

**RESOLUTION
OF THE BOARD OF DIRECTORS OF
WESTERLY CREEK METROPOLITAN DISTRICT**

**ADOPTING A DIGITAL ACCESSIBILITY POLICY AND DESIGNATING A
COMPLIANCE OFFICER**

WHEREAS, the Westerly Creek Metropolitan District (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado; and

WHEREAS, pursuant to § 32-1-1001(1)(h), C.R.S., the Board of Directors of the District (the “**Board**”) is empowered with the management, control, and supervision of all the business and affairs of the District; and

WHEREAS, pursuant to § 24-85-103(2.5), C.R.S., the Chief Information Officer in the Office of Information Technology has adopted accessibility standards as specified in 8 CCR 1501-11 Rules Establishing Technology Accessibility Standards (the “**Rules**”); and

WHEREAS, pursuant to § 24-85-103(3), C.R.S., on or before July 1, 2024, the District is required to take action to comply with the Rules; and

WHEREAS, the Board desires to adopt this Resolution to implement a digital accessibility policy and designate a compliance officer.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DISTRICT AS FOLLOWS:

1. Adoption of Digital Accessibility Policy. The District hereby adopts the Digital Accessibility Policy (the “**Digital Accessibility Policy**”) set forth in **Exhibit A**, attached hereto and incorporated herein.
2. Appointment of Compliance Officer. The District hereby designates legal counsel as the District’s Compliance Officer (the “**Compliance Officer**”).
3. Severability. If any part, section, subsection, sentence, clause, or phrase of this Joint Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.
4. Effective Date. This Resolution shall become effective as of May 23, 2024, shall be enforced immediately thereafter and shall supersede any previous policy related to website accessibility.

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ADOPTED MAY 23, 2024.

DISTRICT:

WESTERLY CREEK METROPOLITAN DISTRICT, a quasi-municipal corporation and political subdivision of the State of Colorado

By: Robert Douglas Marsh
Robert Douglas Marsh (Jun 17, 2024 12:04 MDT)

President

ATTEST:

Matthew Blackburn
Matthew Blackburn (May 24, 2024 14:54 MDT)

Vice President

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law

Megan G. Murphy

General Counsel to the District

Signature Page to Resolution Adopting a Digital Accessibility Policy and Designating a Compliance Officer

EXHIBIT A

DIGITAL ACCESSIBILITY POLICY (November 17, 2025)

1. GENERAL

a. *Purpose.* The District is fully committed to providing accessible digital information to all members of the public. As part of this commitment, the District has adopted this Digital Accessibility Policy (the “**Policy**”) to ensure the District’s services comply with the Rules.

b. *Scope.* The District is committed to providing equal access to digital information, including information made available through the District’s website and other digital content. This Policy has been developed to promote equal access to such digital information and this Policy applies to digital content produced by or under the control of the District as defined in the Rules. Requests for reasonable accommodation or modification may be submitted to the District in accordance with this Policy.

2. COMPLIANCE INFORMATION

a. *Compliance Officer.* The Compliance Officer will be the point of contact for accessibility-related accommodations for digital content. The Compliance Officer or its designee is responsible for responding to requests for reasonable accommodation or modification.

b. *Testing Tools and Techniques.* The District utilizes a variety of tools, techniques, methods, and procedures to identify accessibility barriers to meet existing and new assistive technology needs. The District has engaged consultants knowledgeable in accessibility to provide guidance and assistance in removing accessibility barriers from the District’s digital content.

c. *Accessibility Monitoring.* The Compliance Officer will review the District’s website, user interfaces, and other digital content and provide the necessary updates to the District no less than annually. The Compliance Officer, as appropriate, will take such steps as necessary to make such content compliant under the Rules.

d. *Digital Content.* The District will ensure that digital content, defined as in “Active Use” under Section 11.4, of the Rules as amended,

e. is compliant with the Rules. The District will ensure that digital content that the District provides or makes available directly or through contractual, licensing, or other arrangements, is compliant with the Rules through accessibility assurances in contracts.

f. Technology Accessibility Statement. The Compliance Officer will ensure a technology accessibility statement as required under Section 11.6 of the Rules, as amended from time to time, is posted to the District's website.

