

Town of Keystone
Town Council Work Session
April 9, 2024, at 4:00 p.m.
1628 Sts John Rd
Keystone, CO 80435

WORK SESSION AGENDA

- I. CALL TO ORDER, ROLL CALL
- II. DISCUSSION OF DIGITAL ACCESSIBILITY
- III. DISCUSSION OF PURCHASING POLICY
- IV. DISCUSSION OF PROPOSED FEE SCHEDULE
- V. DISCUSSION OF 1041 REGULATIONS
- VI. DISCUSSION OF TOWN FINANCIAL REPORTS
- VII. DISCUSSION OF TECHNOLOGY MIGRATION
- VIII. DISCUSSION OF MANAGER/COUNCIL ISSUES
- IX. ADJOURNMENT

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers

THROUGH: Gary Martinez, Interim Town Manager
Maddy Sielu, Town Clerk

FROM: Jennifer Madsen, Town Attorney

DATE: April 23, 2024

SUBJECT: Work Session: Digital Accessibility

Executive Summary:

The purpose of this work session discussion is to provide an overview of the state and federal laws pertaining to digital accessibility. Town Council is not asked to provide direction to staff on next steps or to implement a policy related to these rules. There are, however, ICT purchasing requirements in the draft procurement policy.

Background:

In 2021, the General Assembly adopted HB 21-1110 titled “Colorado Laws for Persons with Disabilities.” One purpose of HB 21-1110 was to impose a requirement that local governments make their information and communication technology (ICT) accessible to individuals with disabilities by July 1, 2024, and failure to comply constitutes discrimination and could support a civil claim against a local government with the recovery of a statutory fine of \$3,500, actual damages, and the recovery of attorney fees.

In 2023, the General Assembly amended the law and included the requirement that the Office of Information Technology (“OIT”) was required adopt rules for digital accessibility standards for individuals with a disability.

Many local governments, and other public entities, were involved in OIT’s rule making process. Local governments wanted OIT to consider the significant financial and administrative burden to fully comply with the technology standards and except out certain categories of technology. I was engaged in this process and participated by assisting with written comment to OIT and testified at the public hearing.

OIT adopted these rules in late February 2024. At a very basic level, the goal of the rules is that all digital technology complies with W3C WCAG 2.1 conformance levels A and AA. The WCAG guidelines are a single shared standard for web content

accessibility that are intended to meet the needs of individuals, organizations, and governments internationally, as published by World Wide Web Consortium (W3C).

Here are a few broad examples of what is required by WCAG 2.1 for digital technology:

1. Captions on videos and audios (or have an available transcript)
2. Images need a text alternative
3. Content needs adequate color contrast
4. Pdf documents need to be accessible by a screen reader – at a minimum, the pdf needs to be navigable
5. Lists and headings need to be formatted correctly for screen readers
6. Tables also need to be formatted for use by a screen reader

Here is an overview of the rules:

What is included in the definition of ICT?

A wide range of commonly used information and communication technology (ICT) must be accessible, including:

- Software, applications, and websites including content accessed from the internet and on private networks or intranets
- Multimedia content like images, video and audio
- Documents that are posted to the internet (e.g., Google formats, PDF, Word, Excel, and PowerPoint, etc.)
- Computer software and hardware including desktop systems and mobile systems such as laptops and other mobile computers
- Desktop and mobile telephones and other telecommunications products that interact with users in real time

Who do the rules apply to?

The rules apply to the state, state agencies, local governments, districts, and any other instrumentality of a local government.

When do the rules apply?

The rules apply to all ICT that is in active use on or after July 1, 2024.

A Technology Accessibility Statement is required.

Each public entity needs to develop and publicly post a technology accessibility statement on the website. The purpose of the statement is to inform individuals with disabilities on how to request reasonable accommodations or medication or to report inaccessible ICT.

How does a public entity comply other than full conformance?

The rules have provided several exceptions for situations in which a public entity can demonstrate compliance even if the ICT does not fully conform to the technical standards.

- The individual with a disability is able to engage in the same or equivalent services that are offered to those without disabilities
- A Technology Accessibility Statement is posted, an accommodation is provided, and the public entity can provide evidence of making good faith progress on its plan to remove accessibility barriers
- The public entity procures and provides reasonable accommodations if needed for the ICT that best meets the technical standards and also the public entity's business needs, which may include considerations such as audience needs, capacity, reliability, interoperability, organizational needs, privacy, and security.
- The public entity has created and provided a conforming alternate version according to the requirements in the rules.
- Making the ICT fully conform with the technical standards would constitute an undue burden, fundamental alteration, or pose a direct threat (those are defined terms).

Required Reasonable Accommodations or Modifications:

The rules require that a public entity provide reasonable accommodations and accommodations to access programs, services, and activities.

Possible Town of Keystone's Approach:

Keystone is ahead due to its management of limited digital assets. Key steps for compliance for Keystone could include:

1. **Identify a responsible person or team** who is knowledgeable on these rules and can oversee compliance as follows: (a) be available for and implement (when required) requests for reasonable accommodation and modifications; (b) be knowledgeable of procurement and contracting rules related to digital accessibility; and (c) monitor and update the technology accessibility plan.

2. **Place a Technology Accessibility Statement** on the website and communicate a willingness to provide reasonable accommodations and modifications. Town may also want to include technology statements on several places on your website to allow for people to request accommodations.
3. **Purchase accessible ICT.** Consider adopting and implementing technology accessibility purchasing policies for internal and external technology. Include accessibility requirements and outcomes in your RFPs and contracts.
4. **Develop a Technology Accessibility Plan** to remediate ICT that does not fully conform to the accessibility rules. Even a simple plan should be put into place. Think about prioritization for external ICT that is used often. An accessibility plan can be a defense of a civil claim for non-compliance. The rules require that the plan is updated once a year and the rules provide an outline of what should be included in the plan.
5. **Create a plan for providing reasonable accommodations/modifications.**

2024 State legislation extending the deadline:

Since the adoption of the proposed rules in February 2024, there has been significant scrambling by public entities to work to comply with these technology standards and to document a plan of compliance. In addition, the school districts were working to lobby for an extension of the July 1, 2024, deadline. This past week a bill was introduced to extend the deadline for potential civil liability for noncompliance with digital accessibility standards to July 1, 2025. If the bill passes, local governments will still need to have in place a “progress-to-date report that demonstrates concrete and specific efforts toward compliance on the entity’s or agency’s front-facing web pages; updating the report on a quarterly basis; and creating a clear, easy-to-find process for requesting redress for inaccessible digital products, including contact options that are not dependent on web access or digital accessibility and are prominently displayed on all front-facing web pages.”

Local governments will soon also need to comply with federal requirements related to digital accessibility. The Department of Justice has issued rules (not yet published and not official) related to web accessibility. The DOJ rules are similar to Colorado’s OIT requirements and will mandate that state and local governments are required to make their websites comply with WCAG 2.1 A/AA with some exceptions.

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers
THROUGH: Gary Martinez, Interim Town Manager
FROM: Jennifer Madsen, Town Attorney
DATE: April 23, 2024
SUBJECT: Work Session: Procurement

Executive Summary:

The purpose of this work session discussion is to provide an overview of a draft procurement policy.

Background:

Local governments use public money for the purchase of goods and services. An open, fair, documented, and competitive process is to be used whenever possible. The purchasing process' integrity, efficiency, and efficiency are critical elements of sound government practices.

