)

Authorizing the appropriation and expenditure in an amount not to exceed \$250,000 from the Sewer Replacement Fund for the Digester Heat Exchanger Project at the Water Reclamation Plant; authorizing the mayor to accept bids and award contracts for equipment and construction services necessary to facilitate the construction of the Digester Heat Exchanger Project; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The Water Reclamation Plant (Plant) has six (6) digester heat exchangers that transfer heat from the boiler system to the pre-digested sludge. This heat transfer is crucial for pathogen and volatile solid reduction in post-digested sludge as required by the Plants NPDES permit. The heat exchangers are 35+ years old and are beyond their useful life.

This project seeks to replace two of the six heat exchangers to enable to the Plant to continue to meet permit obligations.

23. [TMP-7420](#)

Authorizing the mayor to enter into and execute necessary agreements with the Great Lakes Commission (GLC) as sub award from the National Oceanic and Atmospheric Administration (NOAA) through a Cooperative Agreement with the U.S. Department of Commerce and Regional Partnership to Restore Fish Habitat in Priority Great Lake Coastal Sites and Areas of Concern; authorizing the mayor to accept and deposit grant proceeds in the amount of \$614,147 into the Operation Grants Fund; authorizing the appropriation and expenditure of said grant proceeds for the Restoration of the Ottawa River in Jermain Park project; authorizing the mayor to accept bids and execute necessary agreements and contracts with the grant; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The City of Toledo has been awarded funding and is invited to enter into a subgrant agreement with the Great Lakes Commission (GLC), in coordination with the National Oceanic and Atmospheric Administration (NOAA) for a U.S. Department of Commerce grant in the amount of \$614,147 to be used for the Restoration of the Ottawa River in Jermain Park Project. This ordinance authorizes the mayor to accept, deposit, appropriate and expend up to \$614,147 in grant proceeds from the GLC.

Attachments: [Project Location Map](#)

24. [TMP-7419](#)

Authorizing the mayor to enter into and execute necessary agreements with the Great Lakes Commission (GLC) as subgranted from the National Oceanic and Atmospheric Administration (NOAA) through a Cooperative Agreement with the U.S. Department of Commerce Award Regional Partnership to Restore Fish Habitat in Priority Great Lake Coastal Sites and Areas of Concern; authorizing the mayor to accept and deposit grant proceeds in the amount of

\$175,500 into the Operation Grants Fund; authorizing the appropriation and expenditure of said grant proceeds for the Collins Park Stream Restoration Feasibility Study project; authorizing the mayor to accept bids and execute necessary agreements and contracts for the purchase of goods and services to administer the grant; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

The City of Toledo has been awarded funding and is invited to enter into a subgrant agreement with the Great Lakes Commission (GLC) in coordination with the National Oceanic and Atmospheric Administration (NOAA) for a U.S. Department of Commerce grant in the amount of \$175,500 to be used for the Collins Park Stream Restoration Feasibility Study. This ordinance authorizes the mayor to accept, deposit, appropriate and expend up to \$175,500 in grant proceeds from the Great Lakes Commission (GLC).

Attachments: [Collins Park Map](#)

DEPARTMENT OF POLICE OPERATIONS:

25. [TMP-7422](#) **Authorizing the Mayor to enter into a contract with Motorola Solutions, Inc.; for the purchase of Motorola police radios; authorizing the expenditure in an amount not to exceed \$284,734.70 from the Capital Improvement Fund, an amount not to exceed \$59,847.69 from the Operation Grants Fund and an amount not to exceed \$10,417.61 from the General Fund for the purchase of Motorola Solutions, Inc. police radios; waiving the competitive bid requirements of Chapter 187 of the Toledo Municipal Code; and declaring an emergency.**

Body: SUMMARY & BACKGROUND:

This ordinance authorizes the total expenditure of \$355,000 for Motorola Solutions, Inc. police radios. Motorola Solutions, Inc. is the sole source supplier for police radio communication equipment for the City of Toledo. This purchase is needed to replace aging portable

radios and to outfit new police vehicles.

ITEM LIKELY TO BE RELIEVED OF REGIONAL GROWTH, DEVELOPMENT & SMALL BUSINESS ENTERPRISE COMMITTEE:

[O-042-22](#)

Authorizing the expenditure of an amount not to exceed \$54,727 from the Street Construction, Maintenance and Repair Fund to the Toledo Metropolitan Area Council of Government (TMACOG) for the payment of the City of Toledo's 2022 Transportation Planning Assessment Fee; authorizing the expenditure of an amount not to exceed \$12,058 from the Storm Water Operating Fund to TMACOG for dues for the 2022 Stormwater Coalition; authorizing the expenditure of an amount not to exceed \$73,357 from the General Fund to TMACOG for the payment of the City of Toledo's 2022 Membership Fee; and declaring an emergency.

Body: SUMMARY & BACKGROUND:

In conjunction with the City of Toledo's acquisition of federal and state funding sources for infrastructure improvements, the city also works with and through TMACOG. The city's 2022 transportation assessment fee to TMACOG for their services is \$54,727. Funds have been budgeted and are available in the proposed 2022 Division of Engineering Services' operating budget to provide for this payment.

The Stormwater Coalition is made up of governments, universities, and non-government groups that contribute annual membership dues to TMACOG. The city's 2022 dues are \$12,058. Funds for these dues have been budgeted and are available in the proposed 2022 Division of Environmental Services' operating budget to provide for this payment.

Lastly, this ordinance authorizes payment of the city's 2022 general purpose government membership fee from the General Fund in the amount of \$73,357. Funds have been budgeted and are available in the proposed 2022 General/Non-Departmental operating budget to provide for this payment.

Attachments: [Invoices](#)

[Audio: Agenda Review 1/25/2022](#)

Legislative History

2/1/22

City Council

Referred To:

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

[TMP-7436](#)

Repealing Section 2101.37 of the Toledo Municipal Code; enacting a new Section 2101.37 and declaring an emergency.

Body: SUMMARY & BACKGROUND:

Currently, Section 2101.37 of the Toledo Municipal Code, which address “Paid Holidays” for administrative and managerial staff (“exempts”). The current Code identified the following thirteen (13) city holidays: New Year’s Day; Martin Luther King Day (third Monday in January); Presidents Day (third Monday in February); Good Friday; Memorial Day (last Monday in May); Fourth of July; Labor Day; Columbus Day (second Monday in October); Veterans Day (November 11); Thanksgiving Day; Friday after Thanksgiving; Christmas Eve (the last regular work day before Christmas Day); Christmas Day.

On June 17, 2021, President Biden signed Senate Bill 475 officially recognizing “Juneteenth National Independence Day” as a national holiday. Quickly following suit, Governor Mike DeWine and the Lucas County Commissioners issued statements recognizing Juneteenth as a state holiday. Mayor Kapszukiewicz issued a formal proclamation recognizing Juneteenth holiday.

To be celebrated on June 19, Juneteenth commemorates the 1865 Emancipation Proclamation, marking the end of slavery in the United States. To support the importance of this significant holiday, the City wishes to follow suit with the Federal and State Government by declaring Juneteenth a paid holiday.

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.