



TOWN BOARD AGENDA

REGULAR MEETING

(All items listed for discussion and possible action)

Hybrid Meeting

[Meetings | Town of Foxfield \(colorado.gov\)](https://www.colorado.gov/townoffoxfield/meetings)

South Metro Fire Protection District Station #42
7320 South Parker Road

Thursday, March 21, 2024
6:30 p.m.

Call to Order

1. Roll Call of Board Members
2. Audience Participation Period (limit 4 minutes per speaker)
3. Consent Agenda
 - a. Approval of Minutes – March 7, 2024
4. For Discussion
 - a. Website Accessibility Audit
 - b. Tree Trimming Estimates
 - c. Developmental Standards
5. Reports
 - a. Members of Town Board
 - b. Staff

6. Future Agenda Items

- a. Tunnel and sidewalk repairs
- b. MHFD follow-up
- c. Culvert Clean-up
- d. Wards Discussion
- e. Master Plan Public Hearing
- f. Land Use Code Final Draft
- g. Gate Maintenance Vendor

7. Adjournment



BOARD OF TRUSTEES MEETING MINUTES

March 7, 2024

Call to order:

The virtual meeting was called to order at 6:30 p.m. via Microsoft Teams.

1. Roll Call:

The following Trustees were present via Microsoft Teams: Trustee Farreau, Trustee Cockrell, and Trustee Goddard.

The following Trustees were present in person: Mayor Jones, Trustee Herold, Trustee Schultz, and Trustee Thompson.

A quorum was present.

2. Audience Participation

None

3. Consent Agenda

a. Minutes – February 15, 2023

Mayor Jones moved to approve the Consent Agenda, with a second from Trustee Herold. The motion passed with six votes in favor and an abstention from Trustee Goddard.

4. Discussion

a. Master Plan Final Draft

After discussion there were several minor comments and suggestions to remove verbiage that is not applicable or unclear. The staff will work with SAFEbuilt to reflect the suggestions.

6. Reports

a. Mayor Jones reported on new potential legislation regarding land use. Specifically, the proposal designates Accessible Dwelling Units ("AUDs") as a use by right. While the Town of Foxfield is still exempt from the proposed rules, Mayor Jones suggested close monitoring of any changes.

b. Members of the Town Board

i. Trustee Farreau reported that both gates, which have had ongoing mechanical issues, have been evaluated by a new vendor. The new vendor reviewed both gates and will be providing an estimate for loop replacement and further improvements.

ii. Trustee Thompson reported HB 24-1235, which promotes safer aviation practices, passed. The bill provides incentives to airports that transition to unleaded fuel and enact effective noise plans.

iii. Cockrell reported on the latest DRCOG meeting. In addition to the AUD legislation, there is a new construction defects proposal, and proposed new fees on cars based on weight.

iv. Trustee Schultz noted that a resident reported erosion near the road Hinsdale, Yampa, and Richfield. Staff will report the issues to SEH and have them review the areas.

c. Staff

i. Town Clerk Schmitz reported on the following items:

1. Staff met with two additional vendors regarding website auditing and received a revised quote from Allyant that scales down the scope of work. Staff will bring the new quotes once all proposals have been received.
2. Staff also received quotes from three vendors regarding the tree trimming and work needed along Easter Avenue. Terracare, one of the three vendors, does not have the proper equipment to complete the work, so staff will include the other two bids on the agenda for the next meeting.
3. The Staff is meeting with SEH to clarify what work needs to be included in the Terracare culvert bid. The Staff intends to present Terracare a clear request for bid following that meeting.
4. Town Clerk Schmitz also inquired about moving the meeting on April 4th and after discussion the meeting will be held on April 5th.

7. Future Agenda Items

- a. Tunnel and sidewalk repairs
- b. MHFD follow-up
- c. Speed mitigation
- d. Digital Accessibility
- e. Culvert follow-up
- f. Engineering RFP for 2025

8. Adjournment

- a. Mayor Jones adjourned the meeting at 7:31 p.m.

Kathleen Schmitz, Town Clerk

Lisa Jones, Town Mayor



MEMORANDUM

TO: Mayor Jones and Members of the Board

FROM: Kathleen Schmitz, Town Clerk

DATE: March 21, 2024

RE: Digital Accessibility Audit Proposal

DISCUSSION:

As previously discussed, House Bill 21-1110 ("HB 1110") and Senate Bill 23-244 ("SB 244") require state and local governments to comply with the accessibility rules starting July 1, 2024. HB21-1110 makes it a state civil rights violation for a government agency to exclude people with disabilities from receiving services or benefits because of lack of accessibility.

Any Colorado government entity that doesn't meet OIT's web accessibility standards could be subject to injunctive relief, meaning a court order to fix the problem; actual monetary damages; or a fine of \$3,500 payable to the plaintiff, who must be someone from the disability community.

Options:

1. Create a more formal accessibility plan. Currently, there an accessibility statement on the website, but a documented plan is a critical standard. Staff can complete this requirement.
2. Hire an external vendor to perform an accessibility audit focusing only on the Town website. Digital accessibility audits can be performed using technology scans and/or with manual audits where testers with disabilities test the site using screen readers. A comprehensive audit will include both types of testing for all screens within a website. However, some vendors may only provide one method of testing, and some may offer to test a sample of pages; thus, it is important to understand scope and technique when evaluating proposals. Based on previous feedback, staff met with two additional vendors and received a new quote from Allyant based on a smaller scope of work.
3. Document any accessibility accommodation or improvement that is deemed to be an undue burden. Any decision that compliance isn't achievable should be made by the

head of a public entity or their designee after considering all resources available for use in the funding and operation of the service, program, or activity, and should be accompanied by documentation detailing how that decision was reached. The rules don't require submitting documentation to an outside authority. The documentation would be provided to the court in the event of a lawsuit. In situations where conformance with the standards would result in undue financial, technical, or administrative burdens, it is best to prove that within 90 days.

