



BOARD OF WATERWORKS COMMISSIONERS AGENDA

June 16, 2025 at 3:30 PM

Water Utility Admin Office, 72 Park Avenue, Sheboygan WI

Persons with disabilities who need accommodations to attend this meeting should contact the Sheboygan Water Utility, (920) 459-3805. Persons other than commission, committee, and board members who wish to participate remotely shall provide notice to the Utility at 920-459-3805 at least 24 hours before the meeting so that the person may be provided a remote link for that purpose.

OPENING OF MEETING

- [1.](#) Pledge of Allegiance

MINUTES

2. Approve minutes of May 21, 2025 Board meeting

REPORTS

3. Financial reports and approval of vouchers
- [4.](#) Superintendent's report including operations, construction-maintenance, and customer relations/fiscal

ITEMS FOR DISCUSSION AND POSSIBLE ACTION

- [5.](#) Update on filter performance results
6. Approval of commercial insurance renewal
7. Update on safety training plans
8. Approval of network mapping project
9. Discuss optic fiber internet proposal
- [10.](#) Update on website/social media ADA compliance
- [11.](#) Discuss proposal for water main installation on Commerce Street

PERSONNEL

12. Update on lead service technician and service technician retirements

NEXT MEETING

13. Next meeting will take place on: July 21, 2025

ADJOURN

14. Motion to Adjourn

In compliance with Wisconsin's Open Meetings Law, this agenda was posted in the following locations more than 24 hours prior to the time of the meeting:

*City Hall • Mead Public Library
Sheboygan County Administration Building • City's website*



REPORT OF BILLING

MAY 2025

	<u>2025</u>	<u>2024</u>	<u>Increase or (Decrease)</u>
<u>Quarterly Metered*</u>			
(Dist III - south of Union Ave)			
Residential	261,554.26	244,707.53	16,846.73
Multi-Family	34,002.78	30,650.56	3,352.22
Commercial	40,769.38	36,116.51	4,652.87
Industrial	24,763.97	20,563.60	4,200.37
Public	<u>10,041.18</u>	<u>9,803.19</u>	<u>237.99</u>
Subtotal	371,131.57	341,841.39	29,290.18

* Billing for scheduled district only for the three preceding months usage.

Public Fire Protection	77,572.95	69,529.25	8,043.70
Monthly Metered	<u>480,114.55</u>	<u>442,863.12</u>	<u>37,251.43</u>
Sheboygan Net	928,819.07	854,233.76	74,585.31
Sheboygan Falls	78614.20	68407.50	10,206.70
Kohler	<u>40340.11</u>	<u>38632.72</u>	<u>1,707.39</u>
Total	1,047,773.38	961,273.98	86,499.40

Total accumulative billing for 2025 is \$4,867,157.44. An increase of \$681,073.67 from 2024 accounted for as follows:

	<u>2025-Total Year to Date</u>
Sheboygan	552,645.15
Sheboygan Falls	105,833.00
Kohler	<u>22,595.52</u>
	681,073.67

Total bills mailed May, 2025: 6,701

Residential	6,104	Wholesale	5
Multi-Family	93	Multi-Family	12
Commercial	325	Commercial	20
Industrial	45	Industrial	67
Public	27	Public	3
Quarterly	6,594	Monthly	107



RETURN ON RATE BASE

May 31, 2025

	MAY 2025	MAY 2024
<u>Add 2 YR Average</u>		
Utility Plant Balance	\$ 112,166,212	\$ 100,230,151
Materials and Supplies Inventory	\$ 321,242	\$ 301,683
<u>Less 2 YR Average</u>		
Reserve for Depreciation	\$ 29,233,275	\$ 27,278,291
Customer Adv for Const	\$ -	\$ -
Average Rate Base	\$ 83,254,179	\$ 73,253,543
Net Operating Income YTD	\$ 559,887	\$ 593,318
Net Operating Income As a Percent of Average Net Rate Base	<u>0.67%</u>	<u>0.81%</u>

Rate base is calculated using the two year average balance in the following accounts:

Utility Plant Balance - includes all capital assets less any contributed capital assets.

Materials and Supplies Inventory - includes all materials and supplies on hand and in inventory.

Reserve for Depreciation - includes depreciation on capital assets less any contributed capital assets.



CASH RESERVE
May 31, 2025

Ending balance on report for February 28, 2025	<u>12,310,210.24</u>
Plus: Receipts	523,662.81
Misc Receipts	1,849.48
Direct Pay Receipts	571,720.93
LSL Repayment	27,756.82
Money Market/CDARs Accrued Interest	11,214.96
Minus:	
Disbursements - vendors and payroll	(498,417.57)
Bank Service Fees & Credits	390.85
Health & Dental Claims/Adm Costs	(77,359.32)
NSF Checks & Customer Refunds	(19,076.67)
Invoice Cloud/Paymentech Deposit Fees	(11,863.65)
Reallocate Sewer/Garbage - payments	470.00
Reallocate Sewer/Garbage - monthly	1,328.66
Bond & SDWLP Principal & Interest Payments	(2,294,359.46)
WRS Preliminary Reconciliation	(0.05)
Automated Credit Card Payments	(646.95)
Postage	(428.76)
Utility Water Payments	(1,097.51)
Ending Balance May 31, 2025	<u>\$ 10,545,354.81</u>

Note: The above amount includes:	
Bond Reserve Fund	534,909.38
LSL Revolving Loan Fund	844,110.98
Money Market Investment	1,034,193.65
CDARS1	542,609.11
CDARS2	1,637,952.46
CDARS3	1,090,376.24
Total	<u>\$ 5,684,151.82</u>
General Unrestricted Operating Cash	4,861,202.99



