



City of Killeen

Legislation Details (With Text)

File #: RS-21-086 **Version:** 1 **Name:** DOJ-ADA Settlement Agreement
Type: Resolution **Status:** Passed
File created: 6/9/2021 **In control:** City Council
On agenda: 6/22/2021 **Final action:** 6/22/2021
Title: Consider a memorandum/resolution entering into a Settlement Agreement with the United States of America (Department of Justice) under the Americans With Disabilities Act (DJ 204-76-220).
Sponsors: Community Development Department
Indexes: ADA Compliance
Code sections:
Attachments: 1. Staff Report, 2. Presentation

Date	Ver.	Action By	Action	Result
6/22/2021	1	City Council	Approved	Pass
6/15/2021	1	City Council Workshop		

Consider a memorandum/resolution entering into a Settlement Agreement with the United States of America (Department of Justice) under the Americans With Disabilities Act (DJ 204-76-220).

DATE: **June 15, 2021**
TO: **Kent Cagle, City Manager**
FROM: **Leslie Hinkle, Executive Director of Community Development**
SUBJECT: **Settlement Agreement with Department of Justice**

BACKGROUND AND FINDINGS:

The Department of Justice (DOJ) Civil Rights Division works with State and local governments to assist in the compliance with Title II of the Americans with Disabilities Act of 1990 (ADA). Title II of the ADA prohibits discrimination against persons with disabilities in program, services, activities, and access to facilities of State and local governments.

The DOJ has an initiative called the Veteran's Access Initiative. Killeen was selected for review to determine compliance with the ADA because Killeen is adjacent to Fort Hood and the population of service members and veterans who live in or near Killeen. In 2018, the DOJ conducted an onsite review of the City's facilities, programs, services, policies, and procedures. In 2021, the DOJ presented the findings of that compliance review and is providing the City an opportunity to come into compliance through a negotiated Settlement Agreement for a term of three (3) years.

THE ALTERNATIVES CONSIDERED:

1. Do not enter into the Settlement Agreement with the DOJ.
2. Enter into the Settlement Agreement with the DOJ for a period of three years and actively monitor, report, and comply with all conditions and requirements outlined in the Settlement Agreement.

Which alternative is recommended? Why?

Alternative #2 is recommended to achieve compliance with the ADA and meet the terms of the negotiated Settlement Agreement.

CONFORMITY TO CITY POLICY:

Yes

FINANCIAL IMPACT:

What is the amount of the expenditure in the current fiscal year? For future years?

Future funding has been requested in the Capital Improvement Plan.

Is this a one-time or recurring expenditure?

Recurring, for a minimum of three years

Is this expenditure budgeted?

No

If not, where will the money come from?

Future Capital Improvement Plan

Is there a sufficient amount in the budgeted line-item for this expenditure?

If approved, yes.

RECOMMENDATION:

City Council approve the Settlement Agreement with the United States of America - Department of Justice (DJ 204-76-220) and allow the City Manager, or his designee to be expressly authorized to execute said agreement.

DEPARTMENTAL CLEARANCES:

Legal

ATTACHED SUPPORTING DOCUMENTS:

N/A