The following are typically objectives of a procurement policy:

- To provide a uniform system to obtain supplies, materials, equipment, and services in an efficient and timely manner;
- To maximize the value of public funds;
- To facilitate responsibility and accountability with the use of Town resources;
- To ensure equal opportunity and competition among suppliers and contractors;
- To promote effective relationships and clear communication between the Town and its suppliers and contractors;
- To maintain an ethical system.

From an economic standpoint, competition in public purchasing is an indispensable means for improving the quality of purchases, encouraging innovation among suppliers, increasing the Town's latitude of choice and, most importantly, assuring the reasonableness of costs. Competition coupled with standardization and economies of scale will maximize the Town's opportunity to obtain the greatest value for the public money.

The draft procurement policy incorporates sound public procurement practices which help foster public confidence and ensure objectivity and fair treatment of all individuals and businesses doing business with the Town. Full and open competition is encouraged.

Additionally, the draft procurement policy provides needed flexibility and procedural safeguards to allow procurement practices which are responsive to the needs of the Town when waivers or exemptions from formal procurement are deemed to be in the best interest of the Town.

For the work session discussion, Town Staff will solicit input from the Town Council on the draft policy. Council will be asked to provide consensus direction to bring forward a resolution to ratify the proposed draft procurement policy or to provide direction on changes to the draft.

Attachment:

- 4.18.2024 Draft Procurement Policy

I. AUTHORITY:

Approval of this Purchasing Policy by the Town Council authorizes the Town Manager to approve contracts, agreements, and purchase orders for goods and services up to the Town Manager Approval Amount (being \$10,000, as more fully set forth in this Policy) provided that sufficient funds have been budgeted and appropriated by the Town Council.

II. PURPOSE OF POLICY:

The Town of Keystone is funded by tax dollars. As such, the Town's Purchasing Policy and related procedures have been established in order to ensure that tax dollars are spent in an economical manner that meets the business needs of the Town. The purpose of this Purchasing Policy is to promote government efficiency, transparency, and wise and economical use of public funds to ensure that the Town's money is used to best serve the Town's residents and taxpayers. All procurement shall be accomplished in compliance with applicable and mandatory state and federal law. The purchasing levels set forth in this Policy are subject to optional annual review and may be increased by the Town Council based on inflation and other economic or other relevant factors.

III. USE OF POLICY:

This Policy has been developed for use by the Town Manager and other Town employees in order to assist the Town Staff with implementing the budgets and appropriations approved by Town Council on an annual basis. This Policy confers no rights, duties or entitlements to any vendors, bidders or proposers.

IV. SCOPE:

This Purchasing Policy applies to all purchases by the Town or any Town-governed general or special improvement district hereafter formed, unless otherwise specified by ordinance, resolution, other policy, or otherwise specifically exempted by this Policy. Notwithstanding anything in this Policy to the contrary, the Town shall comply with the requirements of any procurement or purchasing process obligation in any applicable and mandatory state or federal law or any funding or other agreement that requires specific purchasing procedures or requirements. No procurement, regardless of the amount, shall be initiated without annual appropriated funds being available for such purchase.

A. EXEMPTIONS

The following Purchases are exempt from the purchasing procedures set forth in this Policy but shall be subject to the procurement classifications set forth in Section VI (A) of this Policy:

A. Small Dollar Purchase – Purchases where the estimated total cost of the items or services is less than \$1,000 may be sent directly to the vendor by the Town Manager. Although these purchases are exempt, competition is encouraged to ensure best value for products and services.

B. Professional Services – Services provided by those who possess a high degree of professional or specialized skill such as accountants, public finance specialists, architects, engineers and attorneys may be exempt from this Purchasing Policy. Such service providers must meet the minimum qualifications and standards for providing the service. The Town Manager has the discretion to require the Formal Procurement process for any professional services. As used in this Policy, “professional services” may include arranging for certain “on-call” services from firms providing professional or administrative office support services to the Town, including but not limited to engineering firms, special legal counsel on an as-needed basis, and firms providing mail distribution and other such services.

C. Extensions – Extension of existing contracts may be negotiated when a vendor offers to extend under the same conditions and at the same or lower price and such extension is determined to be in the best interest of the Town. Contract extensions are limited to two (2) one-year terms beyond the initial term.

D. Sole Source - Purchases that are obtainable, for practical purposes, from only a single or sole source due to distribution rights, intellectual property or other exclusive rights as determined by the Town Manager, upon a finding that, after reasonable inquiry, there is a single or sole provider of such goods or services within the local or general area. Sole source purchases in excess of Thirty Thousand Dollars (\$30,000) shall be subject to review and approval by Town Council.

E. Cooperative Purchasing – Purchases made through Cooperative Purchasing arrangements which combine the requirements of two or more political entities to obtain the advantages of volume purchase, reduction in administrative expenses, or other public benefits.

F. Government Purchases - Purchases from federal, state or other local government units.

G. Employment - Employment agreements or employee services, including short term contract employees as may be needed from time to time. All Town employees shall be subject to the then-current personnel policies of the Town.

H. Emergency Purchases - Emergency Purchases shall extend to contracts for goods or services where time is of the essence for performance of the contract and the increased time to bid the contract would substantially impair the performance of the contract and/or result in an increased cost of performance. In emergency situations, the Town Manager has authority to make all necessary expenditures resulting from the emergency.

I. Real Property / Water Rights – Purchases of water rights or interests in real property.

V. DEFINITIONS:

“Award” means the acceptance of a quote, bid or proposal.

“Best Interest of the Town” means a discretionary determination that a decision is most advantageous to the Town.

“Best Value” means an assessment of the return which can be achieved based on the total life cycle cost of the procurement, where life cycle cost means the total cost associated with ownership; it includes the cost of the item, operating and maintenance cost and estimated disposal value; may include an assessment of the functionality of the item or service; the assessment may utilize a cost/benefit analysis to define the best combinations of quality, service, time, and cost considerations over the useful life or contract period.

“Bid” means an offer, as a price.

“Town” means the Town of Keystone, Colorado.

“Town Council” means the Town Council of the Town of Keystone, Colorado.

“Town Manager” means the Town Manager of the Town of Keystone, or the Town Manager’s designee, who shall serve as the purchasing manager on behalf of the Town. The Town Manager may delegate such authority to an employee, agent, or contractor of the Town and may delegate the role of purchasing manager for all, part, or selective types or classes of purchases. Notwithstanding any of the provisions of this Policy, the Town Manager may require any purchase to be subjected to a more formal purchasing process than is otherwise required under this Policy.

“Town Manager Approval Amount” means the dollar amount of a purchase which the Town Manager has authority to approve without review and approval by Town Council. As set forth in this Purchasing Policy, the Town Manager Approval Amount is Ten Thousand Dollars (\$10,000).

“Contract” means a deliberate or written agreement between two or more parties to perform or not to perform a specific act or acts.

“Cooperative Purchasing” means the combining of requirements of two or more political entities to obtain the advantages of volume purchases, reduction in administrative expenses, or other public benefits.

“Emergency Purchase” means a Purchase for which the Town may suffer financial or operational loss, unless the goods and/or services are procured in the shortest amount of time possible. Emergency Purchases are intended to prevent or minimize further losses to the Town, or are intended to prevent or minimize the impacts on public health, safety, or welfare.

“Information and communication technology” (ICT) means information technology and other equipment, systems, technologies, or processes, for which the principal function is the creation, manipulation, storage, display, receipt, or transmission of electronic data and information, as well as any associated content. Examples include computers and peripheral equipment; information kiosks and transaction machines; telecommunications equipment; customer premises equipment; multifunction office machines; software; applications; Web sites; videos; and electronic documents.

“Invitation for Bid” (IFB) means a formal request to prospective vendors soliciting price quotations or bids; contains or incorporates by reference, specifications or scope of work and general terms and conditions.