Accessibility Audit Option Summary:

Vendor	Testing method	Audit cost	Ongoing service	Scope	Training provided
<u>Allyant</u>	Scan and manual	\$8,770	1 Year Hub subscription	All website screens audited with finding and recommendations	Yes, video training, knowledge base, scanning tool, 5 help desk tickets per year
<u>Allyant</u>	Scan and Manual	\$5,500* estimated cost	1 year Hub subscription	Main screens only with findings and recommendations	Yes, video training, knowledge base, scanning tool, 5 help desk tickets per year
WCAG Colorado	Scan	\$5,250.00	None	Testing of sample pages with pass/fail criteria and annotate notes.	None
WCAG Colorado	Scan	\$7,450.00	None	In addition to sample testing results a Full report of all failures detached on all public facing web pages in a detailed checklist format.	None

Deque	Scan	\$10,600 for audit and	20 hours at the addition cost of \$4,400.	All screens with online prioritized report of findings with guidance on potential remediation.	No separate training, but online report may provide guidance.
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The staff is seeking direction from the Board on the next steps as well as any related cost allocations.

ATTACHMENTS:

Exhibit A – Allyant Proposal

Exhibit B -- WCAG Colorado Proposal

Exhibit C – Deque Proposal

Exhibit D – Undue Burden Documentation



Digital Accessibility
Assessment & Premium HUB
Proposal

Colorado Statewide Internet Portal Authority
(SIPA): Town of Foxfield

Provided by A360 Enterprises, LLC (dba Allyant)

February 2nd, 2024

Overview

A360 Enterprises, LLC (Allyant) is providing this proposal to Town of Foxfield (“Client”) in order to help you assess, develop/remediate and report on digital accessibility in an effort to conform to WCAG 2.1, Level AA guidelines and mitigate risk. This effort will be led by experienced, live accessibility auditors and consultants. This document outlines the steps required to create a full and successful experience for all.

Allyant is in a unique position to help the Client through this process by providing:

1. **Experienced Accessibility Engineers**, both sighted and native screen reader auditors to fully assess websites, mobile apps, IoT products, kiosks & other digital platforms. This approach is far superior to automated tools which only test for a fraction of the WCAG success criteria, return many false positives and are limited in their ability to accurately test for usability and/or compliance.
2. **Detailed Reporting** via the [Allyant HUB](#), a fully accessible customer portal, to help all members of your team manage your digital accessibility project(s), get training and track progress.
3. The **Allyant HUB Audit & QA Reports** provide accessibility issues, screenshots, severity, an estimated level of effort to fix and most importantly: practical, developer-focused remediation solutions, built-in Help Desk & links to a Knowledge Base for additional learning per issue.
4. A **Customer Success Manager (CSM)** is assigned to every Allyant Client, bringing senior-level staff to help plan, facilitate and consult throughout the remediation effort, keeping the process as smooth and efficient as possible so that your goals are achieved. We also offer a higher level of Design and Development Support, which is leveraged by those organizations tackling the most difficult equitable access problems within complex digital products.
5. Further, **Allyant’s Legal Support Group** pioneered the service of helping clients navigate through any legal notifications like demand letters, and complaints, and filed lawsuits to test claims and support them through defense strategy

Process

The Allyant Roadmap is a proven process distilled from thousands of accessibility projects over years of industry-leading services provided to clients across all business verticals around the world. This approach will lead your organization to become digitally accessible, as quickly as possible, while working with your specific needs, development processes and available resources.

Accessibility Assessment

Allyant will conduct a manual disabled-user assessment of the digital properties outlined in the [assessment scope](#). The accessibility assessment satisfies requirements for screen readers, visual, hearing and cognitive impairment, and keyboard-only users using standards established in [WCAG 2.1 Level AA](#).

The Audit Reports delivered via the Allyant HUB provide your team the information necessary to remediate any accessibility concerns, and serves as the governance tool for tracking your progress of this business compliance requirement. Allyant will provide the following assistance and deliverables with the audit:

- **Assessment Issue Report**
 - URL, mobile view or component audited
 - Specific non-compliant elements on each & the WCAG guideline(s) it violates
 - User audience affected by the issue (e.g., screen reader, keyboard-only, hearing impaired, color contrast)
 - A detailed recommendation to remediate each issue
 - Priority level for fixing the issue
 - Link to the related Allyant HUB Knowledge Base articles

- Screenshots where appropriate
- **Assessment Summary Report**
 - A narrative document summarizing the audit and highlighting common issues that were found, steps of the recommended remediation plan and an estimated level of effort
 - Global issues and suggestions that would improve ongoing maintenance, Search Engine Optimization, overall usability and more

Allyant HUB Access

The HUB is your personalized customer portal and is provided to authorized users within your organization and partner organizations. In the Allyant HUB your related staff will have access to the project results outlined here, Knowledge Base, Video Training Series and Help Desk staff, (if Ongoing Support hours are purchased).

- **Allyant HUB Toolkit:**
 - The HUB Toolkit is a Chrome Developer Extension downloaded from the Chrome Web Store helping identify and learn about common accessibility issues on your pages.
 - The extension can run on any page your browser can access including local environments, behind firewalls, logins and different page contexts.
 - While there is no substitute for a live user audit, automated testing can identify some of the most common accessibility issues. In conjunction with access to Allyant's accessibility engineers, these automated assessments can help you identify and remediate some issues more quickly.
 - The toolkit extension includes
 - **Accessibility Tools:**
 - **Image Descriptions:** View all images on the page in one place grouped by images with descriptions, those marked as decorative and those missing descriptions.
 - **Heading Levels:** View the current page heading level structure to more easily identify where levels may have been skipped or are otherwise incorrect.
 - **ARIA Usage:** ARIA is used to help describe elements on the page to a screen reader. Determining where these attributes are used in your HTML is helpful when identifying problems.
 - **Components:** Quickly identify components used on the page including third-party such as Google Maps or Yotpo, along with other items such as the slick-slider carousel.
 - **External Links:** View a list of links on your page that point to external resources.
- **Allyant HUB Premium Automated Scanning:**
 - Website Scanning
 - Site scanning via crawls or existing page snapshots of publicly available web pages
 - Screenshots of pages scanned
 - Scheduling of scans (Weekly, monthly, quarterly, annually)
 - Email PDF of scanning results for scheduled scans
 - All scans are saved within HUB for historical reference and trending
 - Client-specific scan rule sets to match your business needs
 - Scans can be saved from the HUB Toolkit Chrome developer extension into HUB for future reference.
 - Site Info
 - Ability to see popular 3rd Party Components found across the site during crawls
 - Broken Links
 - External Links