STATEMENT OF NET POSITION
MAY 31, 2025 AND 2024

<u>Assets and Other Debits Utility Plant</u>	<u>Year to Date 2025</u>	<u>Year to Date 2024</u>	<u>Liabilities and Other Credits</u>	<u>Year to Date 2025</u>	<u>Year to Date 2024</u>
			<u>Proprietary Capital</u>		
Utility Plant	127,104,990	124,699,660	Capital Paid by Municipal	1,640,701	1,640,701
Depreciation- Utility Plant	32,994,458	30,279,662	Unapprop. Earned Surplus	63,380,782	62,100,514
Net Utility Plant	<u>\$ 94,110,532</u>	<u>\$ 94,419,998</u>	Total Proprietary Capital	<u>\$ 65,021,483</u>	<u>\$ 63,741,215</u>
<u>Other Property and Investments</u>			Bonds, Loans & Advances	40,480,957	38,349,489
Appropriated Funds	844,111	779,108	Total Long Term Debt	<u>\$ 40,480,957</u>	<u>\$ 38,349,489</u>
Bond Redemption Fund	534,909	574,394			
Net Pension Asset ¹	-	-			
Deferred Outflow - Pension & OPEB ¹	2,388,326	2,648,031	<u>Current & Accrued Liabilities</u>		
Total Other Prop & Investment	<u>\$ 3,767,346</u>	<u>\$ 4,001,533</u>	Accounts Payable	(434)	(490)
			Accrued Liabilities	1,249,026	962,678
			Unearned Revenue ³	-	270,987
			Total Current & Accrued Liab.	<u>\$ 1,248,592</u>	<u>\$ 1,233,176</u>
<u>Current and Accrued Assets</u>					
Cash & Investments ⁴	9,167,084	5,645,918			
Accounts Receivable	1,796,752	1,455,762	<u>Deferred Credits</u>		
LSL Loan Receivable ²	724,825	661,068	Bond Premium	153,958	119,674
Grant Receivable - Restricted	0	0	Pre 2003 Depr on Contributed Assets	-	-
Materials & Supplies Inventory	317,069	325,414	Other Deferred Credits	0	0
Prepaid Expenses	24,963	27,562		<u>\$ 153,958</u>	<u>\$ 119,674</u>
Total Current & Accrued Assets	<u>\$ 12,030,694</u>	<u>\$ 8,115,724</u>			
			<u>Operating Reserves</u>		
Total Assets and Debits	<u>\$ 109,908,573</u>	<u>\$ 106,537,255</u>	Net Pension & OPEB Liability ¹	652,443	835,240
			Deferred Inflow - Pension & OPEB ¹	1,586,860	1,533,534
			Accrued Vac & Sick Leave	764,280	724,928
			Total Operating Reserve	<u>\$ 3,003,583</u>	<u>\$ 3,093,702</u>
			Total Liab & Other Credits	<u>\$ 109,908,573</u>	<u>\$ 106,537,255</u>

¹ See full audited Financial Statements for disclosures and details regarding pensions and OPEB.

² Receivable related to the SWU Lead Service Lateral loan program.

³ Unearned Revenue is the remaining balance of unspent American Rescue Plan Act funding designated to the Raw Water Improvement project.

⁴ Sheboygan Water Utility received \$2.4M combination grant and loan from the DNR SDWLP to reimburse prior year LSL expense.



STATEMENT OF REVENUE, EXPENSES AND CHANGES IN NET POSITION
MAY 31, 2025 AND 2024

	2025		2024		Incr (Decr)	% Incr/Decr
	MONTH	YTD	MONTH	YTD	YTD	YTD
Sales Revenue ¹	\$ 1,061,087	\$ 4,539,582	\$ 973,853	\$ 3,893,780	\$ 645,801	16.59%
Other Water Revenue	\$ 6,962	\$ 24,848	\$ 3,640	\$ 18,467	\$ 6,380	34.55%
Total Operating Revenues	\$ 1,068,049	\$ 4,564,429	\$ 977,493	\$ 3,912,248	\$ 652,182	16.67%
Operating Expenses	393,123	1,905,179	444,428	1,880,116	25,062	1.33%
Maintenance Expenses ²	67,234	454,997	44,855	365,962	89,035	24.33%
Depreciation Expenses ³	228,247	1,159,015	125,232	643,214	515,801	80.19%
Taxes ³	106,841	485,352	94,897	429,639	55,713	12.97%
Total Operating Expenses	\$ 795,444	\$ 4,004,543	\$ 709,412	\$ 3,318,931	\$ 685,612	20.66%
Utility Operating Income	\$ 272,605	\$ 559,887	\$ 268,081	\$ 593,317	\$ (33,430)	-5.63%
Other Income & Expense						
Non-operating Grant Revenue ⁴	-	1,541,054	-	-	1,541,054	
Non-Operating Grant Expenses	(7,746)	(24,136)	-	-	(24,136)	
Bond Premium	(64,418)	(53,460)	2,739	13,697	(67,157)	
Interest Earned on Investments	11,215	55,926	(288)	74,734	(18,808)	
Contributions	-	-	-	-	-	
Other Expense	-	-	-	-	-	
Misc Amortization	-	-	-	-	-	
Bond Interest Expense	(81,713)	(408,565)	(67,458)	(270,834)	(137,731)	
Change in Net Position	\$ 129,943	\$ 1,670,705	\$ 203,075	\$ 410,913	\$ 1,259,792	

¹ The increase in Sales Revenue in 2025 is due to a phase I rate increase that went into effect on 4/1/2024 with phase II rates implemented 4/1/25.