“Pre-Qualified Bidder” means a potential bidder or proposer who meets Town-established or Town-imposed minimum standards of experience, financial ability, managerial ability, reputation, and work history for a specified class of goods, services, or projects.

“Purchase” means a purchase or acquisition of goods or services (including, but not limited to, construction services) by contract, lease, or otherwise.

“Purchasing Card Program” or “Program” means the purchasing card program described in Section VI.D. of this Policy.

“Request for Proposal” (RFP) means all documents used for soliciting formal competitive proposals. The RFP procedure permits negotiation of proposals and prices as distinguished from competitive bidding and an Invitation for Bid.

“Responsible Bidder” means a vendor who has the capability in all respects to perform in full the contract requirements and has the integrity and reliability to assure good faith performance.

“Responsive Bidder” means a vendor whose bid conforms in all material respects to the terms and conditions set out by the Town.

“Supplier/Contractor” means an actual or potential person or business that is willing to enter into a Purchase with the Town.

“Vendor” means one who sells goods or services; a supplier.

VI. POLICY

A. PROCUREMENT CLASSIFICATIONS

The following Procurement Classifications are established and the procedures to follow for each classification are set forth in Purchasing Processes in this Policy.

Procurement Classification	Purchasing Range *	Purchasing Process	Purchasing Approval Level of Authorization	Town Attorney Approval Required (for Form of Contract or Purchase Order)
1	Less than \$1,000	Small Dollar – Exempt	Town Manager	No
2	\$1,000 up to Town Manager Approval Amount (\$10,000)	Simple Procurement	Town Manager (including review by Town Finance Director)	Yes
3	Over Town Manager Approval Amount	Formal Procurement	Town Council by Resolution or other official action	Yes

** Per calendar year or per occurrence (as applicable). Splitting of purchases to stay within a particular classification is not permitted.*

B. PURCHASING PROCESSES

The following purchasing processes shall be followed depending on the Procurement Classification as set forth in this policy:

1. **Simple Procurement.** Simple Procurement is accomplished through simple purchase activities that are sound and appropriate as determined by Town’s Finance Director, considering the price of the service or good sought to be purchased. A reasonable and adequate number of price checks or quotes should be made by email, personal inspection, or discussions with vendors to ensure a quality product or service is obtained and best value is determined. Appropriate written notation of price quotes for comparison should be made for costs ranging from \$1,000 to \$10,000. The Town Manager, in their discretion, may accomplish Simple Procurement through the Quotations Solicitation (QS) Procedure or Letter or Proposal Procedure outlined below.
 - a. **Quotations Solicitation (QS) Procedure.** This process requires the Town Manager to solicit at least three written competitive firm price quotes through informal negotiation which is documented with a firm price quote in writing and maintained on file. The Town Manager shall determine whether QS should issue in writing in order to obtain such competitive price and delivery quotes or whether

verbal solicitation of written quotes is acceptable. Suppliers respond to the QS with firm quotations, and while price does not necessarily constitute the only consideration, as provided in the QS, generally the lowest-priced quotation is awarded the contract or order unless a demonstrable value is added by selection of another quotation. The Town Manager shall retain written records of the price quotes received for any purchases that are made in the \$1,000 - \$10,000 range.

- b. **Letter of Proposal Procedure.** This process requires the Town Manager to obtain at least three written competitive letters of proposal outlining the scope of work, performance standards and structure of costs. The Town Manager and other Town Staff, as determined by the Town Manager, shall review the proposals based upon the predetermined review criteria. The standard Town contract shall be fully executed, and all necessary insurance documentation shall be provided prior to the commencement of any work related to the contract.

The Town Manager reserves the right to call for formal bids at any time.

2. **Formal Procurement.** Formal Procurement is used for the procurement of goods and services above \$10,000 and shall be awarded through a **competitive sealed process** such as an Invitation for Bid (IFB) or Request for Proposal (RFP) process as approved by the Town Manager and reviewed by the Town Finance Director. The Town Manager shall maintain the firm price quotes on file for these purchases. The Town Manager shall consider all relevant factors in deciding which vendor to contract for the particular good(s) or service(s) involved. While price does not necessarily constitute the only consideration, generally the lowest-priced firm price quote shall be awarded the contract or order with the Town unless a demonstrable value is added by selection of another price quote. In all circumstances where a vendor other than the lowest-priced vendor is selected, the Town Manager shall document in writing why the particular vendor was selected. The standard Town professional services agreement (PSA), contract, or purchase order shall be utilized, and, where applicable, all necessary insurance documentation shall be provided to the Town prior to the commencement of any work related to the PSA or contract. In addition, prior to finalizing any purchase, the Town Finance Director shall review in order to confirm that funds have been appropriated and are available for the proposed purchase(s).

Formal Procurement Methods:

- a. **Invitation for Bid (IFB).** The IFB is a method of source selection in which the award is made to the responsive bidder and responsible bidder submitting the lowest cost bid determined to be in the best interests of the Town that complies with the detailed specifications and/or scope of work contained in the IFB. The IFB details the scope, qualifications, specifications and/or scope of work, and terms and conditions of the proposed contract or acquisition, including, if applicable, in the Town's discretion, any bonds or security required to secure any bid or performance. Bids shall be sealed and opened at the time and place as set forth in the IFB. A tabulation of all received and opened bids shall be formulated and made available for public inspection.
 - i. Pre-Qualified Bidders. The Town may choose to advertise openly or, in the case of construction or other large projects, including service contracts, to

submit the IFB only to Pre-Qualified Bidders that it has previously identified. In determining whether to issue an IFB only to Pre-Qualified Bidders, the Town Manager shall consider the best interests of the Town and whether a particular project or contract:

1. requires complex or unusual expertise or techniques;
2. involves a particularly tight time frame; or
3. involves experience in a very specific field; or
4. involves the construction of a public building or completion of any public works which project has a projected budget of \$50,000 or more.

If the Town chooses to issue the IFB only to Pre-Qualified Bidders, it may identify Pre-Qualified Bidders as an initial step and issue the IFB only to those Pre-Qualified Bidders. When possible, the Town will endeavor to identify and submit the IFB to no less than three (3) Pre-Qualified Bidders when it chooses to issue the IFB only to Pre-Qualified Bidders.

- ii. Multi-Step Bid Procedure. Due to complexity of the services or products sought to be acquired, the Town may choose to engage in a multi-step sealed bid procedure. The multi-step sealed bid procedure may include issuance of an initial Request for Qualifications (RFQ) or similar document for the purpose of pre-qualifying a product or service based on specifications or experience prior to the submission of cost proposals. After pre-qualification, only the providers of products or services that meet the specifications or experience established in the RFQ will be permitted to submit cost proposals.
- b. **Request for Proposal (RFP).** The RFP process is used when it is considered impractical or not advantageous to use the IFB method. Award is based on an evaluation of specified criteria, including price, and is made to the proposer whose proposal is determined to provide the best value for the Town. Sealed proposals shall be submitted at the time and place as set forth in the RFP. Only the names of the proposer will be read in public at the time proposals are due. Proposals will be evaluated by the Town Manager and other Town Staff as selected by the Town Manager in accordance with previously established evaluation criteria. This process may include discussions and negotiation between the Town and proposer(s).
 - c. **Cancellation.** Any IFB, RFP or other solicitation may be cancelled, and proposals or bids rejected in whole or in part when the Town Manager deems such cancellation or rejection in the best interests of the Town. The Town shall issue notice of cancellation to all proposers or bidders solicited.

