



Legislation Details (With Text)

File #: O-042-21 **Version:** 1 **Name:**
Type: Ordinance **Status:** Vetoed
File created: 1/22/2021 **In control:** City Council
On agenda: 3/16/2021 **Final action:** 3/16/2021

Title: Establishing the Department of Parks, Recreation, Youth Services and Educational Engagement by amending Toledo Municipal Code Section 127.13(b), repealing TMC Section 127.14 and enacting a new TMC Chapter 131 "Department of Parks, Recreation, Youth Services, and Educational Engagement"; authorizing the reappropriation of \$3,356,797 from the Department of Public Service, Parks, Recreation and Forestry Division to the Department of Parks, Recreation, Youth Services and Educational Engagement; and appropriating an additional \$2,500,000 from the unappropriated balance of the General Fund; and declaring an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Creating a City of CHOICE, 2. Audio: Agenda Review 1/27/2021, 3. Education, Recreation & Employment Committee Meeting February 8, 2021, 4. Mayor's Veto New O-042-21

Date	Ver.	Action By	Action	Result
3/16/2021	1	City Council		
3/16/2021	1	City Council		
3/16/2021	1	City Council		
3/10/2021	1	Office of the Mayor	Veto	
3/2/2021	1	City Council		
3/2/2021	1	City Council		
3/2/2021	1	City Council		
3/2/2021	1	City Council		
2/2/2021	1	City Council		

Councilwoman Dr. Adams

Establishing the Department of Parks, Recreation, Youth Services and Educational Engagement by amending Toledo Municipal Code Section 127.13(b), repealing TMC Section 127.14 and enacting a new TMC Chapter 131 "Department of Parks, Recreation, Youth Services, and Educational Engagement"; authorizing the reappropriation of \$3,356,797 from the Department of Public Service, Parks, Recreation and Forestry Division to the Department of Parks, Recreation, Youth Services and Educational Engagement; and appropriating an additional \$2,500,000 from the unappropriated balance of the General Fund; and declaring an emergency.

SUMMARY & BACKGROUND:

Toledo City Council has determined that Parks, Recreation, Youth Services and Education are critical to quality of life and the health, safety and satisfaction of residents of all ages. Evidence proves that high quality parks and recreation systems, supportive youth programming developing pathways to success for city youth, and a

successful and thriving educational system are critical for population retention and growth, and are drivers of strong economic development in the city. The city must prioritize these activities and develop a sustainable system of maintenance and support. Additionally, Mayor Kapszukiewicz formed the Recreation Task Force upon entering office in 2018. After months of study, a report was presented to the Mayor and Council that made recommendations as to recreation programming, maintenance of parks and facilities and funding. This legislation creates a system where parks and recreation once again become a priority for the city. Additionally, the elimination of the Youth Commission in 2018 created a void with respect to youth services and programming. This legislation also prioritizes this by creating a division that will be responsible for creating a system of support for developing and enriching the lives of young people. Finally, people need to have compelling reasons to choose Toledo as the place they want to live, work and raise a family. Employment opportunities are inextricably tied to education and training. Having an excellent school system is one incentive. The Division of Educational Engagement is created to develop a comprehensive plan for collaboration with educational partners and city support of initiatives aimed at achieving educational excellence for the betterment of all of Toledo.

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

SECTION 1. That Toledo Municipal Code Chapter 127.13(b) "Commissioner of Public Lands Maintenance; duties" which reads as follows is hereby repealed:

127.13(b) Commissioner of Public Lands Maintenance; duties

The Commissioner of Public Lands Maintenance herein created shall execute the duties imposed upon him/her by ordinance of City Council and further duties as may be prescribed by the Mayor and the Director of Public Service.

The Commissioner of Public Lands Maintenance shall direct the facilities, operations and programs of all the following units: parks maintenance, cemeteries and weed control in the City. He/she shall have charge of all improvements made therein or connected therewith.

