

Reply to Common Council File No. 060281
From DOA-Budget and Management Division

January 8, 2009

Ref: 06010

Common Council File 060281 provides \$1 million in contingent borrowing to pay a portion of the costs associated with a settlement agreement with the federal government relating to a complaint filed under the Americans With Disabilities Act (ADA). Specifically, the appropriation is for ADA improvements to the city's Riverwalks.

The timing of the settlement did not allow the city to include the funding for the settlement in the 2006 budget. In order to allow the project to move forward in 2006, the department must have appropriation authority from the Comptroller's Office to sign off on any city contracts associated with the project. The exact timing of the project work is yet to be determined making it difficult to know whether the borrowing would actually be issued or not in 2006. If the contingent borrowing is not issued in 2006 the appropriation authority for the project would lapse, this would create the need to appropriate funding for the project in the 2007 capital budget.

RECOMMENDATION: APPROVE COMMON COUNCIL RESOLUTION 060281 THAT PROVIDES \$1 MILLION OF CONTINGENT BORROWING AUTHORITY FOR COSTS ASSOCIATED WITH THE SETTLEMENT WITH THE FEDERAL GOVERNMENT RELATED TO THE AMERICAN WITH DISABLITIES ACT.

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