C. PURCHASE OF INFORMATION COMMUNICATION TECHNOLOGY

The Town of Keystone is committed to ensuring that all persons with disabilities have access on an equal basis with all other citizens to the Town's programs, products, services, and information. Essential to meeting this objective is that all Town web and digital technologies are accessible to and usable by persons with disabilities. To this end, the Town supports the procurement of accessible information and communication technology (ICT) for compliance with HB21-1110, Colorado Laws for Persons with Disabilities, and accompanying rules, and the Americans with Disability Act, and Colorado Office of Information Technology (OIT)'s Rules

Establishing Technology Accessibility Standards, 8 CCR 1501-11 (collectively “digital accessibility requirements”).

These ICT Procurement Guidelines apply to all purchases of ICT, including purchase card purchases, solicitations (requests for procurement, requests for bids, contracts, p-card purchases, etc.) and responses thereto, and contracts for ICT products and services, which includes but is not limited to websites, web applications, software systems, electronic communications, e-learning, multimedia, and programmable user interfaces.

Process Steps

To facilitate the procurement of accessible ICT, the following steps should be implemented for products and services that fall within the scope of this procedure as described above:

Step 1. Evaluate the desired product with an accessibility checklist.

Step 2. Solicit accessibility information.

The Town shall require that bidders and vendors demonstrate that ICT provided to the Town conforms to or addresses the digital accessibility requirements.

For purchases that do not require an IFB, RFP, or RFQ, the ICT product’s compliance with digital accessibility requirements must be evaluated. The required evaluation will depend on the ICT products exposure as provided in Step 1 above.

RFPs, IFBs and RFQs shall clearly define the Town’s accessibility and useability criteria. The solicitations and procurement documents may include criteria that bidders and vendors demonstrate that ICT conforms to or addresses the applicable digital accessibility requirements. For example, bidders and vendors may be required demonstrate conformance by providing the following:

a. A narrative description of the [respondent’s] experience in the IT accessibility domain signed by an authorized representative of the respondent; or

b. An attestation that the [respondent] conforms to the criteria or standard. For smaller (and less risky) procurements, a self-declaration of conformity may be sufficient, proportional, and practical. For larger procurements or procurements of enterprise products, additional information may be necessary. Vendors may optionally include supplemental information such as supporting evidence or third-party assessments. Examples of other relevant attestations that may be requested are:

i. A certificate, issued by an independent third party, as conformance verification (third-party certification).

ii. Request vendors (i) to clarify how vendors’ products can be used to meet specific accessibility needs and requirements or (ii) to document their vendor’s experience in accessibility and what business processes ensure the accessibility of the products.

iii. Request demonstrations of a vendor’s product within the planned setting with the focus on its accessibility and application for different use cases including individual use and collaboration. These demonstrations should require the use of various assistive technologies. Both a listing of the use cases and assistive technologies should be identified in the RFP.

c. A completed Voluntary Product Accessibility Template (VPAT) also known as an Accessibility Compliance Report (ACR). If a VPAT is used, it must use the VPAT 2.4 template,

which is based on WCAG 2.1 Level A/AA. The Information Technology Industry Council offers a free VPAT 2.4Rev WCAG (March 2022).

For enterprise purchases, procurement may include acceptance testing to verify the respondent meets Town's accessibility and useability criteria. This testing may include manual testing, automated testing, and/or testing by users with disabilities. The requirement for acceptance testing should be identified in the IFBs and RFPs.

The following is sample RFP language:

Requirements and Standards

Each information and communication technology (hereinafter referred to as "ICT") product or service furnished under this contract shall be accessible to and usable by individuals with disabilities in accordance with the Americans with Disabilities Act (hereinafter referred to as the "ADA") and other applicable federal laws and Colorado HB21-1110 and implementing regulations. For purposes of this clause, [the contractor] shall be considered in compliance with the ADA and Colorado HB21-1110 if it satisfies the requirements (including exceptions) specified in the regulations 28 CFR Part 35 related to digital accessibility requirements and technical standards under the ADA and specified in the regulations 8 CCR 1501-11 implementing Colorado HB21-1110, including the Web Content Accessibility Guidelines (WCAG) 2.1 Level AA or higher, which are incorporated by reference, and the functional performance criteria.

Compliance may be demonstrated by an evaluation, as documented in writing, that the ICT "best meets" the technical standards and also the Town's business needs. Town staff shall be required to follow the "best meets" guidance in documenting the best meets analysis.

Compliance may also be demonstrated by an evaluation, as documented in writing, that making the ICT fully conform with the technical standards would constitute an undue burden, fundamental alteration, or pose a direct threat or is otherwise exempted under section 11.10 of OIT's regulations 8 CCR 1501-11.

Documentation

[The contractor] shall maintain and retain, subject to review by [the entity procuring the product or service], full documentation of the measures taken to ensure compliance with the applicable requirements and functional performance criteria, including records of any testing or simulations conducted. For each ICT subject to the contract, the documentation shall include a description of conformance with applicable federal and state laws by means of either a Voluntary Product Accessibility Template (VPAT) or other comparable document, upon request.

Remediation

If [the contractor] claims its products or services satisfy the applicable requirement and standards specified in clause (a) and it is later determined by [contracting officer] that any furnished product or service is not in compliance with such requirements and standards, the [contracting officer] will promptly inform [the contractor] in writing of the noncompliance. [The contractor] shall, at no cost to [the entity procuring the product or services] repair or replace the non-compliant products or services within the period specified by [the contracting officer]. If the repair or replacement is not completed within the specified time, [the contracting

officer] may cancel the contract, delivery or task order, or purchase or line item without termination liabilities or have any necessary changes made or repairs performed by employees of the entity or by another contractor, and [the contractor] shall reimburse [the entity procuring the product or service] for any expenses incurred thereby.

Definition

Information and communication technology means information technology and other equipment, systems, technologies, or processes, for which the principal function is the creation, manipulation, storage, display, receipt, or transmission of electronic data and information, as well as any associated content. Examples include computers and peripheral equipment; information kiosks and transaction machines; telecommunications equipment; customer premises equipment; multifunction office machines; software; applications; Web sites; videos; and electronic documents.

Step 3. Validate accessibility information received.

The Town is required to review the compliance of the ICT to the digital accessibility requirements. Validation may take place pre-award or post-award depending on the type of ICT product or service to be procured.

Step 4. Require Contract language.

The Town shall require that bidders and vendors demonstrate that ICT provided to the Town conforms to or addresses the digital accessibility requirements and the contractor agrees to the continuing obligation to meet these expectations. The Town may want to include provisions in the contract to require ongoing accessibility requirements, continued validation of the contractor's product or service to demonstrate that it meets the digital accessibility requirements, retention of the documentation demonstrating compliance, and indemnity and/or obligations related to digital accessibility.

D. PREPAYMENT OF CONTRACTS & PURCHASE ORDERS

Prepayment of purchase orders and contracts is discouraged. Prepayment is acceptable, however, for:

1. Small-Dollar Purchases (less than \$1,000), where prepayment is required by the supplier.
2. Any purchase under the Town Manager Approval Amount, under special circumstances, with the approval of the Town Council by Resolution.
3. Subscriptions, where usual business practices require payment in advance, but the term of any subscriptions shall not exceed one (1) year.
4. Memberships in professional associations, where such memberships have demonstrated value to the Town.
5. Equipment maintenance services or agreements, where such services are performed within the budget period.

E. PURCHASING CARD PROGRAM

The purpose of the Purchasing Card Program (the "Program") is to streamline and simplify the requisitioning, purchasing and payment processes for Small Dollar and Simple Procurement purchasing activities. The goals of the Program are to:

- Reduce the cost of processing Small Dollar and Simple Procurements
- Receive faster delivery of required goods and services required for effective administration of the Town's affairs
- Simplify the payment process

The Program will consist of one (1) credit card issued by Wells Fargo (or such other banking institution as the Town may do business with from time to time).

