



## Legislation Details (With Text)

<b>File #:</b>	151685	<b>Version:</b>	1
<b>Type:</b>	Resolution	<b>Status:</b>	Passed
<b>File created:</b>	3/1/2016	<b>In control:</b>	COMMON COUNCIL
<b>On agenda:</b>		<b>Final action:</b>	3/29/2016
<b>Effective date:</b>			
<b>Title:</b>	Substitute resolution relating to a settlement agreement between the City of Milwaukee and the United States Department of Justice pertaining to the Americans with Disabilities Act of 1990.		
<b>Sponsors:</b>	THE CHAIR		
<b>Indexes:</b>	MUNICIPAL LIABILITY		
<b>Attachments:</b>	1. SA City of Milwaukee PCA (4).pdf, 2. Fiscal Impact Statement re settlement betw COM and US DOJ re ADA_v1.pdf		

Date	Ver.	Action By	Action	Result	Tally
3/1/2016	0	COMMON COUNCIL	ASSIGNED TO		
3/7/2016	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
3/15/2016	1	CITY CLERK	DRAFT SUBMITTED		
3/21/2016	0	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	3:0
3/29/2016	1	COMMON COUNCIL	ADOPTED	Pass	14:0
4/6/2016	1	MAYOR	SIGNED		

151685  
SUBSTITUTE 1

### THE CHAIR

Substitute resolution relating to a settlement agreement between the City of Milwaukee and the United States Department of Justice pertaining to the Americans with Disabilities Act of 1990.

This resolution authorizes the execution of a settlement agreement between the U.S. of America and the City of Milwaukee in response to the U.S. Department of Justice Civil Rights Division's Disability Rights Section compliance review of the City's compliance with certain Americans with Disabilities Act of 1990, Title II requirements.

Whereas, The U.S. Department Of Justice (USDOJ) conducted a review of the City of Milwaukee's compliance with the Americans with Disabilities Act of 1990 (ADA), Title II requirements, including: compliance with new construction and alteration requirements at facilities constructed or altered after January 26, 1992; Police Department policies and procedures for providing effective communication to people who are deaf or hard of hearing; and the City's obligations to inform persons of their obligations under Title II and resolve complaints of violations of Title II; and

Whereas, The USDOJ identified violations of Title II in its compliance review, and has proposed a settlement agreement in lieu of further investigation and litigation in order to remedy these violations; and

Whereas, The City desires to substantially comply with Title II of the ADA, however, in executing the settlement agreement, does not admit violations of Title II of the ADA; and

Whereas, The proposed settlement agreement proposes the City take remedial action in a variety of areas, including the hiring of an Independent Licensed Architect (ILA) to report the City's compliance of remedied violations to the USDOJ and identify potential additional violations in facilities not surveyed by the USDOJ, and further actions with regard to the City's polling places, emergency management procedures, sidewalks, facilities, and programs; and

Whereas, The settlement agreement shall be in place for a period of three years; and

Whereas, The settlement agreement will have unspecified budgetary effects, some of which have been accounted for in the adopted 2016 Budget and some of which will have to be addressed in future years as further investigation undertaken by the ILA identifies the extent of potential violations; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Mayor and City Clerk are hereby authorized to execute the attached Settlement Agreement in a form approved by the City Attorney.

City Attorney  
Kathryn Z. Block: La-Wanda G. Fletcher  
LRB163281-1  
March 15, 2016