3. REPORTING ACCESSIBILITY ISSUES

a. Reporting an Accessibility Issue. Individuals may submit requests for reasonable accommodation or modification to the Compliance Officer using the contact information below. Such requests should identify the specific content that is being reported, the issue the individual is experiencing, and the name and contact information of the individual submitting the request. The Compliance Officer or their designee will confirm receipt of such requests within three (3) business days. The District is committed to resolving requests for accommodations or modification within a reasonable period of time.

Westerly Creek Metropolitan District
Attn: Compliance Officer
6950 E. Belleview Avenue, Suite 200
Greenwood Village, Colorado 80111
Email: info@westerlycreekmd.live
Phone: (970) 614-8435

2154 East Commons Avenue, Suite 2000
Centennial, Colorado 80122

3. REPORTING ACCESSIBILITY ISSUES

a. *Reporting an Accessibility Issue.* Individuals may report inaccessible content or requests for accommodations to the Compliance Officer using the contact information below. Such requests should identify the specific content that is being reported, the issue the individual is experiencing, and the name and contact information of the individual submitting the request. The Compliance Officer or their designee will confirm receipt of such requests within three (3) business days. The District is committed to resolving reports of inaccessible content and requests for accommodations within a reasonable period of time.

Westerly Creek Metropolitan District
Attn: Compliance Officer
2154 East Commons Avenue, Suite 2000
Centennial, Colorado 80122
Email: accessibility@wbapc.com
Phone: (303) 858-1800

EXHIBIT A-1

WESTERLY CREEK METROPOLITAN DISTRICT

Digital Accessibility Plan

Approved on May 23, 2024

I. Accessibility Standards

In accordance with Colorado law, Westerly Creek Metropolitan District (the “**District**”) is committed to applying standard configurations for technologies and services, in accordance with the technical standards provided by:

- World Wide Web Consortium (W3C) Web Content Accessibility Guidelines (WCAG) 2.1 Level AA or higher;
- Section 508 of the U.S. Rehabilitation Act of 1973 Chapters 3,4,6; and
- Following C.R.S. 24-85-101 to 24-85-104, ARTICLE 85.

II. The District’s Efforts

The District is fully committed to providing accessible digital information to all members of the public. Our ongoing accessibility effort works towards the day when the District’s online services and digital communications are accessible to the public, including equal access for persons with disabilities. The District has a plan to prioritize, evaluate, remediate, and continuously improve its online services and digital communications. Below, you’ll find some of the measures that the District is undertaking.

III. Accessibility Maturity

The District is at the following maturity level for 2024:

Check One	Stage	Criteria
	Inactive	No awareness and recognition of need. At this stage organizations are inventorying their technology, have begun to make investments, etc.
	Launch	Recognized need organization-wide. Planning initiated, but activities not well organized.
X	Integrate	Roadmap including timeline is in place, overall organizational approach defined and well organized.
	Optimize	Incorporated into the whole organization, consistently evaluated, and actions taken on assessment outcomes.

IV. Maturity Level Discussion

The District has encountered the following challenges: ensuring that all documents on the District's website are remediated and accessible.

The District has enjoyed the following successes: developing an accessibility plan in order to ensure non-accessible documents will be remediated.

V. Organizational Measures

The District has taken the following measures:

- Define an accessibility roadmap including timeline, goals, roles, responsibilities, and policies as needed for our organization.
- Incorporate accessibility into our procurement processes.
- Conduct an inventory of all technology, prioritize remediation, validate through testing, and address issues.
- Create and implement a plan for providing reasonable accommodation and modification until the technology can be made accessible.
- Engage a website accessibility vendor to make the District's front-facing web pages accessible.
- Validate through testing all front-facing web pages are compliant with WCAG 2.1 Level AA.
- Provide the current Plan for the period July 1, 2024, through June 30, 2025, contact information, and support for receiving accessibility feedback and requests for accommodation.
- Other measures.

The District has designated its Compliance Officer to coordinate and implement the plan. The District's Compliance Officer's contact information is as follows:

Westerly Creek Metropolitan District
Attn: Compliance Officer
2154 E. Commons Avenue, Suite 2000
Centennial, Colorado 80122
Email: accessibility@wbapc.com
Phone: (303) 858-1800

As the Compliance Officer for the District, I approve the District's Digital Accessibility Plan for 2024.

Compliance Officer of the District