Initially, following the effective date of this Policy, only one (1) credit card shall be issued and such card shall be issued to the Town Manager. Additional cards may be issued to Town Department Heads (or Department Directors) with the written approval of Town Council, by majority vote.

The individual cardholder is the only person entitled to use the card and the card is not to be used for personal use. Cards issued under the Program may not be transferred from one Town employee to another. Use of any card issued under the Program for personal use may result in discipline up to and including termination. The Program is intended to be used for maintenance, repair, operating and other low value purchases needed for the administration of the Town's affairs, and which purchases are required to implement the budget and appropriations approved by Town Council during the relevant accounting period. Authorized purchases may include:

- Books and subscriptions
- Computer supplies
- Office supplies
- Professional membership dues
- Continuing education expenses*
- Hardware and tools
- Conference registration fees*
- Spare parts
- Miscellaneous office supplies
- Short-term equipment rental

*In accordance with the Town's personnel policies, the Town may pay for or reimburse for job-related educational programs if approved in advance by the Town Manager and if the training is directly related to the employee's immediate job or anticipated promotional opportunities.

Unauthorized purchases

- Items for personal use
- Fuel for personal vehicle
- Long-term equipment leases
- Travel

Receipts for all purchases made under the Program shall be turned into the Town's Finance Director, together with any back-up documentation or other information as may be requested by the Finance Director from time to time. The Town's Finance Director shall reconcile all purchases

made under the Program on a monthly basis and assign account codes to each such purchase to ensure that all purchases are accurately assigned to the proper fund or cost center in the Town's annual budget. The Town Council shall retain the right to temporarily suspend or terminate the Program.

F. LOCAL PREFERENCE

Town Staff is encouraged to use businesses located in Keystone whenever the procurement is less than the Small-Dollar Exempt amount. Businesses located within Keystone are encouraged to submit bids or proposals whenever there is an open bid or proposal or when they receive an invitation to do so. Where all award factors are equal, a preference for bid awards will be given to a bidder with its principal place of business located in the Town of Keystone.

G. ETHICS AND PROFESSIONAL CONDUCT

The Town will maintain the highest standards of integrity and professionalism, affording maximum objectivity and fair treatment in all business relationships. Any situation which limits fair and open competition should be avoided. The Town Manager shall act in good faith, and shall not accept any gifts, gratuities or other things of value from vendors which might influence or appear to influence purchasing decisions.

H. CONFLICT OF INTEREST

The Town Manager shall not make, participate in, or attempt to influence any decision if he or she knows or has reason to know that he/she has a financial interest in the outcome of that decision.

I. PROTEST POLICY AND PROCEDURE

Any actual or prospective bidder, contractor, or vendor who is aggrieved in connection with the solicitation or award of a contract may submit a letter of objection to the Town Manager providing specific reasons for the protest. The Town Manager will render a response within ten (10) business days of receiving the letter with a copy provided to Town Council.

VII. EFFECTIVE DATE:

This Purchasing Policy shall be effective upon approval by Town Council.

VIII. REVIEWED BY:

Town Manager

Date

IX. APPROVAL: RESOLUTION NO. 2024-____.

Mayor

Date

ATTEST:

Town Clerk

Date

TOWN OF KEYSTONE, COLORADO

STAFF REPORT

TO: Mayor & Town Councilmembers
THROUGH: Gary Martinez, Interim Town Manager
FROM: Jennifer Madsen, Town Attorney
DATE: April 23, 2024
SUBJECT: Work Session Introduction to 1041 Regulations

Executive Summary:

The purpose of this work session discussion is to provide an introduction to 1041 regulations.

Background:

At the most basic level, local government 1041 regulations are a land use tool for municipalities. As a planning tool, 1041 regulations give a local government a “seat at the table” during the review of particular development projects occurring in the jurisdiction, even when the project has statewide impacts.

In 1974, the Colorado legislature enacted the Areas and Activities Of State Interest Act which defines the authority of state and local governments in making land use planning decisions for matters of statewide interest. The Areas and Activities Of State Interest Act (“Act”) was adopted pursuant to House Bill 74-1041 and accordingly, regulations adopted by local governments under the authority identifying the Areas and Activities Of State Interest Act are often referred to as “1041 Regulations.”

The legislative purpose of the Act was, in part, to clarify the relative authority of state and local governments over land use decisions concerning matters of statewide interest. The General Assembly encouraged local governments to "designate areas and activities of state interest and, . . . promulgate guidelines for the administration thereof." The Act delegates powers, commonly called “1041 Powers,” to local governments allowing local governments to identify, designate, and regulate areas and activities of state interest through a local permitting process. The general intent of 1041 Powers is to allow local governments to maintain their control over certain types of projects because they have statewide or regional impacts.

The Act does not require that every local government exercise 1041 powers. However, local governments must make a designation and adopt regulations before 1041 powers may be used. Using 1041 powers is a powerful land use regulatory step for local governments given that the general rule in Colorado is that local regulations are

preempted by state regulations in areas of exclusive state-wide concern. The Act alters that general rule for those areas and activities of state interest identified in the lists below. The Act assigns the following functions to local governments in their exercise of authority under the Act:

- Designate matters of state interest.
- Hold hearings on applications for permits for development with respect to matters of state interest.
- Grant or deny applications for permits applications for permits for development with respect matters of state interest.
- Receive recommendations from state agencies and other local governments relating to matters of state interest.
- Send recommendations to other local governments relating to matters of state interest.

The Act identifies the areas of land and the activities qualifying as “matters of state interest” local governments may designate:

The "areas of state interest" local governments may designate include:

- Mineral resource areas;
- Natural hazard areas (including floodplains, wildfire hazard areas and geologic hazard areas);
- Areas containing, or having a significant impact upon, historical, natural, or archaeological importance; and
- Areas around certain “key facilities” including airports, rapid or mass transit terminals, interchanges involving arterial highways, and major facilities of a public utility.

The Act authorizes local governments to designate the following “activities of state interest”:

- Site selection and construction of major new domestic water and sewage treatment systems and major extension of existing domestic water and sewage treatment systems;
- Site selection and development of solid waste disposal sites;
- Site selection of airports;
- Site selection of arterial highways and interchanges and collector highways;
- Site selection and construction of major facilities of a public utility;
- Site selection and development of new communities;
- Efficient utilization of municipal and industrial water projects; and
- Conduct of nuclear detonations.

Local government may choose to adopt 1041 regulations for any or all of these areas or activities of state interest. Once adopted, development activities in these designated areas or activities are required to obtain a 1041 from the local government.

Here are some examples of uses of 1041 regulations in other communities:

- Local Permitting of On-Ramp Traffic Signals on I-70 (*CDOT v. City of Idaho Springs*)
- Local Permitting of Major Electrical Power Lines (*Tri-State Generation v. Lincoln County BOCC*)
- Local Permitting of Major Water Projects and Transbasin Diversion Projects (*City and County of Denver v. Grand County BOCC*; *City of Colorado Springs v. Eagle County BOCC*)

Implementation of Town of Keystone 1041 Regulations

If Town Council would like to consider the adoption of 1041 regulations, a strict process must be followed to implement these regulations.

First – Notice of Public Hearing. Town Council must decide which areas of state interest and which activities of state interest that will be subject to the Town’s regulations. The designation must occur at a public hearing. Notice of the public hearing must be provided at least 30 days in advance of the hearing. This notice must be mailed to other state and federal agencies deemed appropriate by the Council and other people as required by state law.