- **Knowledge Base:**
 - Direct links from the Issues found during Audit or QA to this self-paced learning section
 - Checklists, Accessibility Statement Helpers and other accessibility documents
 - Detailed articles are continually added and updated as accessibility guidelines change
- **Help Desk:**
 - Client may submit general inquiries at the project level or directly linked to specific audit results
 - Comments are threaded to ensure clear communication and allow for collaboration
 - Manned by senior-level screen-reader and sighted Accessibility Engineers
- **Technical Video Training:** Access to Allyant's video training series of technical accessibility design and development topics and best practices
 - Overview look at the laws and emerging trends pertaining to digital accessibility, crucial topics for development organizations and the business. This includes an introduction to WCAG 2.1 Level AA
 - Introduction to accessibility, Design guidelines and Developer know-how to create accessibility within new builds along with best practices for content managers and code examples to leverage during your Remediation effort
 - Additional resources to continue to expand your knowledge of digital accessibility are added often and every client gets immediate access to all video training content

Proposed Timeline

Allyant will begin as soon as possible after SOW execution or PO start date. The proposed project dates are below. Dates are subject to change based on delivery of executed documents, payment, Client environment readiness, required credentials and other related factors.

Our experience has shown your team's engagement is a major factor in finalizing the Proposed Timeline and for the overall success of the project. In addition, Allyant has identified Key Success Factors to help ensure your success. Allyant will review these with your team during the Project Kick-Off Meeting and throughout the project.

Process Steps		Project Start Date	Project End Date
Client Environment Prepared & Project Kick-Off Meeting		1-2 weeks following SOW execution or PO Start Date	
Accessibility Assessment	townoffoxfield.colorado.gov	To be determined following project kickoff	
HUB Toolkit Subscription		Upon SOW execution or PO Start Date	1 year from Start Date

Pricing

Service	Fee	
Accessibility Assessment <ul style="list-style-type: none"> Manual, disabled-user Accessibility Assessment Reports detailing the findings & recommended fixes Accessibility Statement template Audit & QA Allyant training completion certificate, if desired 	Assessment townoffoxfield.colorado.gov	\$7,270
Annual HUB Toolkit Subscription Includes: <ul style="list-style-type: none"> Usage of Allyant "Reviewed By" badge Issue reporting & workflow management system Compliance Governance of Project Milestones Allyant Video Training Series Allyant Knowledge Base Access Scanning Tool via Chrome Extension Schedule scans/crawls 1,000 pages scanned and saved annually across up to 1 projects/domains Unlimited scanning via Allyant Toolkit Chrome Extension 5 Help Desk Tickets per year 10 Active Users 	HUB Subscription	\$1,500/year
Project Type	Fixed Fee	
Estimated Fees for Services	\$8,770 (billed in advance)	
Town of Foxfield Total Cost	\$8,770	

Assessment Scope

The following views are based on a preliminary review of the domain(s) outlined in this Proposal. The Proposal is meant to be a collaborative effort between Client and Allyant to ensure the UX and unique functionality are accurately represented.

Town of Foxfield	URL
Homepage	https://townoffoxfield.colorado.gov/
Government	https://townoffoxfield.colorado.gov/government
Elections	https://townoffoxfield.colorado.gov/elections
Town Staff	https://townoffoxfield.colorado.gov/our-staff
Financial Information	https://townoffoxfield.colorado.gov/financial-reports
Communication	https://townoffoxfield.colorado.gov/communication
Residents	https://townoffoxfield.colorado.gov/residents-0
Public Safety	https://townoffoxfield.colorado.gov/public-safety
General Permit Information	https://townoffoxfield.colorado.gov/general-permit-information
How Do I Report A Code Violation	https://townoffoxfield.colorado.gov/code-enforcement-violation-report
How Do I Order Trash Service	https://townoffoxfield.colorado.gov/utilities/trash
Events	https://townoffoxfield.colorado.gov/events
Meetings	https://townoffoxfield.colorado.gov/meetings
Accessibility Statement	https://townoffoxfield.colorado.gov/about-foxfield/ada-compliance

* By executing a SOW or issuing a PO, Client agrees that the scope outlined above is accurate, has been reviewed and is approved by Client.

Assumptions

- Client's users of the Allyant HUB must be directly related to the project scope in this Agreement. Logins are based on email addresses and cannot be shared between Client staff.
- Help Desk tickets must be a single accessibility question that can typically be answered (including any replies) in one hour or less by trained Allyant Accessibility Engineers.
- Allyant is not a law firm; does not provide legal advice. Allyant encourages Client to work with experienced legal counsel to understand and apply the law to Client's situation.
- Allyant's reports and recommendations reflect Allyant's experience and understanding in the field of accessible technology. Client is responsible for the operation of its own business, and Client is always free to adopt Allyant's recommendations, in whole, in part, or not at all, as Client sees fit in its legal and business judgment.
- Total hours of work performed by Allyant during the assessment is not to exceed 44 hours
- Allyant will provide Client with a monthly report detailing Ongoing Support hours consumed
- Client may use hours for any digital accessibility review work under contract with Allyant
- Early termination by Client will result in Allyant issuing a final invoice for any unbilled hours for services provided up until date of termination
- No refunds are granted for Annual Allyant HUB Subscriptions

All of the following are out-of-scope services:

- All services not explicitly defined in this proposal
- Travel, lodging and per diem costs affiliated with this project
- Any out-of-pocket costs associated with the effort (e.g. printing, binding, displays, etc.)
- Review or Remediation of any digital materials such as emails, pdf's, statements or marketing content not listed in Pricing.

In the event that either Party requires changes to the scope originally identified in this Proposal, a mutually agreed upon Change Order must be executed. Work on a Change Order shall not begin until that time.

Allyant's reports and recommendations reflect Allyant's experience and understanding in the field of accessible technology. Client is responsible for the operation of its own business, and Client is always free to adopt Allyant's recommendations, in whole, in part, or not at all, as Client sees fit in its legal and business judgment.



WCAG Colorado

Ron Stauffer

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Email: rstauffer@wcagcolorado.com

Phone: (303) 800-5123

Proposal: Web Accessibility Audit - Town of Foxfield, CO

Prepared By: Ron Stauffer

Dated: Mar 13, 2024 (Good for 45 days from this date)

Background

This is a proposal for providing website accessibility consulting services to the Town of Foxfield, Colorado (“Foxfield,” “you,” or “client”).

