

April 18, 2006

Ald. Michael S. D'Amato, Chair
Judiciary & Legislation Committee
Room 205 – City Hall

Re: Common Council File No. 051694 – Substitute Resolution Approving a Settlement Agreement with the United States of America relating to a Complaint Filed under the Americans with Disabilities Act and Approving Amendment No. 13 to the Riverwalk Development Agreement with Business Improvement District No. 15

Dear Ald. D'Amato:

I am enclosing a substitute 1 resolution for the above-captioned title only file introduced at the Common Council's April 11th meeting. I am also enclosing for insertion into the file the fiscal note prepared by the Department of City Development, United States Attorney transmittal letter and final negotiated ADA Settlement Agreement, and the 13th Amendment to the Business Improvement District No. 15 Riverwalk Development Agreement.

The Settlement Agreement concludes a 2003 Americans with Disabilities Act ("ADA") handicap accessibility complaint concerning the downtown Milwaukee Riverwalk System between Highland Avenue and Clybourn Street. Since the Settlement Agreement, if approved, will remove a threat of litigation by the U.S. Attorney, I further request that the Judiciary & Legislation Committee consider the matter in closed session under sec. 19.85(1)(g) under the

Ald. Michael S. D'Amato
April 18, 2006
Page 2

rationale that the Committee is conferring with legal counsel who is rendering advice concerning strategy to be adopted with respect to threatened litigation.

Very truly yours,

PATRICK B. McDONNELL
Deputy City Attorney

PBM:dms

Enc.

c: Patrick Curley
CC President Willie Hines, Jr.
Bruce Block
Christian Larsen
Ald. Robert Bauman
Grant F. Langley
W. Martin Morics
Mark Nicolini
Tom Croasdaile
Michael Wisniewski
Tom Miller
Ronald Leonhardt

1052-2003-2537:104428