Second – Preparation of Material for Public Hearing. Staff must prepare materials in advance of the public hearing:

- A list of proposed areas and activities of state interest to be considered for designation at the hearing;
- A copy of the proposed guidelines and regulations for matters of state interest, including the administrative guidelines;
- Model application forms and model forms for designations of areas and activities of state interest;
- A copy of the notice of the hearing;
- A copy of the certificate of publication of the notice;
- A copy of the list of persons and organizations to whom the notice was sent;
- Maps of the areas proposed for designation

Third – Public Hearing on the Proposed Designation. The public hearing is conducted in the same manner as a public hearing for the adoption of other land use regulations. The adoption of guidelines and regulations for the administration of matters of state interest is a legislative function. It is most closely analogous to the adoption of a general zoning plan for the Town. Any designation of areas or activities of state interest must designate the boundaries of the proposed area of state interest and state reasons why the particular matter is of state interest. The dangers that would result from uncontrolled development of any such activity and the advantages of development of such activity in a coordinated manner. The Act has specific requirements of what must be included in the record of the designation hearing.

Fourth – Adoption of Designations and Regulations. The Act has detailed requirements for the adoption of designations of state interest and regulations. Either at the conclusion of the hearing or within 30 days, Town Council may adopt, adopt with modifications, or reject the proposed designations and regulations. The action must be taken by ordinance. Each designation order should include, at a minimum:

- A specification of the boundaries of the proposed area of state interest or the boundary of the area in which the activity of state interest has been designated. Section 24 65.1 401(2)(a).
- State reasons why the particular area or activity is of state interest, the dangers that would result from uncontrolled development of the area or uncontrolled conduct of the activity, and the advantages of development of the area or conduct of the activity in a coordinated manner.
- Specify the regulations applicable to the designated matter of state interest.

In making its designation, Town Council must take into consideration the following:

- All testimony, evidence and documents taken and admitted at the public hearing;
- The intensity of current and foreseeable development pressures in the Town;
- The matters and considerations set forth in any applicable guidelines or model regulations issued by the Colorado Land Use Commission and other state agencies; and
- Reasons why the particular area or activity is of state interest, the dangers that would result from uncontrolled development with respect to the matter of state interest and the advantages of development of the matter of state interest in a coordinated manner.

Example of 1041 Regulations

The Town adopted 1041 regulations would include an application and review process and should include the following elements:

- Designation of the Permitting Authority (likely the Town Council)
- Application Process
 - Specific application requirements with an application fee (for Town processing)
 - Designate a permit administrator
 - Referrals to certain agencies
 - Town-retained expert reviews
 - Engineers (e.g., Traffic, Drainage)
 - Water Quality
 - Transportation Impact
- Public Hearing
- Criteria for Approval

For an example of Town adopted 1041 Regulations, [here is a link to the Town of Blue River 1041 Regulations and 1041 applications](#).

**Town of Keystone
Accounts Payable List**

Period: March 26 through April 16, 2024

Payables processed for the period indicated above:

PAYEEES	AMOUNT	DESCRIPTION	REVIEWED, APPROVED BY
1-70 Coalition	1,171.00	2024 membership dues	M. Sielu, G. Martinez
All Copy Products dba Verticomm	13,436.88	laptops, printer	M. Sielu, G. Martinez
Carahsoft Technology Corp	240.58	website data usage Mar	M. Sielu, G. Martinez
CEBT	2,515.30	health insurance premium Apr	M. Sielu, G. Martinez
CIRSA	7,695.68	Prop/Liab, WC insurance premiums 1Q & 2Q	M. Sielu, G. Martinez
Colorado Municipal League	1,945.00	registration for Council Members	M. Sielu, G. Martinez
Evans, Robert	441.56	reimbursement for Town Manager interview	M. Sielu, G. Martinez
FirstBank Credit Card Center	1,621.09	p-card charges thru 4/2	M. Sielu, G. Martinez
Kerr, Rick	1,720.90	council meeting technology	M. Sielu, G. Martinez
Marchetti & Weaver	932.00	Accounting Feb	M. Sielu, G. Martinez
Martinez, Gary	1,166.44	reimbursement Town Manager interviews	M. Sielu, G. Martinez
NWCCOG	1,500.00	2024 membership dues	M. Sielu, G. Martinez
Resultant	450.00	MS365 staff licenses Feb & Mar	M. Sielu, G. Martinez
Rocky Mountain Reserve	600.00	initial FSA funding	G. Martinez; E Cox
SeaGrizzly, LLC	351.00	telephone provider Mar-Apr	M. Sielu, G. Martinez
SIPA	5,856.00	MS365 govt license 4/24-3/25	M. Sielu, G. Martinez
Widner Juran LLP	19,679.20	Town Attorney	M. Sielu, G. Martinez

Total Payables 61,322.63

Payrolls processed during the period indicated:

Payroll Wages	10,633.55	Paydate April 5, 2024
Payroll Taxes & Liability Payments	3,133.17	April 5, 2024

Total Payroll 13,766.72

TOTAL ACCOUNTS PAYABLE 75,089.35 **TO BE APPROVED AND RATIFIED**

4/17/2024 0:00

F	G	H	I	J	K
1	Town of Keystone				
2	Statement of Financial Position			Printed: 4/17/24	
3					
4				<i>Preliminary - Subject to Change</i>	
5				All Funds	
6				<u>Combined</u>	
7				<u>3/31/2024</u>	
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E	F	H	I	J	K	L	M	N	
2	Town of Keystone							Printed: 4/17/24	
3	Statement of Revenues, Expenses and Changes in Fund Balance				<i>Preliminary</i>				
4	Actual, Budget and Forecast for the Periods Indicated								
5	Modified Accrual Basis		2024 ANNUAL			2024 From Inception (2/8/2024)		2025	
6					3 Months	3 Months			
7		Approved		Variance	Ended	Ended	Variance	Placeholder	
8		2024	2024	Favorable	3/31/2024	3/31/2024	Favorable	2025	
9		<u>Budget</u>	<u>Forecast</u>	<u>(Unfavor)</u>	<u>Actual</u>	<u>Budget</u>	<u>(Unfavor)</u>	<u>Budget</u>	
10	GENERAL FUND								
11	Revenues								
12	Sales Tax	2,614,224	2,614,224	0	0	0	0	3,323,383	
13	Other Tax Revenue								
14	Highway Users Tax Fund	48,627	48,627	0	0	0	0	66,612	
15	Cigarette Tax	5,092	5,092	0	0	0	0	7,115	
16	Nicotine Tax	59,628	59,628	0	0	0	0	83,315	
17	Road and Bridges Tax	91,684	91,684	0	0	0	0	103,774	
18	Specific Ownership Tax	25,348	25,348	0	0	0	0	34,723	
19	Auto Ownership Tax	9,970	9,970	0	0	0	0	13,657	
20	Other Tax Revenue			0	0	0	0		
22	Total Other Tax Revenue	240,348	240,348	0	0	0	0	309,196	
23	Fees								
24	Building Permits	203,203	203,203	0	0	0	0	362,282	
25	Franchise Fees	0	0	0	0	0	0		
27		203,203	203,203	0	0	0	0	362,282	
28	Licenses								
29	Business Licenses			0	0	0	0	0	
30	Short Term Rentals	541,732	541,732	0	0	0	0	547,150	
31	Liquor Licenses			0	0	0	0	2,800	
33		541,732	541,732	0	0	0	0	549,950	
34	Fines								
35	Municipal Court Fines			0	0	0	0	49,000	
36	Code Enforcement Fines			0	0	0	0		
38		0	0	0	0	0	0	49,000	
39	Other Income								
42	Grants			0	0	0	0		
43	Interest on Taxes			0	0	0	0		
44	Interest on Investments			0	0	0	0		
45	Admin Miscellaneous Income			0	0	0	0		
47		960,576	960,576	0	0	0	0	1,259,189	
49	Total Revenue	4,560,083	4,560,083	0	0	0	0	5,853,000	
50	Expenditures								
51	Employee Benefits & Taxes								
52	Employee Benefits & Taxes								
53	Benefits Town Council	14,960	14,960	0		2,720	2,720	16,320	
54	Benefits Administration	95,509	95,509	0		7,271	7,271	117,932	
55	Benefits Community Development	62,873	62,873	0		5,587	5,587	82,188	
56	Benefits Public Works	15,417	15,417	0		0	0	31,759	
57	401 A Match			0	1,516	0	(1,516)	0	
58	457 Match			0	50	0	(50)	0	
59	Health Insurance Contributions			0	112	0	(112)	0	
60	FSA			0	0	0	0	0	
61	Wellness Reimbursement			0	0	0	0	0	
62	Health Insurance Premiums			0	2,515	0	(2,515)	0	
63	Workers Comp Insurance Premiums			0	6,144	0	(6,144)	0	
64	Payroll Taxes	0	0	0	1,053	0	(1,053)	0	
67									
68	Total Employee Benefits & Taxes	188,759	188,759	0	11,390	15,578	4,188	248,199	

