

RESOLUTION NO. RS2018-1408

A resolution approving a letter from the Metropolitan Mayor to the Deputy Commissioner of the Tennessee Department of Transportation outlining the Metropolitan Government's compliance efforts with the Americans with Disabilities Act.

WHEREAS, Mr. Paul Degges, the Deputy Commissioner and Chief Engineer of the State of Tennessee, Department of Transportation (TDOT), wrote a letter to the Metropolitan County Mayor on November 14, 2016, advising that the Federal Highway Administration (FHWA) had advised TDOT that they must "ensure every city and county with fifty (50) employees or more must have an ADA Transition Plan and Self-Evaluation in order to receive Transportation Funds . . . ;" and,

WHEREAS, Mr. Degges further advised that in order to comply with the FHWA's directive, TDOT was requiring the qualifying municipalities within the state, including the Metropolitan Government, to meet certain deadlines for submissions of compliance documentation, demonstrating their compliance efforts with the Americans with Disabilities Act (the ADA); and,

WHEREAS, one of the compliance documentation submission deadlines, among others, referenced by Mr. Degges, required the Metropolitan Government to submit a: "Letter from the Mayor outlining the development of their Transition Plan . . . adopted by the City Council or County Commissioners using the city's or county's own procedures;" and,

WHEREAS, the letter, attached hereto as Exhibit A, was drafted for the Mayor's signature by the ADA Compliance Division of the Department of General Services in an effort to comply with this requirement, has been reviewed and approved by the Public Works Department, reviewed and approved by the Legal Department, and reviewed and approved by the Office of the Mayor.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That the letter attached hereto as Exhibit A, is hereby adopted by the Metropolitan County Council and that the Metropolitan Mayor is authorized to execute the letter attached hereto as Exhibit A.

Section 2. That this Resolution shall take effect from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

RECOMMENDED BY:

INTRODUCED BY:

Nancy Whittlemore, Director
Department of General Services

Member(s) of Council

RECOMMENDED BY:

Mark Sturtevant, Director
Department of Public Works

APPROVED AS TO AVAILABILITY
OF FUNDS:

Talia Lomax O'dNeal, Director
Department of Finance

APPROVED AS TO FORM
AND LEGALITY:

Assistant Metropolitan Attorney