Project Scope

We propose to perform a web accessibility audit for the website(s) located at the following internet addresses:

1. <https://townoffoxfield.com>
2. <https://townoffoxfield.colorado.gov>

This audit will determine compliance with the **World Wide Web Consortium’s (W3C) Web Content Accessibility Guidelines (WCAG 2.1)** at the **AA** conformance level.

Any additional internet properties, including mobile app(s), web apps, separately hosted websites, content management systems, or subdomains not listed above are not included in the scope of this proposal.

Certain third-party applications or external content “pulled” into the site via JavaScript or Iframes may not be fully audited, but their presence will be noted in the report as required, where they interact with the web pages included in the sample.

Note: this proposal does not include any efforts to perform “fixes” or remediation to make the web properties compliant with accessibility standards. If technical modifications are needed, this would require the audit proposed in this proposal to be

performed first; then, a new proposal will be created that is informed by the audit results, for a second phase of the project.

A Note About Accessibility Audits

It is important to note that there are two components to a website's accessibility: 1) the website's underlying structure, and 2) content added to the website.

1: A Website's Structure

This includes the content management system (CMS), the underlying code used, JavaScript libraries, style sheets, etc. Websites occasionally have inherent structural issues that cause web accessibility issues and these can usually only be fixed by going back to the website developers and having the website's structure updated as needed.

The bottom line: accessibility failures related to a website structure will often require the involvement of a website developer to fix them.

Structural failures will be noted in our final report.

2: A Website's Content

This includes information, text, data, images, graphics, videos, audio files, PDFs, and other documents that may be uploaded to the website that are separate from the underlying structure itself.

The bottom line: accessibility failures related to a website's content often require webmasters or other website content managers to:

- A. Remediate existing content that is not currently accessible,
- B. Stop adding new content to the website that is not accessible, and
- C. Receive training on methods for making content accessible in the first place.

Content failures will also be noted in our final report.

Deliverables

Upon completion of the audit, we will provide a final report, delivered electronically in both PDF and XLS format.

Web accessibility successes and failures will be noted, along with a detailed explanation of each corresponding WCAG success criterion and a link to the WCAG *Quick Reference Guide*, which will provide a list of “sufficient techniques” to remediate each problem to achieve conformance to the guidelines.

Included in our final report delivery is a one (1) hour live session where we can review the findings, explain the results “in plain English” as needed, and offer suggestions for “what to do next.” This delivery session can be recorded in a video for future training purposes if desired.

Timeline

Upon approval of this agreement, after the first payment is received, this project is expected to take between three (3) and five (5) weeks to complete.

This can vary depending on factors that may not be known at the time this proposal was created, including technical issues that may render some web pages unavailable to our testing methods. If we experience problems accessing the website, we will notify you in writing, as soon as we discover the issue.

Options / Costs

Option 1: Representative Sample

This is a “basic” option where our audit will include both a structured sample and a random sample of common web pages as allowed by the WCAG-EM (Evaluation Methodology).

We will provide you with a report showing whether this sample passes or fails the WCAG criteria, including annotated screenshots and video clips explaining which parts of the website fail, and for what reason. You can then use that to begin to create a plan for remediation (which, again, is outside of the scope of this proposal).

Option 1: Scan, Audit, Report, and Delivery	\$5,250.00
Representative Sample Report Total	\$5,250.00

Option 2: Detailed Audit Report

This is a more comprehensive option where our audit will include both a structured sample and a random sample of common web pages as allowed by the WCAG-EM (Evaluation Methodology) as listed above, ***and will also include*** a full report of all failures detected on all public-facing web pages in a detailed checklist format.

Listing success criteria failures on each page and their respective URLs in this manner will allow your staff to much more quickly create a remediation plan and “get to work” to solve the accessibility issues as needed. In other words, this report is more detailed and will give you the exact tool you need to “take the next step” after receiving the final report, with actionable items you can accomplish on your own.

Option 2: Scan, Audit, Report, and Delivery	\$7,450.00
Detailed Audit Report Total	\$7,450.00

Payment Schedule

- **Payment #1:** 60% of total project cost - due upon approval
- **Payment #1:** 40% of total project cost - due upon report delivery or 40 days after, whichever comes first

Payment Methods

We will provide electronic invoices that offer the ability to pay online via ACH/bank transfer, or paper checks can be mailed to our mailing address.

About Us

WCAG Colorado is a division of Lieder Digital, LLC (a Colorado Limited Liability Company), which is owned and run by Ron Stauffer.



Ron has been in the industry for 16 years and has spent that time providing web design, web development, and web accessibility consulting for clients in multiple states across the USA.

Some of our recent web accessibility consulting projects in Colorado include:

- Boulder County
- Larimer County
- City of Arvada
- City of Breckenridge
- City of Centennial
- City of Commerce City
- City of Golden
- City of Littleton
- City of Loveland
- Town of Vail

Ron started his first company in 2008 and has designed, built, or managed over 200 websites since then. He has spent time both as a small business owner and an in-house employee. He was formerly a demand generation manager for a software startup in downtown Colorado Springs and served as the marketing director for Infront Webworks, the Pikes Peak region's oldest and largest web design firm.

Ron's passion and focus is ensuring a free and accessible web that is open to all.