E	F	H	I	J	K	L	M	N	
2	Town of Keystone							Printed: 4/17/24	
3	Statement of Revenues, Expenses and Changes in Fund Balance				Preliminary				
4	Actual, Budget and Forecast for the Periods Indicated								
5	Modified Accrual Basis		2024 ANNUAL			2024 From Inception (2/8/2024)		2025	
6					3 Months	3 Months			
7		Approved		Variance	Ended	Ended	Variance	Placeholder	
8		2024	2024	Favorable	3/31/2024	3/31/2024	Favorable	2025	
9		Budget	Forecast	(Unfavor)	Actual	Budget	(Unfavor)	Budget	
69	General Expenditures All Departments								
72	Office Building Maintenance	3,700	3,700	0	1,350	1,450	100	3,504	
79	Insurance	5,000	5,000	0	1,552	5,000	3,448	70,056	
80	Bank and Misc Fees	0	0	0	0	0	0	0	
82	IT/Technology	68,016	68,016	0	450	1,624	1,174	93,409	
83	Website	6,802	6,802	0	241	682	441	7,006	
84	Equipment Repairs/Leases	5,526	5,526	0	0	553	553	7,589	
86	Total Gen Exp All Departments	178,862	178,863	(1)	23,562	21,827	(1,735)	432,616	
88	Mayor and Town Council								
89	Mayor Wages	11,000	11,000	0	923	2,000	1,077	12,000	
90	Council Wages	33,000	33,000	0	2,308	6,000	3,692	36,000	
91	Cell Phone AllowTown Council	5,775	5,775	0	0	1,050	1,050	6,300	
93		49,775	49,775	0	3,231	9,050	5,819	54,300	
94	Misc Expense Town Council	1,251	1,251	0	279	234	(45)	1,401	
95	Total Mayor and Town Council	51,026	51,026	0	3,510	9,284	5,774	55,701	
97	Administration Services								
98	Town Manager Wages	127,530	127,530	0	0	0	0	175,141	
99	Town Clerk Wages	95,047	95,047	0	11,008	15,550	4,542	106,411	
100	Office Clerk Wages	58,333	58,333	0	0	5,836	5,836	65,308	
101	Cell Phone Administration	2,250	2,250	0	0	225	225	2,700	
102	Keystone Housing Administration	15,000	15,000	0	500	1,500	1,000	18,000	
104		298,160	298,160	0	11,508	23,111	11,603	367,560	
105	Postage	2,607	2,607	0	0	261	261	2,919	
106	Printing	7,300	7,300	0	0	730	730	8,173	
107	Community Engagement	8,502	8,502	0	0	1,000	1,000	8,757	
108	Local Travel	2,607	2,607	0	102	474	372	2,919	
109	Elections	12,000	12,000	0	0	0	0	0	
110	Town Attorney Contract	90,688	90,688	0	19,679	10,000	(9,679)	93,409	
111	Smoking Cessation (from Nicotine Tax	59,628	59,628	0	0	0	0	83,315	
113	Payroll Contract (Paylocity)	4,950	4,950	0	917	900	(17)	5,099	
114	Accounting Contract (M&W)	63,494	63,494	0	11,632	10,000	(1,632)	64,958	
115	Annual Audit Contract	0	0	0	0	0	0	19,266	
116	Short Term Rental Contract Support	116,761	116,761	(0)	0	0	0	120,264	
117	Miscellaous Adminstrative Expense	0	0	0	0	0	0	0	
119	Total Administrative Services	666,697	666,697	0	43,837	46,476	2,639	776,638	
121	Community Development								
122	Comm Dev Director Wages	124,431	124,431	0	6,346	16,431	10,085	148,320	
123	Planner2 Wages	60,489	60,489	0	0	0	0	93,409	
124	Cell Phone Comm Dev	1,350	1,350	0	0	75	75	1,800	
125	Keystone Housing Incentive Comm	9,500	9,500	0	250	1,000	750	12,000	
127		195,770	195,770	0	6,596	17,506	10,910	255,529	
128	Building Permit/Inspections	162,562	162,562	0	0	0	0	289,826	
129	GIS	9,069	9,069	0	0	907	907	9,341	
130	Professional Services (Contracted)	11,336	11,336	0	0	1,134	1,134	11,676	
131	Planning Supplies/Printing	5,668	5,668	0	0	0	0	5,838	
132	Communications	2,721	2,721	0	0	0	0	2,802	
133	Miscellaneous Comm Dev Expense	0	0	0	0	0	0	0	
135	Total Community Develop	387,126	387,126	0	6,596	19,547	12,950	575,011	

