



## Legislation Details (With Text)

**File #:** O-429-21      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Approved  
**File created:** 8/3/2021      **In control:** Public Utilities Department  
**On agenda:** 8/17/2021      **Final action:** 8/17/2021

**Title:** Approving the use of the Water Distribution Infrastructure Development Fund (2% Water Fund) to pay the cost of installing such items as a new water tap, water service line, curb stop, meter pit and lawn hydrant for up to ten (10) community gardens at various locations inside the City of Toledo upon the recommendation of the Director of Public Utilities; appropriating and expending \$40,000 from the unappropriated balance of the Water Distribution Infrastructure Development Fund; and declaring an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Bullet Points, 2. Audio: City Council August 17, 2021

Date	Ver.	Action By	Action	Result
8/17/2021	1	City Council		
8/17/2021	1	City Council		
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DPU081721CommunityGardens2%Funds  
Utilities Administration  
Cindy Geronimo (x2363)  
Revised

**Approving the use of the Water Distribution Infrastructure Development Fund (2% Water Fund) to pay the cost of installing such items as a new water tap, water service line, curb stop, meter pit and lawn hydrant for up to ten (10) community gardens at various locations inside the City of Toledo upon the recommendation of the Director of Public Utilities; appropriating and expending \$40,000 from the unappropriated balance of the Water Distribution Infrastructure Development Fund; and declaring an emergency.**

### SUMMARY & BACKGROUND:

Toledo Municipal Code §933.11 established the Water Distribution Infrastructure Development Fund (aka the 2% Water Fund) for the purposes stated therein which includes job creation and retention. Various not-for-profit community gardening outreach program sponsors have approached the Department of Public Utilities (“DPU”) for financial assistance from the 2% Water Fund to establish community-based gardens at up to ten (10) locations inside Toledo. In particular, these not-for-profit sponsors have asked DPU to use its 2% Water Funds to cover the costs of tapping the water mains to facilitate the construction of water lines into these

community gardens and the installation of meter pits, backflow preventers and lawn hydrants in the public rights of way or adjacent approved City of Toledo easements. The cost for this work includes labor, materials and equipment and is estimated to be \$4,000 per location. These not-for-profit sponsors will then be able to promote economic development through job training and education and to support entrepreneurs engaged in urban agriculture who will now have the opportunity to grow vegetables and fruits for education, re-sale, fundraisers, etc. especially in areas of our city that have been labeled as food deserts. Food Deserts are defined as an area that has limited access to affordable and nutritious food. The selection process for the 10 gardens will prioritize locations that have been identified as food deserts. As study commissioned by DPU's Sustainability Coordinator entitled "Identifying Factors Affecting Access to Food in Toledo, Oh" has identified these areas.

The fiscal impact of this ordinance is as follows:

- The total amount of funds requested: \$40,000
- The expenditure budget line item: 6065-34000-4U1121STDSTD
- 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)? 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

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That, pursuant to Toledo Municipal Code §933.11, the Water Distribution Infrastructure Development Fund is authorized to pay the costs of installing such items as a new water tap, water service line, curb stop, meter pit and lawn hydrant into up to ten (10) community gardens inside the City of Toledo in the public rights of way or adjacent City of Toledo easements in an amount not to exceed \$4,000 at each location or \$40,000 in total.

SECTION 2. That the mayor is authorized to execute any necessary contracts, agreement(s) and/or document(s) for the purposes stated in Section 1 upon such terms and conditions as shall be approved by the Director of Public Utilities and the Director of Law.

SECTION 3. That the sum of \$40,000 is appropriated from the unappropriated balance of the Water Infrastructure Development Fund into Account Code 6065-34000-4U11221STDSTD and that said amount is authorized for expenditure for the purposes stated in Section 1.

SECTION 4. That the Finance Director is authorized to issue his warrant or warrants against the account code referenced in Section 3 in an amount not to exceed \$40,000 in payment of the obligations incurred pursuant to the agreement(s) authorized in Section 2 upon presentation of proper voucher or vouchers.

SECTION 5. That the disappropriation of any remaining budget to fund balance at project closeout is authorized.

SECTION 6. That this ordinance is declared to be an emergency measure and shall be in force and effect from and after its passage. The reason for the emergency lies in the fact that same is necessary for the immediate preservation of the public peace, health, safety and property, and for the further reason that this ordinance must be immediately effective in order to provide timely infrastructure improvements to community gardens throughout the City of Toledo.

Vote on emergency clause: yeas 12, nays 0.

Passed: August 17, 2021, as an emergency measure: yeas 12, nays 0.

Attest:

Gerald E. Dendinger  
Clerk of Council

Matt Cherry  
President of Council

Approved:

August 17, 2021  
Wade Kapszukiewicz  
Mayor