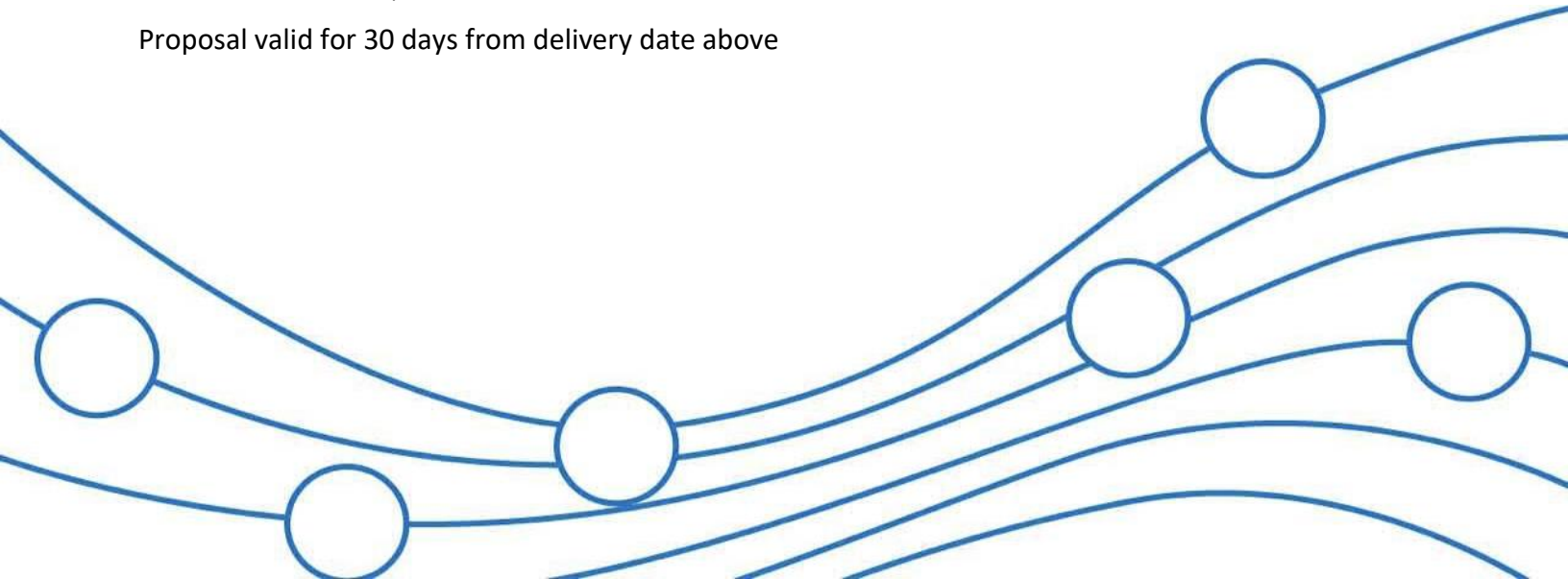
Digital Accessibility Assessment Proposal for

Town of Foxfield

Presented By: Delaney Bozich

Delivered: March 14, 2024

Proposal valid for 30 days from delivery date above



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Project Overview

The Town of Foxfield has committed to making your digital properties accessible to visitors of all abilities. This means making your website conform with the World Wide Web Consortium’s (W3C’s) Web Content Accessibility Guidelines (WCAG) version 2.2, levels A and AA. To enable this initiative, you are looking for a partner that can provide the subject matter expertise and guidance to help you achieve this goal and support you in maintaining conformance in the future. Deque has the experience to support the Town of Foxfield in this effort.

To achieve your immediate objectives and create a solid baseline from which to move forward, we will perform an assessment on a representative sample of your website. The assessment and resulting report will provide an overall accounting of the current compliance state of your site. It will also provide actionable remediation and prioritization guidance based on your stated objectives. Together, these will enable your teams to quickly develop and execute an effective remediation plan.

As part of the project, Deque will provide post-assessment support through our Navigator Services. Providing your teams with direct access to Deque subject matter experts to ask questions and obtain further guidance dramatically speeds immediate success and lays a stronger foundation for future goals. Ad-hoc consulting support and remediation validation are just two of the services available to your teams. The full list of available services is outlined later in this proposal.

Pricing

Managed Services		
Service Description	Services Fixed Fee	
Comprehensive Assessment - Web <ul style="list-style-type: none">• 10 Pages• WCAG 2.2 AA testing standard• Chrome Browser/NVDA Assistive Technology• Written Executive Summary Report• Online view-only access to the Web Assessment Results	\$10,600.00	
Accessibility Navigator Services <ul style="list-style-type: none">• 20 hours	\$4,400.00	
Managed Services Net Total:		\$15,000.00

See information about Deque, who we are, and our position within the digital accessibility market in Exhibit A.

Project Detail

Comprehensive Assessment - Web

To achieve your immediate objectives and create a solid baseline from which to move forward, we will perform a comprehensive accessibility assessment on your in-scope web properties.

The assessment and resulting reports will provide the following:

- A detailed accounting of the current compliance state of these properties.
- Specific remediation and prioritization guidance for the standard(s) chosen.

Together, these will enable your teams to quickly create and execute an effective remediation plan.

The assessment should begin within five (5) business days (or sooner) of an executed statement of work. Once the assessment is underway, the Deque project manager will schedule a check-in call. If any blockers exist that prevent our starting the assessment, we will contact you prior to the check-in call.

During the check-in call, the combined team will:

- Introduce all project participants from both organizations and define each participant's role in the project.
- Discuss project delivery date, who will participate in the assessment delivery and tentatively schedule the delivery call.

Assessment Deliverables

Executive Summary: The Deque team will create a written overview of the testing results that will include the following:

- Details on the standard used to complete the assessment testing
- How our experts arrived at the results
- Issue severity descriptions
- The number of issues found grouped by severity level
- Business impact of issues based on severity
- Remediation prioritization guidance report

Online report: Deque will deliver a digital, read-only report to as many people as you designate with details such as:

- Summary findings
- Clearly defined and prioritized issues
- Specific details about each issue and where the issue exists in your code
- Links to the specific success criteria covered
- How to triage, group, and manage issues
- Guidance on how to reproduce and fix the issues based on your objectives and development environment

Virtual results review: One hour meeting with all designated members of your organization to review the issues found in the assessment and prioritize issues for remediation.

Impact Descriptions

The chart below defines the possible issue severity levels. Identifying severity is critical to remediation as issues will vary in their impact on your business. Your assessment report will recommend which issues to address in which order based on your stated goals.

Impact	Description
Blocker	Prevents some users with disabilities from using your core content - period.
Critical	Prevents some users with disabilities from accessing certain parts of your content, potentially rendering it unusable.
Serious	Presents serious barriers for some users with disabilities and will partially prevent them from using portions of your content.
Moderate	Presents some barriers for users with disabilities that will reduce their overall experience with your content.
Minor	Causes some nuisance but does not present barriers for users with disabilities.

Accessibility Navigator Services

Deque professionals with extensive accessibility experience will provide technical or strategic guidance and support for a variety of needs as you require. We have found that providing your teams with direct access to Deque subject matter experts to ask questions and obtain further guidance dramatically improves immediate success and lays a stronger foundation for your future goals. Provided in blocks of hours, Accessibility Navigator Services can be used for both standard and premium services.