² The increase in Maintenance Expense in 2025 is due to office painting and lighting replacement, an increased number of water main breaks earlier this year as well as water main maintenance, an increase in treatment structures and equipment maintenance, an increase in meters maintenance and hydrant maintenance, and additional landscaping of utility grounds.

³ The increase in Depreciation Expense and Taxes is due to the addition of the Raw Water Improvement Project to capital assets.

⁴ Sheboygan Water Utility received \$2.4M combination grant and loan from the DNR SDWLP to reimburse prior year LSL expense.



APPROVAL OF VOUCHERS
May 31, 2025

<u>Total Of The General Vouchers</u>	<u>\$ 263,470.56</u>
<u>Gross Payroll</u>	<u>\$ 216,149.73</u>
<u>Net Payroll</u>	<u>\$ 133,310.94</u>

BOARD OF WATER COMMISSIONERS

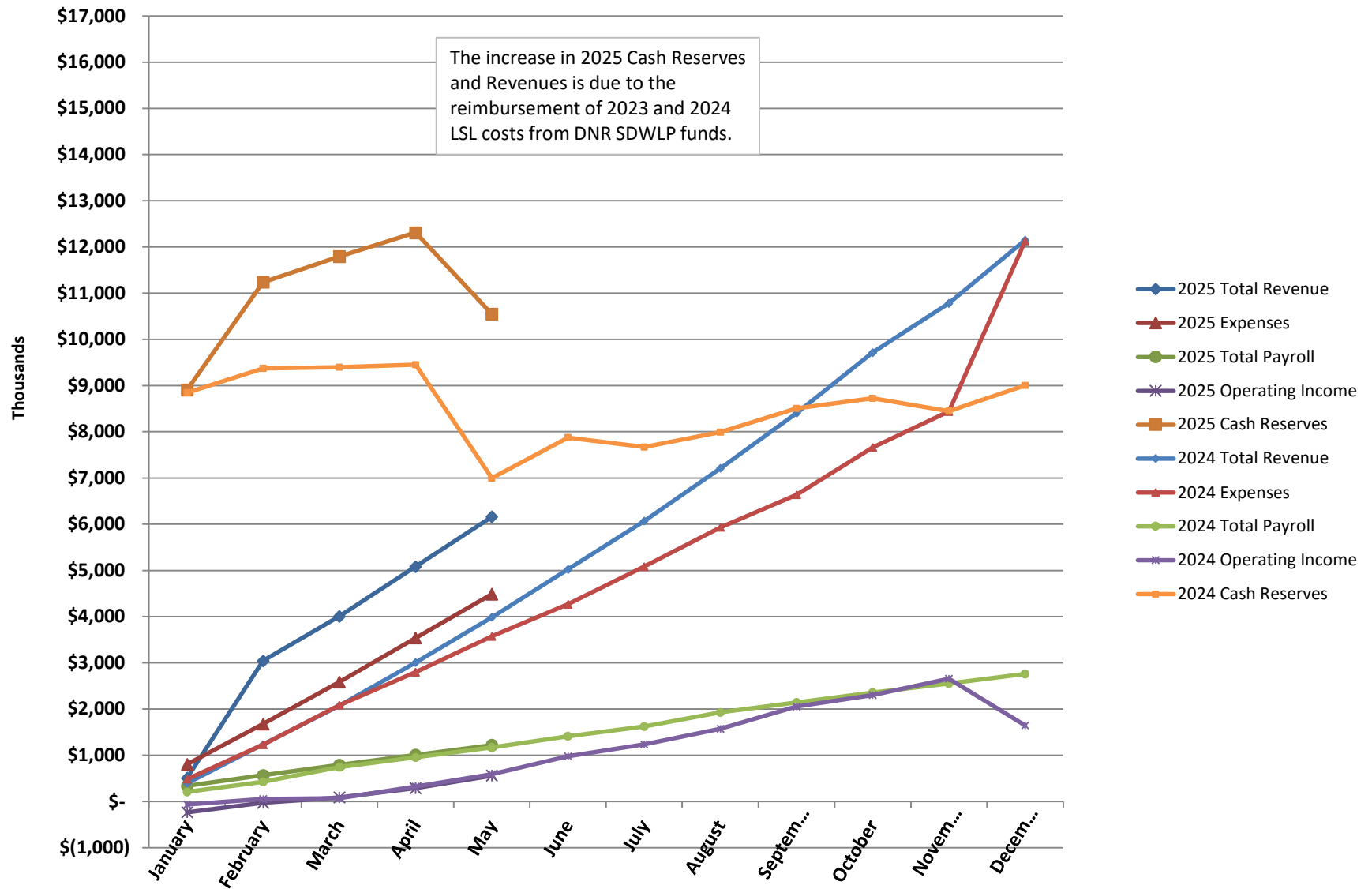
PRESIDENT

SECRETARY

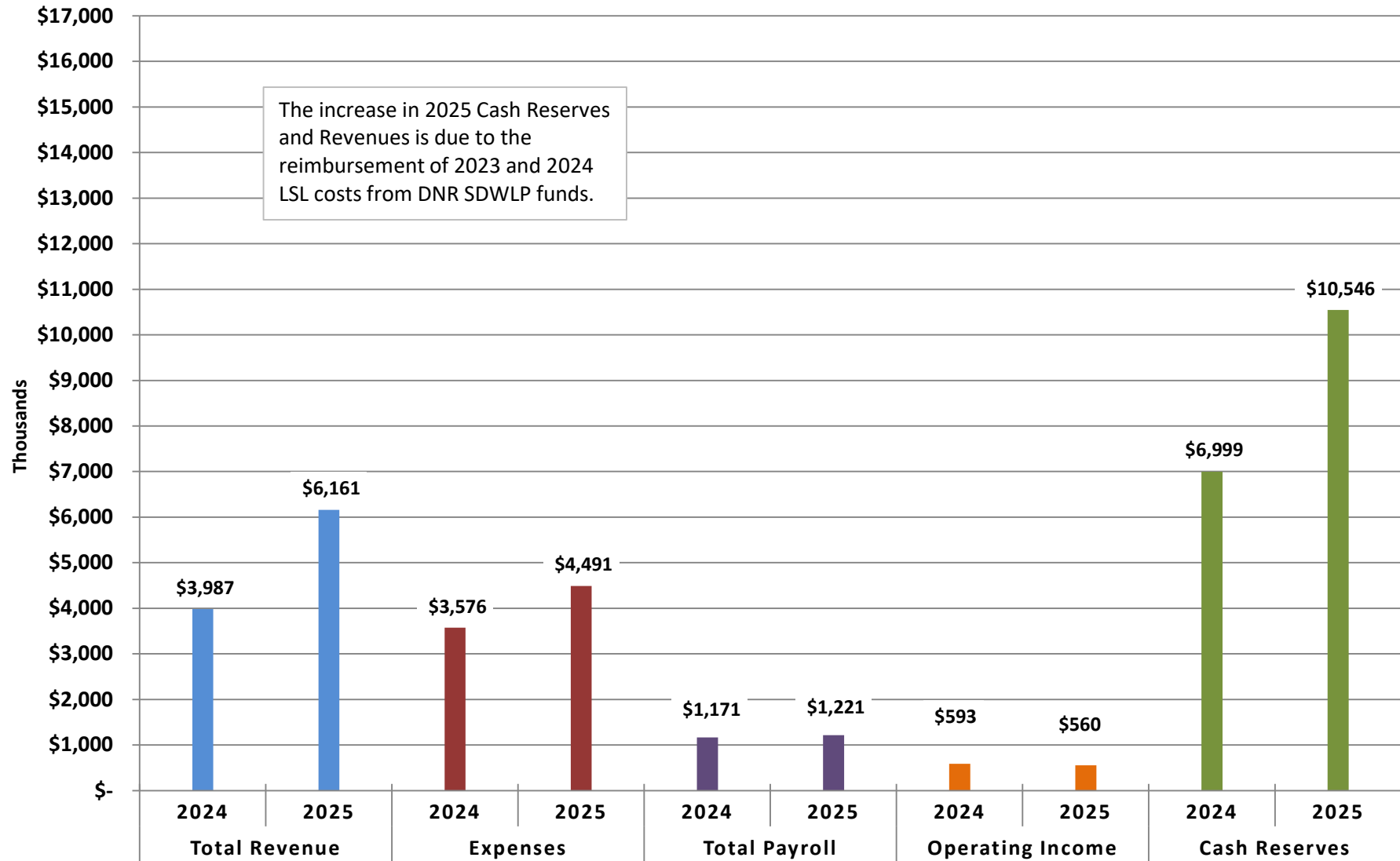
MEMBER

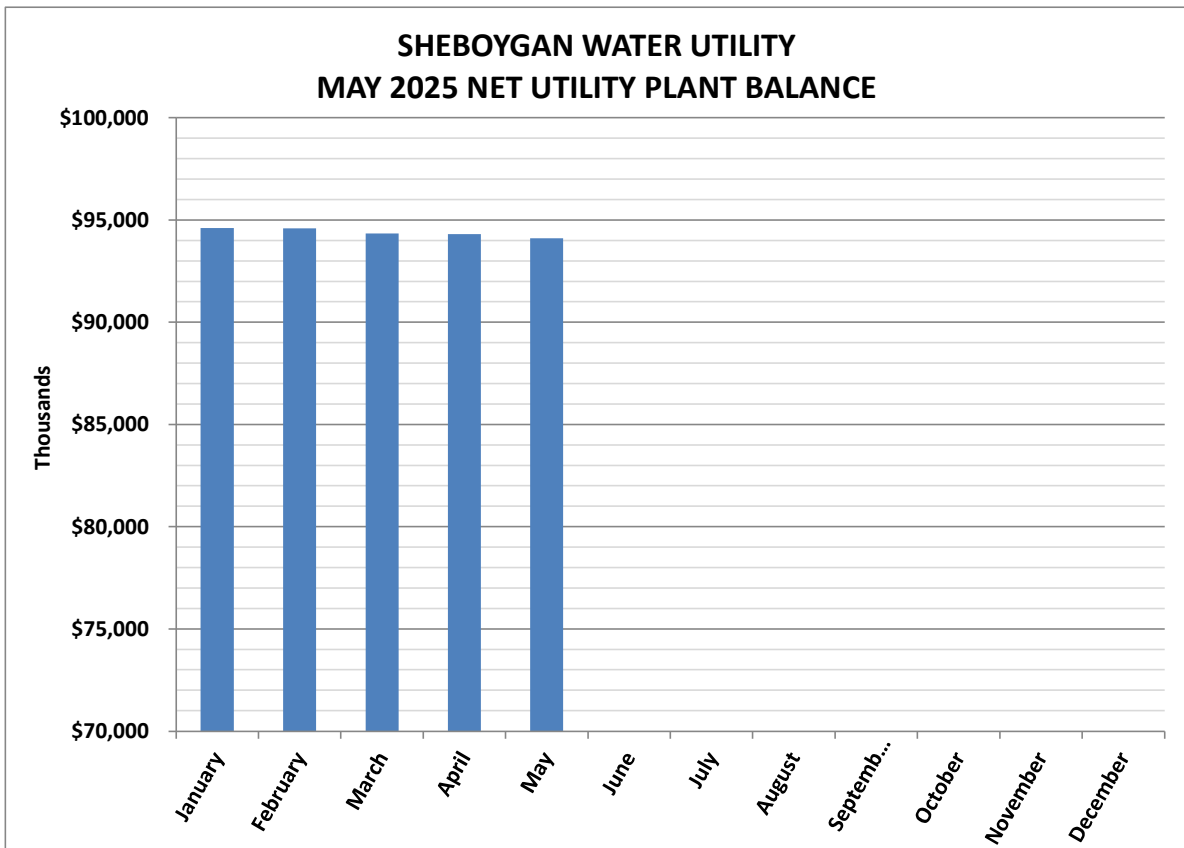
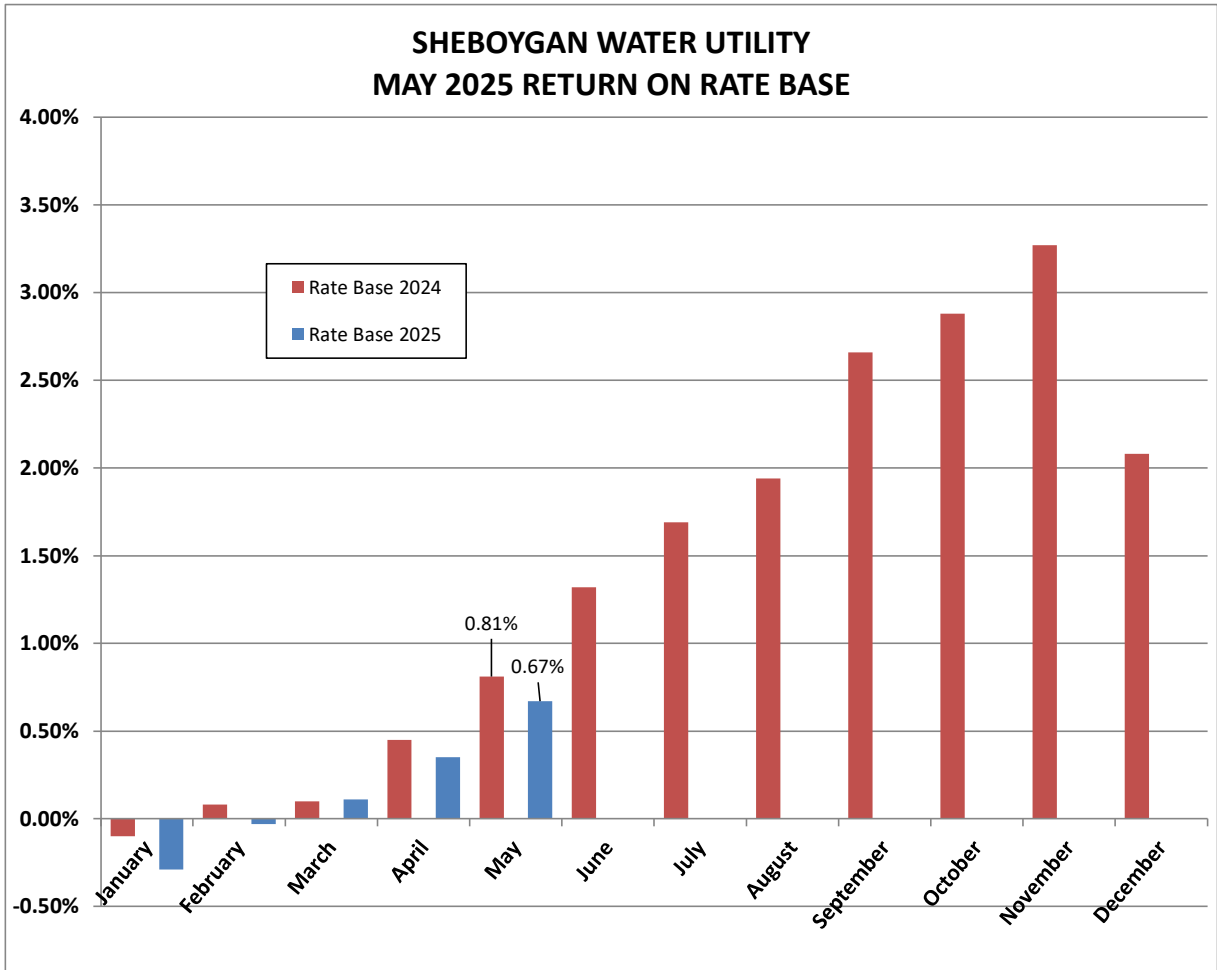
SUPERINTENDENT