The Commissioner of Public Lands Maintenance shall direct and supervise the cutting of noxious weeds within the City.

The Commissioner of Public Lands Maintenance shall direct and supervise the maintenance and care of boulevards and triangles within the City.

The Commissioner of Public Lands Maintenance is hereby authorized to make such rules and regulations, subject to approval of the Mayor and the Director of Public Service, as he/she may deem necessary for the purpose of providing additional methods of issuing notices, publication of notices, and all other items relating to the provisions of this section and Chapter 955

<https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-102291>.

The Commissioner of Public Lands Maintenance shall cooperate and work with the Toledo Area Sanitary District and in the preservation and development of natural resources in the City.

SECTION 2. That a new Toledo Municipal Code Section 127.13(b) is hereby enacted to read as follows:

127.13(b) Commissioner of Public Lands Maintenance; duties

The Commissioner of Public Lands Maintenance herein created shall execute the duties imposed upon him/her by ordinance of City Council and further duties as may be prescribed by the Mayor and the Director of Public Service.

The Commissioner of Public Lands Maintenance shall direct the facilities, operations and programs of all the following units: cemeteries and weed control in the City. He/she shall have charge of all improvements made therein or connected therewith.

The Commissioner of Public Lands Maintenance shall direct and supervise the cutting of noxious weeds within the City.

The Commissioner of Public Lands Maintenance shall direct and supervise the maintenance and care of boulevards and triangles within the City.

The Commissioner of Public Lands Maintenance is hereby authorized to make such rules and regulations, subject to approval of the Mayor and the Director of Public Service, as he/she may deem necessary for the purpose of providing additional methods of issuing notices, publication of notices, and all other items relating to the provisions of this section and Chapter 955
<https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-102291>.

SECTION 3. That Toledo Municipal Code Section 127.14, which reads as follows, is hereby repealed:

127.14. Office of Recreation, duties.

There is hereby created an Office of Recreation in the Division of Parks and Forestry Department of Public Service. The Commissioner of Parks and Forestry shall execute the duties imposed upon him/her by ordinance of Council and such further duties as may be prescribed by the Mayor and the Director of Public Service. The Director of Public Service shall adopt rules and regulations governing the use of City-owned parks and/or recreation facilities and programs. Such rules and regulations shall be published in the same manner and shall have the same effect as the ordinances of the City.

SECTION 4. That a new Toledo Municipal Code Chapter 131 Department of Parks Recreation, Youth Services and Educational Engagement is hereby enacted as follows:

Chapter 131: Department of Parks, Recreation, Youth Services and Educational Engagement

131.01 Establishment.

131.02 Appointment of Director.

131.03 Duties of the Director.

131.04 Divisions within the Department.

131.05 Division of Parks, Recreation and Community Enrichment established.

131.06 Duties of the Commissioner of Parks, Recreation and Community Enrichment.

131.07 Division of Youth Services established.

131.08 Duties of the Commissioner of Youth Services.

131.09 Division of Educational Engagement Established.

131.10 Duties of the Commissioner of Educational Engagement.

131.11 Parks and Recreation rules and regulations.

131.99 Penalty.

131.01 Establishment.

There is hereby established the Department of Parks, Recreation, Youth Services and Educational Engagement. This Department will have general responsibility for the development, maintenance and operation

of city-owned and/or controlled parks, recreational facilities and community centers. It shall also have responsibility for the development and administration of a comprehensive youth service program, recreation and community enrichment program and an educational engagement program.

131.02 Appointment of Director.

The Director of Parks, Recreation, Youth Services, and Community Enrichment shall be appointed by the Mayor in the manner provided by the Charter and shall serve at the pleasure of the Mayor.