Standard Navigator Services: Charged at \$220 per hour

- **Accessibility Consulting:** Customer developers will have direct access (email, phone, virtual meeting) to accessibility subject matter experts (SMEs) to ask questions about the issues contained in the assessment report. e.g., clarification on how to bring identified issues into compliance or general accessibility compliance questions. Customer developers may also inquire about the design and development process and general accessibility information.
- **Validation:** Our accessibility experts can retest the remediated pages/modals/screens to provide affirmation that the fixes were applied properly and/or feedback on how to improve the remediation efforts.
- **Remediation Planning:** Our accessibility experts will work with your product managers, project managers, or scrum masters to conduct an impact analysis of the issues found; the pages, screens, or components affected; and then sequence and prioritize the fixes that will need to be implemented.
- **Developer Support:** One of our accessibility experts will consult with your developers to ensure they are writing their code to be consistent with WCAG standards. Our expert will collaborate and provide instructions as needed during the remediation period.



Exhibit A: Why Deque

About Us

In the world of accessibility, Deque is decidedly—and intentionally—different.

We are your trusted advisor and the established leader in digital accessibility. We are committed to making the web accessible to everyone. More importantly, we're committed to making the path to accessibility smoother, easier, and less disruptive for those who must execute on the goal. Accessibility is a requirement—legally, financially, socially, and ethically. We built our core rules engine, our product suite, our services, and most importantly, our methodology to support you in your very real world. We don't just know accessibility. We know how to make it work for everyone on your team.

No false alarms: Rather than bury you in noise, we tell you with 100% certainty what's wrong. If we return an error, you know it's real. Chasing fake issues is a massive waste of time and money.

We know accessibility: We helped write the WCAG book. And, with thousands of customers and tens of thousands of projects under our belts, we've seen and done it all.

Rock-solid methodology: We test it constantly with customers, accessibility experts, developers, even the competition. At every step, you'll get consistent, accurate, relevant guidance, answers, and outcomes.

Whole product: We deliver successful and sustainable accessibility programs on your terms. We can do this because we are the only A11y company to provide a Whole Product. Grounded in three well-established and equally important pillars, our Whole Product is:

- **Services:** From assessments to strategic program consulting, we set realistic expectations based on your goals and capabilities and then help you achieve them.
- **Tools:** An intuitive, cohesive suite to enable all stakeholders in your journey.
- **Training:** Self-paced and instructor-led education to build your own accessibility expertise.
- **Commitment:** Finally, and most importantly, we care about your long-term success. Accessibility isn't a one-and-done. We want you to be successful, self-sufficient accessibility champions.

Our relationships with Microsoft and Google demonstrate our strength and position in the marketplace. Not only have they worked with us to drive their accessibility initiatives, they have chosen to use our technologies in their own tools.

Microsoft uses Deque's axe-core rules engine to support their accessibility browser tool, Accessibility Insights.

Just like Microsoft, Google decided to stop their own accessibility development work in favor of axe-core. They took the added step of embedding our axe rules into Chrome for every one of their **one billion users**.

These are just two examples of organizations who have validated our leadership, our technology, and commitment. With more than 300 million downloads of our axe ruleset, you know you have selected the trusted leader in digital accessibility when you select Deque.



Other Key Differentiators

Ongoing standards insight: We continually contribute to the Web Content Accessibility Guidelines (“WCAG”) in W3C working groups. We know the standards now, and we know what’s coming next. The WCAG 3.0 working group even tagged one of our experts to be the project manager for this initiative.

Real world experience: Many of our subject matter experts spent years working on accessibility inside large Fortune 500 companies before joining Deque. IAAP founding member: We're committed to growing the accessibility profession. To support the International Association Accessibility Professionals (IAAP) mission, we developed IAAP certification prep courses in Deque University. We also grant full Deque University scholarships to anyone with a disability.

Scope:

Web Assessment		
	Home Page	https://townoffoxfield.colorado.gov/
	Government	https://townoffoxfield.colorado.gov/government
	Sign Up	https://townoffoxfield.colorado.gov/form/sign-up-to-receive-town-informat
	Business	https://townoffoxfield.colorado.gov/business-0
	Communication	https://townoffoxfield.colorado.gov/communication
	Residents	https://townoffoxfield.colorado.gov/residents-0
	Public Safety	https://townoffoxfield.colorado.gov/public-safety
	General Permit Information	https://townoffoxfield.colorado.gov/general-permit-information
	Liquor License	https://townoffoxfield.colorado.gov/liquor-license
	Search Results	https://townoffoxfield.colorado.gov/search/search?keys=shop#gsc.tab=0&gsc.q=shop
	Code Enforcement Violation Report	https://townoffoxfield.colorado.gov/code-enforcement-violation-report
	Trash	https://townoffoxfield.colorado.gov/utilities/trash
	Meetings	https://townoffoxfield.colorado.gov/meetings
	Elections	https://townoffoxfield.colorado.gov/elections



How To: Document Undue Burden, Fundamental Alteration or Direct Threat

[Fundamental alteration, undue burden, or direct threat template](#) (open and select “use template” button)

For the purposes of digital accessibility, fundamental alteration, undue burden or direct threat are the last tools in the toolbox when full accessibility compliance is not immediately achievable. It's the tool used when a public entity can demonstrate that full conformance with the technical standards would result in:

- a fundamental alteration in the nature of a service, program, or activity;
- an undue financial, technical, or administrative burden;
- or a direct threat to the health or safety of others.

Conformance is required only if it doesn't result in a fundamental alteration, undue financial and administrative burdens, or direct threat.

How to determine when to document undue burden, fundamental alteration or direct threat

Undue burden

Undue burden is considered an action that requires significant financial, technical, or administrative difficulty or expense. All resources available to the program or component for which the ICT is being procured, developed, maintained, or used needs to be considered. Undue burden may be demonstrated when, depending on the type of barrier, at least one of the following applies:



-
- The resources of the program, service, or activity are not readily and legally available.
 - When the necessary auxiliary aids or services are not feasibly available.

For example, a large metropolitan city government with an annual budget of several billion dollars maintains a feline adoption program with 2 employees and several volunteers. The program operates on a small budget of \$150,000 annually. The program is considering upgrading its animal adoption software, but the only accessible version will cost \$40,000. In making an undue burden determination, the overall budget that needs to be considered is the \$150,000 budget and potentially any unallocated funds in the larger city budget.