SHEBOYGAN WATER UTILITY MAY 2025 MONTHLY FINANCIAL TREND



SHEBOYGAN WATER UTILITY MAY 2025 YTD FINANCIAL POSITION

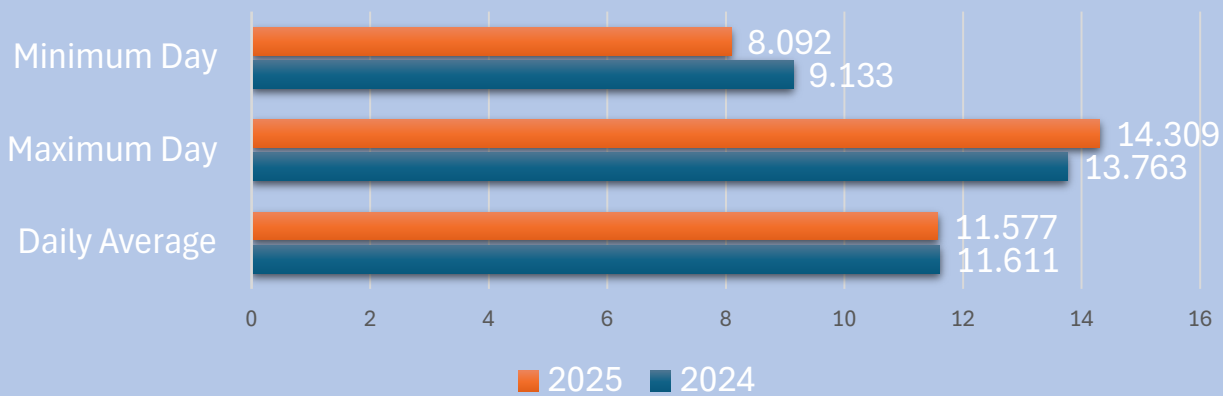




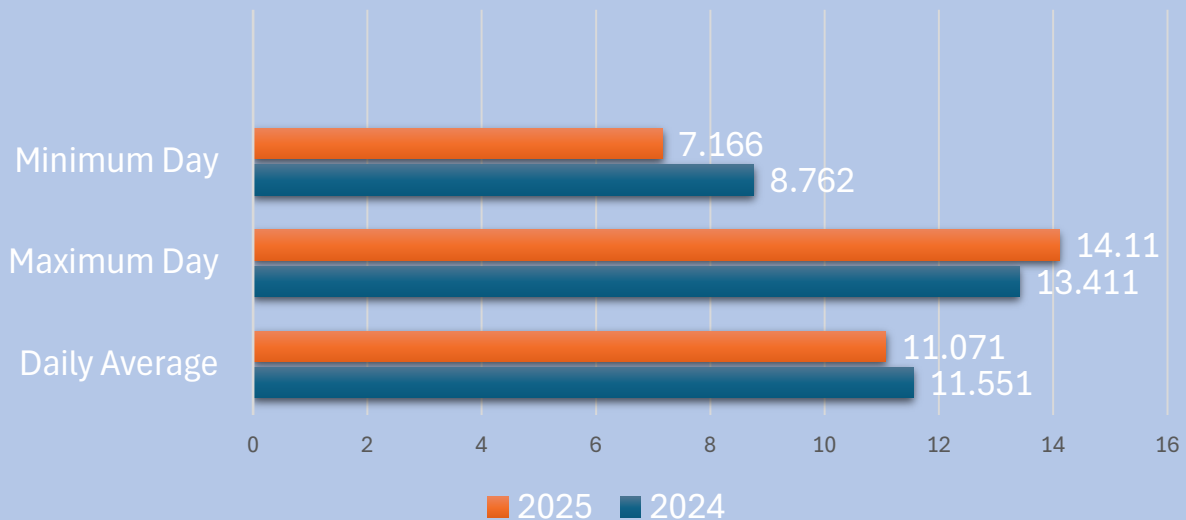
OPERATIONS MONTHLY REPORT

PUMPING

Raw Water Pumpage (MGD)



Finished Water Pumpage (MGD)



1,701,925,000
Gallons Pumped YTD

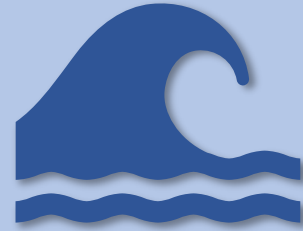
MAY
2025

OPERATIONS MONTHLY REPORT

WATER QUALITY

Raw Water

	2024	2025
Turbidity	0.8	0.7
pH	8.31	8.32
Alkalinity	108.1	109
Temperature	45.7	46.5
Positive Bacteriological Testing	0	0



Finished Water

	2024	2025
Turbidity	0.056	0.045
pH	7.81	7.78
Alkalinity	103.7	104.5
Temp.	48.3	47.2
Chlorine Residual	0.82	0.87
Fluoride Residual	0.7	0.58
Orthophosphate Residual	1.45	1.45
Bacteriological Testing	0	0

ADDITIONAL ACTIVITIES

- ◆ Routine Plant Operations
- ◆ Routine Plant and Remote Site Maintenance
- ◆ Annual WDNR Lab Testing and Monitoring
- ◆ Horace Mann Middle School Tours
- ◆ Spring Basin Cleaning
- ◆ Hypo Bulk Tank FRP Relining
- ◆ Safety Equipment Checks
- ◆ Property grounds, cleaning, and building maintenance
- ◆ Chemical Systems Maint
- ◆ Safety Training
- ◆ Shift Coverage

MAY
2025

DISTRIBUTION MONTHLY REPORT

WATER MAIN

Water Main Installed

1,304'