131.03. Duties of the Director.

The Director of Parks, Recreation, Youth Services, and Educational Engagement shall execute the duties imposed by ordinance of Council and such further duties as may be prescribed by the Mayor. The Director shall generally oversee the department and shall direct the operations and maintenance associated with city-owned and/or controlled parks, recreation facilities and community centers. The Director shall have charge of all improvements made therein or connected therewith and the establishment and management of all programming at city facilities. The Director shall also have oversight of and be responsible for the effective administration of the divisions established herein. Specifically, the Director of Parks, Recreation, Youth Services, and Educational Engagement shall:

- (a) Complete and regularly update a capital needs assessment to identify repair, replacement, and investment needs for all parks, recreation facilities, community centers and equipment. Such assessment shall be presented to the Mayor and Council on an annual basis or as otherwise requested by Council.
- (b) Develop a capital improvement program for city-owned pools and aquatics facilities.
- (c) Develop a capital improvement program to update parks and park elements to accessible and inclusive design elements as the equipment is maintained, installed or altered.
- (d) Create a business development strategy to increase revenue generation for use of City facilities.

131.04. Divisions within the Department.

There are hereby established three (3) Divisions, as listed below, within the Department of Parks, Recreation, Youth Services and Educational Engagement, each Division to be under the direction of a Commissioner. Each Commissioner named herein shall execute the duties imposed by ordinance of Council and such further duties as may be prescribed by the Director.

- (a) Division of Parks, Recreation and Community Enrichment
- (b) Division of Youth Services.
- (c) Division of Educational Engagement.

131.05. Division of Parks, Recreation and Community Enrichment.

The Division of Parks, Recreation and Community Enrichment is established to develop, manage and operate various community and recreation programs and activities provided by the City for a diverse population, including coordinating programs provided by the City or by public and private agencies and providing such service to the extent possible. Such programs include but are not limited to youth and adult sports programs, outreach services, special populations initiatives, aquatics, special events, cultural, educational and art programs, and senior citizen programs. This Division is also responsible for the management and operation of playgrounds, swimming pools, athletic fields, recreation and community centers, and other related facilities.

131.06. Duties of the Commissioner of Parks, Recreation and Community Enrichment.

The Commissioner of Parks, Recreation and Community Enrichment shall generally promulgate and administer the policies and programs of the Mayor and Council pertaining to recreation and community enrichment within the City as identified in section 131.07 herein. Specifically, the Commissioner shall:

- (a) Develop a Comprehensive Parks, Recreation and Community Enrichment Strategy to increase recreational and community enrichment programming within the city; and
- (b) Develop specific, measurable, achievable, realistic, time-bound (s.m.a.r.t) goals of the Division with regard to implementation of the Comprehensive Parks, Recreation and Community Enrichment Strategy, which, along with progress toward such goals, shall be presented to the Mayor and Council on an annual basis or as otherwise requested by Council; and
- (c) Collaborate and contract with community partners to empower them to create and implement high quality recreational and community enrichment programs; and
- (d) Develop a system of support for community partners with expertise in particular areas of programming, as well as those that have credibility and success with diverse populations; and
- (e) Develop, recruit and manage a robust volunteer program to assist with such activities as special events, youth programs, beautification projects; and create a cadre of park rangers.

131.07 Division of Youth Services Established.

The Division of Youth Services is established to promote and facilitate an environment in the City that nurtures and enhances the development of youth and enables them to reach their full potential. This Division will work collaboratively with the Human Relations Commission and the community to administer, oversee and manage support services to enrich and further develop the lives of young people. Programming will relate to youth education and workforce development, civic engagement, health and wellbeing, and safety.