Fundamental alteration

A fundamental alteration is something that would change the essential nature of the entity's programs or services including contractual, legal, or technical constraints preventing the modification of the program, service, or activity.

For example, a large metropolitan city government with an annual budget of several billion dollars maintains a feline adoption program. As part of its market research, the city identifies an animal adoption program that meets OIT's accessibility standards, costs only \$500 a year, and only works with dog adoptions. The city determines that the program cannot be adjusted to meet the needs of cat adoption. Requiring the city to use this software may be considered a fundamental alteration.

Direct threat

Direct threat is defined as a significant risk to the health or safety of others that cannot be eliminated by a modification of policies, practices or procedures, or by the provision of auxiliary aids or services.



In determining whether an action, conformance to the technical standards, or a reasonable accommodation or modification would pose a direct threat to the health or safety of others, a public entity should make an individualized assessment, based on reasonable judgment that relies on current medical knowledge or on the best available objective evidence, to decide:

- the nature, duration, and severity of the risk;
- the probability that the potential injury will actually occur; and
- whether reasonable modifications of policies, practices, or procedures or the provision of auxiliary aids or services will mitigate the risk.

For example, a county public library discovers through testing that the digitization software that the archives employee uses is not accessible. The library IT manager has reached out to the vendor to inquire about plans for remediation but the vendor is not planning on making any updates within the near future. The IT manager has researched options and only found one product that meets the library's unique needs but poses a very high security risk. Requiring the library to use this software may be considered a direct threat.

Documentation and accommodation

The rules don't require submitting documentation to an outside authority. If your entity is the subject of a lawsuit, you'll provide documentation to the court.

In situations where conformance with the standards would result in undue financial, technical, or administrative burdens, it's best to prove that within 90 days through the following documentation:



- A public entity needs to provide reasonable accommodations or modifications that would ensure that people with disabilities receive the benefits or services provided by the public entity. It's recommended that the accommodation is documented internally using an Equally Effective Alternate Access Plan (EEAAP).
- The decision that compliance isn't achievable should be made by the head of a public entity or their designee after considering all resources available for use in the funding and operation of the service, program, or activity, and should be accompanied by documentation detailing how that decision was reached.

[Fundamental alteration, undue burden, or direct threat template](#)

The above template will help you provide documentation. Make a copy of the document and fill out the information as best you can for your own organization and products. Change any portion of the plan to meet your organization and product's specific needs.

Examples of when to apply fundamental alteration, undue burden, or direct threat:

Below are some examples of when a product might need to leverage fundamental alteration, undue burden or a direct threat include:

1. Archived ICT that is maintained for reference, research, or recordkeeping and is not altered or updated after the date of archiving, and is generally organized or stored in a dedicated area identified as archives
2. Pre-existing conventional internal or external electronic documents, presentations, spreadsheets, emails, and pre-existing time-based media such as audio, video, or audio and video unless such documents or time-based media are currently used by members of the public to apply for, gain access to, or participate in a public entity's services, programs, or activities



3. Content contributed by a third party not under the control of the public entity, that is available on the public entity's website or applications
 4. Third-party content, over which the public entity has no control or responsibility, linked from a public entity's website or applications
 5. Course content available on a public entity's password-protected or otherwise secured website for admitted students enrolled in a specific course offered by a public postsecondary institution
 6. Class or course content available on a public entity's password-protected or otherwise secured website for students enrolled, or parents of students enrolled, in a specific class or course at a public elementary or secondary school
 7. Individualized, password-protected, conventional electronic documents that are:
About a specific individual, their property, or their account; and Password-protected or otherwise secured
 8. Complex and/or atypical images and diagrams to the extent that they cannot be made fully accessible, which could include items such as: blueprints, architectural drawings, technical drawings, site plans, development plans, annexation and plat maps, handwritten documents, medical imaging and health care test results, and any other image where there is no logical methodology to create an alternate description that will make the image understandable to assistive technology
 9. Mapping applications and visualizations to the extent that they cannot be made fully accessible
 10. Reproductions that cannot be made fully accessible of items in heritage collections, which are goods that are preserved for an historical, artistic, archaeological, aesthetic, scientific, or technical interest
 11. Only one vendor solution (sole source) is available
-



12. ICT for which a contract is currently in place that cannot be modified or terminated without undue financial, technical, or administrative burden



MEMORANDUM

TO: Mayor Jones and Members of the Board

FROM: Kathleen Schmitz, Town Clerk

DATE: March 21, 2024

RE: Right-of-Way Tree Maintenance

DISCUSSION:

As previously discussed, the staff has gathered quotes for tree trimming and potential removal of the trees located in Easter Avenue the right-of-way. While both vendors provide quotes, the scope of work is broken out differently and should be evaluated in any decision. The staff is seeking guidance on the scope of work to be undertaken.

ATTACHMENTS:

Exhibit A – J & J Tree Care proposal

Exhibit B – Prince Tree Service proposal

<p>Licensed & Insured</p> <p>Office #: 303-753-0029</p> <p>Email: office@jandjtreecare.com</p>	 <p>J & J Tree Care Customized Tree Care</p>	<p>J & J Tree Care 9520 E. Colorado Ave. Denver, CO 80247</p> <p>Pay your bill, or visit us at: jandjtreecare.com</p>
<p>Town of Foxfield Kathleen Schmitz 18247 E. Easter Ave. 7073 & 7074 S. Yampa Ct. Foxfield, Co. 80046</p>	<p>We'll go out on a limb for you! Please visit us on Facebook: http://tinyurl.com/jandjtreecare</p>	<p>Phone #: 303-680-1544</p> <p>Email: clerk@townoffoxfield.com</p>

TREE CARE ESTIMATE:

3-6-24	
18247 E. Easter Ave.	
1. 7 cottonwood trees along the north side of Easter Ave. west of Yampa and 1 cottonwood tree on east side of Yampa. 8 cottonwoods total. Cut back well from over street and from 2 homeowner's properties.	
7073 & 7074 S. Yampa Ct.	
2. 5 cottonwood trees and 1 Russian olive along Easter Ave. east of Yampa Ct. Cut back well from over street. Not over homeowner's property.	
Total:	\$2,000.
Or this is what should be done	
18247 E. Easter Ave. & 7073 & 7074 S. Yampa Ct.	
1. Full trim 14 cottonwood trees and 1 Russian olive tree (thin-deadwood-broken-stubs-cut back long ends as needed-cut back from over street and homeowner's properties)	\$6,000.
Jeff Hetzel	