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4	Actual, Budget and Forecast for the Periods Indicated								
5	Modified Accrual Basis	2024 ANNUAL			2024 From Inception (2/8/2024)			2025	
6		Approved		Variance	3 Months	3 Months	Variance	Placeholder	
7		2024	2024	Favorable	Ended	Ended	Favorable	2025	
8		Budget	Forecast	(Unfavor)	3/31/2024	3/31/2024	(Unfavor)	Budget	
9					Actual	Budget			
137	Public Works								
138	Public Works Director Wages	45,344	45,344	0	0	0	0	93,409	
139	Cell Phone Public Works	450	450	0	0	0	0	900	
140	Keystone Housing Public Works	3,000	3,000	0	0	0	0	6,000	
141									
142		48,794	48,794	0	0	0	0	100,309	
143	Communications	2,721	2,721	0	0	0	0	2,802	
144	Engineer Consultant	5,668	5,668	0	0	0	0	11,676	
145	Planning and Printing Supplies	2,834	2,834	0	0	0	0	5,838	
146	Road Maint/Snow Plowing Contracts			0					
147	Loveland Pass Village	0	0	0	0	0	0	35,028	
148	Keystone Roads- Currently County M	0	0	0	0	0	0	81,733	
149	Roads not County Maintained	0	0	0	0	0	0	166,968	
150	Asphalt Crack Seal	0	0	0	0	0	0	16,697	
151	Noxious Weed Control	0	0	0	0	0	0	17,514	
152	Other Maintenance	0	0	0	0	0	0	40,866	
153	Total Road Maintenance/Snow Plowin	0	0	0	0	0	0	358,806	
154									
155	Signage	0	0	0	0	0	0	11,676	
156	Engineering Services	5,668	5,668	0	0	0	0	21,855	
157	Miscellaneous Public Works Expense	0	0	0	0	0	0		
158									
159	Total Public Works Expenses	65,685	65,685	0	0	0	0	512,962	
160									
161	Public Safety								
172	Miscellaneous Public Safety Exp	0	0	0	0	0	0		
173									
174	Total Public Safety Expenses	0	128,000	(128,000)	0	0	0	686,974	
175									
176	Municipal Court								
177	Judge	0	0	0	0	0	0	7,589	
178	Prosecutor	0	0	0	0	0	0	11,209	
179	Miscellaneous Exp Municipal Cout	0	0	0	0	0	0	584	
180									
181	Total Court Expenses	0	0	0	0	0	0	18,798	
182									
183	Total Operating Expenditures	1,538,155	1,666,155	(128,001)	77,505	112,711	35,206	3,307,483	
184									
187	Operating Surplus (Deficit)	3,021,928	2,893,928	128,001	(77,505)	(112,711)	(35,206)	2,545,517	
188									
189	Other Sources (Uses)								
190	Transfer to Capital Improvement	(900,000)	(900,000)	0	(15,148)	(13,427)	1,721	(200,000)	
193	Summit County Adv - Sales Tax	0	0	0	400,000	405,000	5,000		
194									
195	Total Other Sources (Uses)	(1,860,576)	(1,860,576)	0	384,852	391,573	6,721	(200,000)	
196									
197	Beginning Fund Balance - General	0	0	0	0	0	0	1,033,352	
198									
199	Ending Fund Balance - General	1,161,352	1,033,352	128,001	307,347	278,862	28,485	3,378,869	
200		=	=	=	=	=	=		

E	F	H	I	J	K	L	M	N	
2	Town of Keystone							Printed: 4/17/24	
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5	Modified Accrual Basis		2024 ANNUAL			2024 From Inception (2/8/2024)		2025	
6					3 Months	3 Months			
7		Approved		Variance	Ended	Ended	Variance	Placeholder	
8		2024	2024	Favorable	3/31/2024	3/31/2024	Favorable	2025	
9		Budget	Forecast	(Unfavor)	Actual	Budget	(Unfavor)	Budget	
201	RESTRICTED FUNDS								
202									
203	CAPITAL IMPROVEMENTS								
204	Revenue and Other Financing Sources								
205	Contribution from General Fund	900,000	900,000	0	15,148	13,427	(1,721)	200,000	
206	Interest Income								
207	Total Revenues	900,000	900,000	0	15,148	13,427	(1,721)	200,000	
208									
209	Capital and Non-Routine Projects								
210	Town Council	14,100	14,100	0	8,984	9,100	116		
211	Administration	492,900	492,900	0	4,109	53,850	49,741		
212	Community Development	27,600	27,600	0	2,054	1,800	(254)	100,000	
213	Public Works	94,300	94,300	0	0	0	0		
214	Public Safety	260,000	260,000	0	0	0	0	10,500	
215	Municipal Court	0	0	0	0	0	0		
216	Capital Contingency /Unidentified			0	0	0	0		
217									
218	Total Capital and Non-Routine Exp	888,900	888,900	0	15,148	64,750	49,602	110,500	
219									
220	Surplus after other sources / uses	11,100	11,100	0	0	(51,323)	(51,323)	89,500	
221									
222	FUND BALANCE - Beginning Capital	0	0	0	0	0	0	11,100	
223	FUND BALANCE - Ending Capital	11,100	11,100	0	0	(51,323)	(51,323)	100,600	
224									
225	Workforce Housing Fund								
226	Revenue and Other Financing Sources								
227	Revenue	947,656	947,656		0	0	0	1,246,269	
228	Interest Income								
229	Total Revenues	947,656	947,656	0	0	0	0	1,246,269	
230									
231	Expenditures								
232	Housing Authority Fees	52,064	52,064					58,929	
233									
234	Total	52,064	52,064	0	0	0	0	58,929	
235									
236	Surplus after other sources / uses	895,592	895,592	0	0	0	0	1,187,339	
237									
238	Fund balance - beginning Cons Trust Fnd	0						895,592	
239	Fund balance - ending Cons Trust Fnd	895,592	895,592	0	0	0	0	2,082,932	
240									
241	Conservation Trust Fund								
242	Revenue and Other Financing Sources								
243	CTF Receipts	12,920	12,920		0	0	0	12,920	
244	Interest Income								
245	Total Revenues	12,920	12,920	0	0	0	0	12,920	
246									
247	Expenditures								
248	Expenses								
249									
250	Total	0	0	0	0	0	0	0	
251									
252	Surplus after other sources / uses	12,920	12,920	0	0	0	0	12,920	
253									
254	Fund balance - beginning Cons Trust Fnd	0						12,920	
255	Fund balance - ending Cons Trust Fnd	12,920	12,920	0	0	0	0	25,840	

What is migration?

We will be switching from a Microsoft Business license/cloud and its email of **@townofkeystone.us** to a more secure Microsoft GCC license & cloud using a new .GOV domain **@keystoneco.gov**.

Note: our website remains at <https://keystone.colorado.gov> and the keystoneco.gov domain redirects to this site.

Why do we have to do this?

Because we will be keeping citizen information, we owe it to them to be secure. **Microsoft 365 Government** is specifically designed to cater to the unique needs of government organizations in the United States. It provides all the features and capabilities of Microsoft 365 services within a segmented government cloud. The Microsoft 365 Government - GCC (**G**overnment **C**ommunity **C**loud) environment provides compliance with US government requirements for cloud services, including FedRAMP Moderate, and requirements for criminal justice and federal tax information systems (CJI and FTI data types).

In addition to enjoying the features and capabilities of Microsoft 365, organizations benefit from the following features that are unique to Microsoft 365 Government - GCC:

- Your organization's customer content is logically segregated from customer content in the commercial Microsoft 365 services from Microsoft.
- Your organization's customer content is stored within the United States.
- Access to your organization's customer content is restricted to screened Microsoft personnel.
- Microsoft 365 Government - GCC complies with certifications and accreditations that are required for US Public Sector customers.

When is the migration

The target date is Monday, **29 April** to start in the new cloud. However, we are already working some issues. Maddy, Dan, Sarah and I have setup our new accounts and have access to Outlook email in the new domain. However, there are some current issues. The GCC security does cause problems and one of them is email forward isn't working currently.

What do I need to do to prepare?

The first item is that you will need the **Microsoft Authenticator app** to sign into your new GCC account.

As part of the migration, we will be migrating the SharePoint and Teams files. However, any personal folders/files that you saved to your OneDrive cloud space will need to be identified and saved into a single sub-folder – preferably within the **ToK Share** folder; that is the one folder we all share in the current cloud space.

What do I need to do?

Please make an appointment for Friday 26th or Monday the 29th at the town hall to:

- First, we will have you log into your new online Microsoft account using Microsoft Authenticator app.
- Then, we will need to touch each PC to remove the old account.
- We'll verify your personal files are copied off your PC.
- Then you will sign in to the new PC with the new account and verify your email and files are migrated into your new account.

Your login will change from xxx?@townofkeystone.us to xxx?@keystoneco.gov. As part of the migration, all of your old emails will be copied into your new account; Peter has already done that for the old emails and he will update the transfer on the 29th. We will post a message on your old account that tells folks to switch to the new email.

What if I can't make 26th or 29th?

No worries, make an appointment with Rick as soon as possible after the 29th.