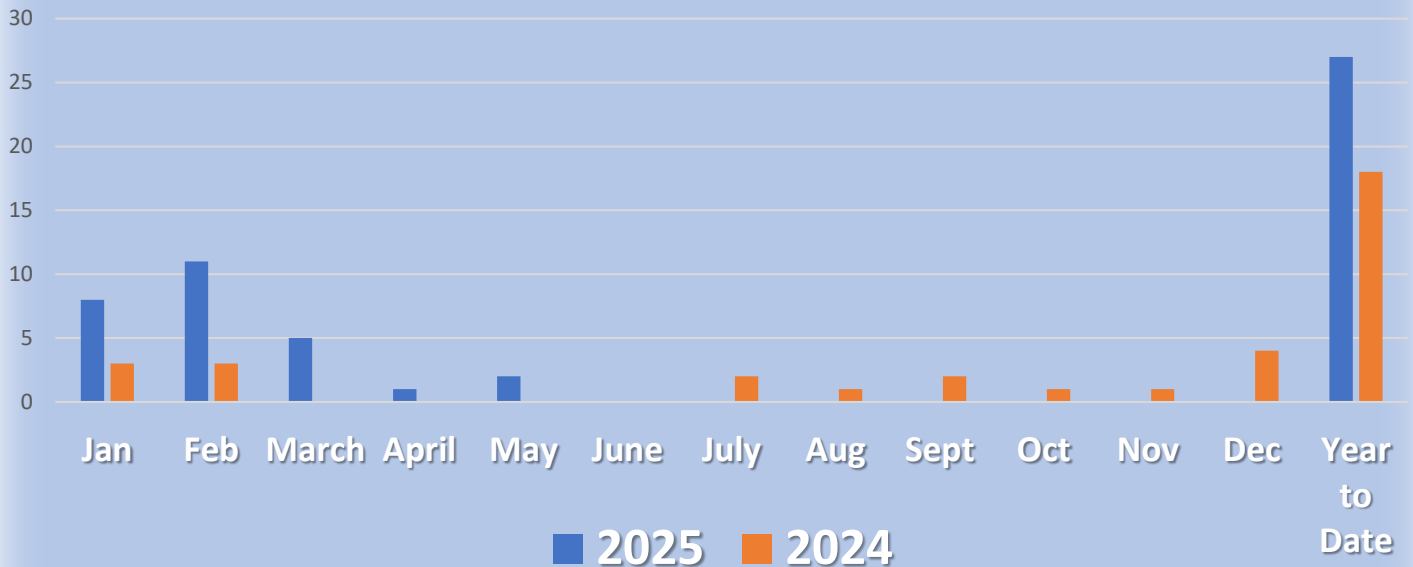
YTD

Street, Curb, and
Sidewalk Restoration

3,584

Cu Ft
YTD

Water Main Breaks



HYDRANTS YEAR TO DATE



Removed



Installed

VALVES YEAR TO DATE



Exercised

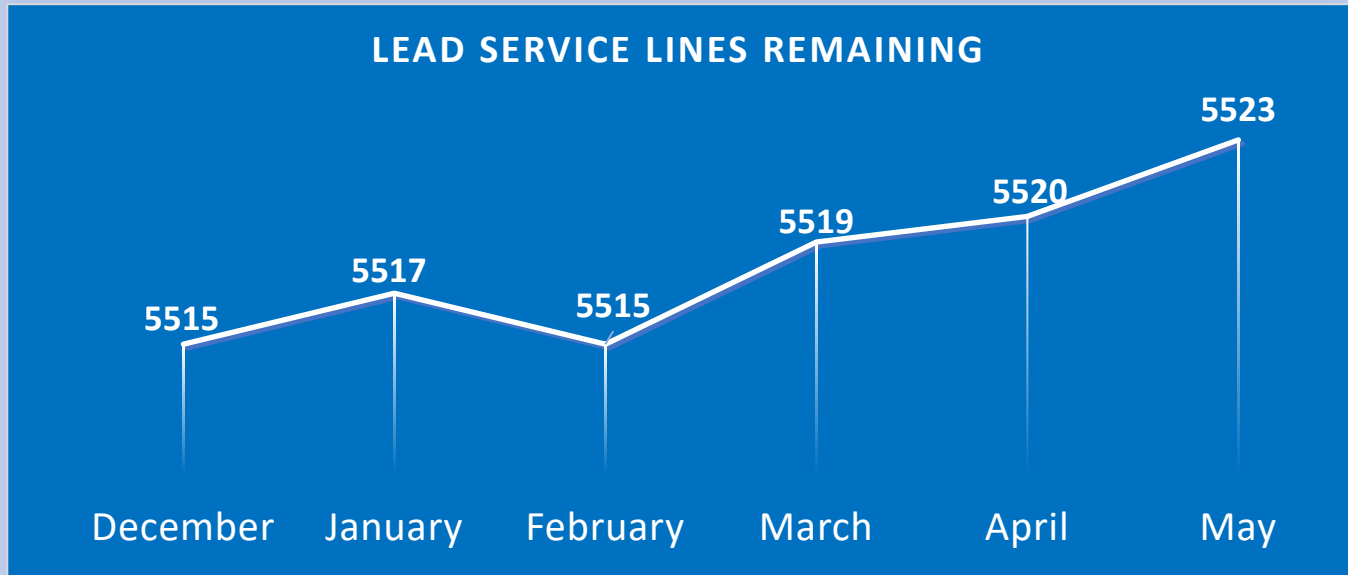


Installed

**MAY
2025**

DISTRIBUTION MONTHLY REPORT

LEAD SERVICE LINE INFORMATION



250

2025 Replacement
Goal

3%

2025 Replacement
Goal Completed

62

YTD WIDNR Lead
Brochures
Distributed

ADDITIONAL ACTIVITIES

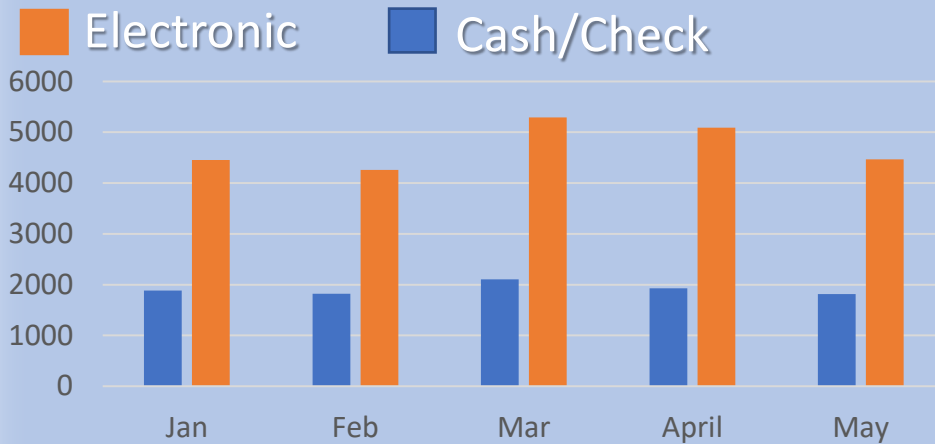
- Construction and inspection work started on the N 25th Street Water Main Project.
- Conducted preconstruction meeting for N 6th and N 7th Street LSL Project.
- Installation and testing of temporary water on the N 7th Street water main project.
- Continued testing and training on the Unity Asset Management System.
- Continued delay on bid opening for the River Crossing project, and work towards adding some of the work to DPW's Commerce Street Project.



**MAY
2025**

CUSTOMER RELATIONS & FISCAL SUMMARY

PAYMENT TRANSACTIONS



PAPERLESS ENROLLMENT

4,888

CUSTOMER TRANSFERS

169

COLLECTIONS

District 1

\$1,162,417

Total Billed

\$245,025

Outstanding
After Due Date

1098

Past Due Letters Mailed

370

Owner/Landlord Letters
Mailed

\$126,331

Outstanding At
Month End

METERS



107

Meters

119

Meters Tested

Installed/Replaced

CROSS CONNECTION



120 Inspections Completed

WEBSITE VISITORS

3,515



MAY