131.08. Duties of Commissioner of Youth Services.

The Commissioner of Youth Services shall generally promulgate and administer the policies and programs of the Mayor and Council pertaining to youth within the City as identified in Section 131.07. Specifically, the Commissioner shall:

- (a) In coordination with the Human Relations Commission, develop a Comprehensive Youth Development Strategy. This strategy shall include long and short-range plans for initiatives pertaining to youth education and workforce development, civic engagement, health and wellbeing, and safety; and
- (b) Develop specific, measurable, achievable, realistic, time-bound (s.m.a.r.t) goals of the Division with regard to implementation of the Comprehensive Youth Development Strategy, which, along with progress toward such goals, shall be presented to the Mayor and Council on an annual basis or as otherwise requested by Council; and
- (c) Develop and promote relationships with youth services providers and area youth planning and coordinating bodies in furtherance of the Comprehensive Youth Development Strategy; and
- (d) Develop relationships with private and public funders of youth services activities including seeking grant funding.

131.09 Division of Educational Engagement Established.

The Division of Educational Engagement is established to facilitate, coordinate and promote consistent educational policies and opportunities among educational providers throughout the city, from pre-school through university level. These policies will relate specifically to reduction of the achievement gap between students and building a stronger workforce for the future of Toledo in terms of economic development, quality of life and prosperity. This division will also mobilize a plan for community support of high expectations for every child in school and a course of action to increase parental involvement in the educational process and build strong relationships with families for intergenerational educational success. This division will be responsible for collaboration with community and educational partners in school readiness and universal pre-k, college and career preparedness, and parental engagement and support.

131.10. Duties of the Commissioner of Educational Engagement.

The Commissioner of Educational Engagement shall generally promulgate and administer the policies and programs of the Mayor and Council pertaining to educational engagement initiatives within the City as specified in Section 131.09. Specifically, the Commissioner shall:

- (a) Improve collaboration and greater articulation with pre-k through university level public and private school systems within the city to develop a city support structure for improving educational outcomes. This is done with the knowledge that the public school district does not have responsibility for pre-k, thus filling the void created for families needing assistance with kindergarten readiness for their age-eligible children.
- (b) In coordination with educational partners, develop a Comprehensive Educational Engagement Strategy. This strategy shall include long and short-range plans for city support of planning, funding and implementation of a universal pre-k program; college and career readiness initiatives, coordination of robust internships and apprenticeships; a plan for increasing parental involvement and engagement in the educational process; and coordination of community resources and support, including academic mentoring, tutoring and coaching in supporting student success.
- (c) Develop specific, measurable, achievable, realistic, time-bound (s.m.a.r.t) goals of the Division with regard to implementation of the Comprehensive Educational Engagement Strategy, which, along with progress toward such goals, shall be presented to the Mayor and Council on an annual basis or as otherwise requested by Council.

131.11. Parks and Recreation rules and regulations.

The Director of Parks, Youth Services, and Community Enrichment shall adopt rules and regulations governing the use of City owned parks, community centers and recreation facilities. This shall include, at a minimum, rules regarding minimum safety requirements to use city facilities and a standardized fee schedule and permitting process. Such rules and regulations shall be published in the same manner and shall have the same effect as the ordinances of the City.

131.99. Penalty.

Whoever violates any provision of any rule or regulation adopted under Section 131.11, for which there is no other penalty provided, is guilty of a minor misdemeanor. If the offender persists in violating such rule or regulation after reasonable warning or request to desist, violation of the rule or regulation is a misdemeanor of the fourth degree.

SECTION 5. That the amount of \$3,356,797 is disappropriated from the General Fund Department of

Public Service, Division of Parks, Recreation and Forestry and appropriated to General Fund - Department of Parks, Recreation, Youth Services and Educational Engagement.

SECTION 6. That the amount of \$2,500,000 is appropriated from the unappropriated balance of the General Fund to the Department of Parks, Recreation, Youth Services and Educational Engagement.

SECTION 7. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were passed in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 8. 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 it is necessary to effectively and timely engage in planning and implementation of programming to address critical community needs.

Vote on emergency clause: yeas _____, nays _____.

Passed: _____, as an emergency measure: yeas _____, nays _____.

Attest: _____
Clerk of Council

President of Council

Approved: _____

Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by
Council _____.

Attest: _____
Clerk of Council