

# AGENDA ITEM SUMMARY

City Council



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## STAFF

Rupa Venkatesh, Assistant City Manager  
Claudia Menendez, Equity Officer  
Jan Reece, Lead Equal Opportunity Compliance Specialist  
Sara Arfmann, Assistant City Attorney

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## SUBJECT

**First Reading of Ordinance No. 066, 2024, Making a Supplemental Appropriation and Appropriating Prior Year Reserves to Develop a Digital Accessibility Roadmap.**

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## EXECUTIVE SUMMARY

The purpose of this item is to request an appropriation of \$150,000 in General Funds in order to work with a consultant to develop a comprehensive and actionable Digital Accessibility Roadmap. The purpose of this roadmap is to provide a strategy for compliance with both Colorado and federal laws and regulations pertaining to digital accessibility requirements, including both the Americans with Disabilities Act and Colorado House Bill 21-1110.

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## STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

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## BACKGROUND / DISCUSSION

House Bill 21-1110, Colorado Laws for Persons with Disabilities, as amended by Senate Bill 23-244, relates to all technology, hardware, and software, that is both public-facing and internal-facing. This includes any technology provided by or procured by a government entity that is used by the public or used by a government entity employee. This technology includes but is not limited to websites, applications, kiosks, digital signage, documents, video, audio, and third-party tools.

By July 1, 2024, all local governments need to be compliant. Part of this work includes conducting an inventory survey, classifying, prioritizing, and accessing all applicable Information and Communication Technology (ICT) as defined by the State and goes beyond just web content. A citywide survey has been completed, which revealed that staff needs additional expertise to assist in determining the accessibility of the City's current ICT portfolio. Therefore, a Request for Proposals (RFP) was issued to hire a consultant to provide the City with an assessment and roadmap.

A consultant selected from the RFP process will assist in the following:

- Conduct a comprehensive review and analysis of the City's digital technology, on-line services, websites, and third-party software applications to develop a prioritized Digital Accessibility Roadmap

- Analyze the current usage level for City webpages, software applications, and online services as part of development of prioritized mitigation strategies and Digital Accessibility Roadmap.
- Provide an evaluation of the time and cost needed to remediate non-compliant content on both the City’s website and third-party service delivery platforms.
- Develop a strategy and action plan to drive compliance with Colorado’s digital accessibility laws and regulations.
- Future phases of this work may include ongoing services to ensure future digital content is compliant with accessibility standards, including but not limited to, processes to validate that newly created content is in compliance with accessibility regulations; provide training for staff to ensure that they have knowledge and skills to maintain compliance; and recommendations for modifying existing City procurement processes and documents to ensure that new or renewing third party software and digital services comply with applicable accessibility regulations.

Additional work on various elements of ADA are taking place concurrently with Digital Accessibility work.

**Current Work Underway for Digital Accessibility**

Year	Actions
2022	<ul style="list-style-type: none"> <li>• Team meetings to learn about HB21-1110 and start to identify department roles.</li> <li>• Meetings included City Attorney’s Office (CAO), Communications and Public Information Office (CPIO), Information Technology (IT), Operations Services, Purchasing, Equity Office and City Manager’s Office (CMO).</li> <li>• Research on HB21-1110 and peer cities approach.</li> <li>• Lead Equal Opportunity Compliance Specialist actively training in Digital Accessibility.</li> <li>• Purchasing to include clearer language on ADA compliance in contracts.</li> </ul>
2023	<ul style="list-style-type: none"> <li>• Continued cross-department meetings to create an outline of workstreams.</li> <li>• Participate in State rulemaking for HB21-1110.</li> <li>• Meetings with peer cities of Colorado Springs and Englewood for peer learning.</li> <li>• On-going research and training on ADA work.</li> <li>• Lead Equal Opportunity Compliance Specialist position split into 2 Full-Time Equivalents (FTEs) to give priority and focus. Positions now include:               <ul style="list-style-type: none"> <li>○ Lead Equal Opportunity Compliance Specialist, hired in November 2023</li> <li>○ Lead Equal Opportunity Investigator hired in January 2024</li> </ul> </li> </ul>
2024 Q1-Q2	<ul style="list-style-type: none"> <li>• Build Core Collaboration Team including CAO, CPIO, IT, Operation Services, Purchasing, Equity Office and CMO.               <ul style="list-style-type: none"> <li>○ FAQ document for staff.</li> <li>○ Tech/software inventory completed by Service Areas.</li> <li>○ Meeting with ADOBE company.</li> <li>○ Update to <a href="#">City website legal disclaimer</a> and accessibility statement, reasonable</li> </ul> </li> </ul>

	<p>accommodation request form, and reporting of web issues.</p> <ul style="list-style-type: none"> <li>○ Provide overview on HB21-1110 to DAB, ELT and Leadership Link.</li> <li>○ Team members attending the ADA Symposium in June 8-12, 2024.</li> <li>○ Staff Training session planned for Q3-Q4.</li> </ul> <ul style="list-style-type: none"> <li>● Purchasing <ul style="list-style-type: none"> <li>○ Evaluate contracts from peer cities.</li> <li>○ Leverage peer cities for RFP search.</li> <li>○ Consultant selection and scope of work; contract signing in May.</li> <li>○ Consultant will provide a Digital Accessibility Roadmap to complete a comprehensive analysis of the City's current state of digital ICT accessibility, recommendations for remediation, and an evaluation of the level of effort required to evaluate compliance.</li> </ul> </li> </ul>
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**CITY FINANCIAL IMPACTS**

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This Ordinance will appropriate \$150,000 in General Funds.

**BOARD / COMMISSION / COMMITTEE RECOMMENDATION**

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This item was presented to Council Finance Committee on May 2, 2024. The Committee supported this appropriation ordinance to be brought forward for consideration.

**PUBLIC OUTREACH**

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None.

**ATTACHMENTS**

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1. Ordinance for Consideration