Prince Tree Service & Stump Grinding

Po box 461775 Aurora CO 80046
 303-332-2901
 princetreeservicecolorado@gmail.com

ESTIMATE

EST1273

DATE

03/04/2024

TOTAL

USD \$0.00

TO

Town of Foxfield HOA att: Kathleen Schmidt

18247 E Easter Ave Foxfield CO 80016

☎ 303-680-1544

☎ 720-203-1661

clerk@townoffoxfield.com

DESCRIPTION	RATE	QTY	AMOUNT
Tree trimming/pruning along road 18247 E Easter Ave 7073 S Yampa Ct 7074 S Yampa Ct	\$0.00	1	\$0.00

Streetside will be trimming back, overhanging limbs over the street and reducing back for safety.
 Disposal and cleanup included.

Neighbor side is reducing back low, hanging limbs, getting dead, and potentially hazardous limbs back out of the two properties on the corner.
 Disposal and cleanup included.

Removals are completely removing the trees, including disposal and cleanup and large trunk Disposal is also included.

Pic 1

Street side \$495.00

Neighbor's side \$295.00

Hazard prune \$395.00

Removal \$1895.00

Stump removal \$395.00

DESCRIPTION	RATE	QTY	AMOUNT
Pic 2 removal of two large limbs closest to the driveway. \$795.00 Hazard prune \$495.00 Removal \$1295.00 Stump removal \$395.00			
Pic 3 Removal of two large trunk cluster, left hand side in the picture. Hazard prune \$595.00 Removal 3 trunks total \$1495.00 Stump removal \$295.00			
Pic 4 West corner side cottonwood recommended removal of that tree. Free stump removal \$595.00 Stump removal \$125.00			
Pic 4 East cottonwood on the corner , this is closest to the asphalt driveway. I recommend removing this tree completely. Hazard prune \$495.00 Removal \$895.00 Stump removal \$195.00			
Pic 5 Street side \$695.00 Nieghbor side \$795.00 Hazard prune \$895.00 Removal \$1995.00 Stump removal \$395.00			
Pic 6 Maples Reduce back from the tree \$95.00			
Pic 7 8 9 Cottonwoods in Russian olive, along Easter Avenue. Reduce back limbs that are hanging over the street.			

DESCRIPTION	RATE	QTY	AMOUNT
<p>They are 3 to 4 trees that need to be done along this line. \$495.00</p>			
<p>Pic 10 2 Cottonwood along the east side of Easter Avenue. These trees have been cut back to stems/trunks only. Recommend removing both of these. \$395.00 Stumps removal included</p>			
TOTAL			USD \$0.00

We are not responsible for damage to landscaping including turf, hard scapes, Flagstone, brick pathways and concrete. We are not responsible for any underground lines including gas, power, water, cable or any irrigation lines. Customer is responsible for ordering locates through 811. Terry will advise if locate is necessary, not all jobs require locates. Deposits are required to secure your time slot on our schedule. Deposits are nonrefundable and are deducted from final invoice. Estimates are only subject to change if unforeseen circumstances arise. Final payment is due upon completion, same day. Final payments made with all credit cards will include a transaction fee. Customer is responsible for deactivating sprinkler system 48 hours prior to scheduled services. By signing, customer agrees to terms and conditions.



Cottonwood behind mail box



Cottonwood right of driveway



Cottonwood behind 18277 mail box



2 cottonwood trees on corner



Large cottonwood right corner



Maples next to street



Cottonwoods east of yampa Ct



Cottonwood and Russian olive along Easter



Far cottonwoods on Easter



2 cottonwoods possibly removed



MEMORANDUM

TO: Mayor Jones and Members of the Board

FROM: Kathleen Schmitz, Town Clerk

DATE: March 21, 2024

RE: Developmental Standards

DISCUSSION:

As a result of an inquiry regarding a recent building permit, questions arose as to the interpretation of code and policy regarding Development Standards. In this particular case, a proposed building which was mostly enclosed, but not fully enclosed. The proposal did not abide by the exterior finish requirements of an enclosed structure. The proposed loafing shed had three closed sides and one partially open to allow horse entry. While the current code includes a definition of a Fully Enclosed Structure, it does not directly define a partially enclosed structure. The current interpretation of the Town Planner and staff is that the proposed structure would be subject to design requirements. However, staff would like to clarify the intent of the code to help address any potential language amendments in the latest code update.

There are several areas of the code to consider.

Definitions:

- Gross floor area (GFA). The total floor area of a building or structure enclosed by at least two (2) impervious walls.
- Fully enclosed structure. A fully enclosed structure shall conform to all Town zoning and building regulations regarding principal or accessory structures on a residential lot. Tarps, portable, movable or temporary storage, trash or recycling containers are not allowed as means of enclosing outdoor storage in any residential zoning district.

Sec. 16-2-50. Large Lot Rural Residential District (RR).

(d) Development Standards Specific to the RR Zone District.

(10) The exterior finish and design of an enclosed accessory structure shall meet the following minimum requirements. Greenhouses, pergolas, gazebos or similar unenclosed structures are exempt from this Paragraph. a. There shall be eaves or overhangs that have a horizontal depth of at least eight (8) inches. b. For structures up to one thousand (1,000) square feet, there shall be at least one (1) door for human or vehicular passage and/or one (1) window on each of at least two (2) sides of the structure, one (1) of which fronts upon a street. Where a window is nominated to meet the requirements of this paragraph, it shall satisfy the criteria for emergency egress as defined by the International Residential Code as adopted in Chapter 18 of this Municipal Code.

The applicant did raise several points that may be considered.

1. The proposed accessory structure has three large openings on one wall of the structure; therefore, requiring another door or window on another side may not serve a purpose. The additional door or window may require more upkeep and in the case of windows may present a safety hazard to the animals.
2. As already mentioned, the code doesn't define enclosed structure, just fully enclosed.
3. The majority of examples of exempted structures include predominately open structures such as pergolas, but greenhouses, which are not open structures, are also exempted.