2025

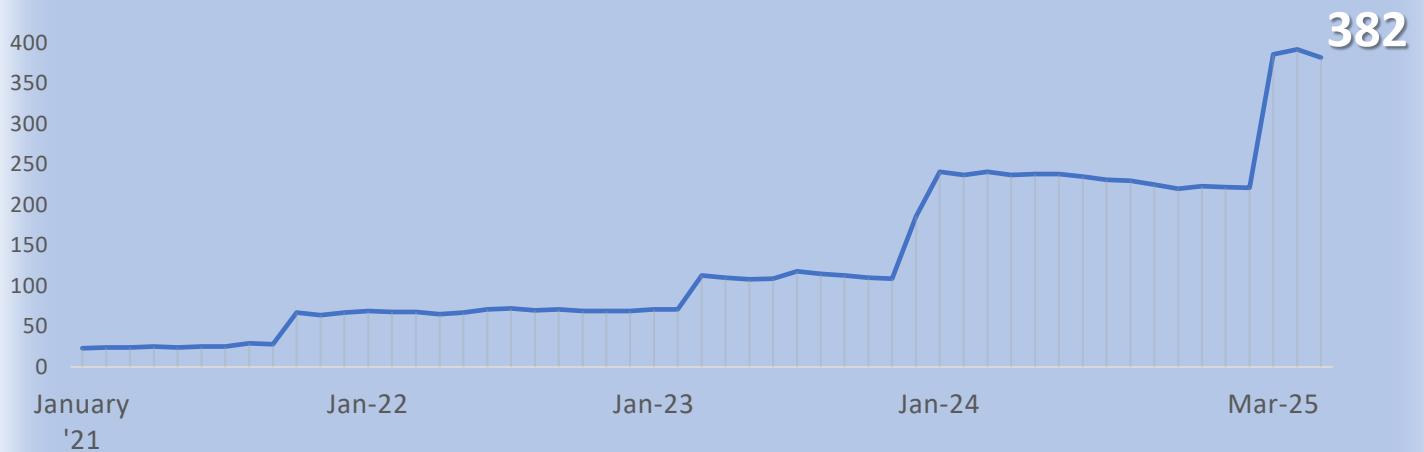
CUSTOMER RELATIONS & FISCAL SUMMARY

LEAK ALLOWANCES ISSUED

4 Customer Requests **1509** CCF Allowed @ Reduced Rate



LEAD SERVICE LINE REPLACEMENT LOANS



ADDITIONAL CR/F ACTIVITIES

- ◆ Service Techs (STs) continue their work replacing meters due to age, and due to LSL replacements.
- ◆ Conducted small and large meter testing.
- ◆ USSs issued bills to District 3 and Monthly customers.
- ◆ STs and one USS attended forklift training
- ◆ Two STs, a USS, and the LSL/BS attended three-day Badger Meter Training.

MAY
2025

Memorandum

To: Joe Trueblood, Superintendent

From: Bill Swearingen, Operations Supervisor

Date: June 11, 2025

Subject: Filter Performance and Capacity Update

Head Loss and Pressure Observations

The attached chart represents recent pressure monitoring data and confirms the following performance observations:

- Filters 7, 8, and 9 continue to exhibit stable pressure profiles with no signs of increasing pressure. While the differential pressure remains elevated—approximately 6 to 7 psi, this level is consistent with long-term historical data and does not suggest any immediate danger in underdrain performance.
- Filters 1 through 6, which underwent IMS cap replacements between 2022 and 2025, thus demonstrating a measurable decrease in head loss. This trend aligns with performance expectations and validates the success of the recapping initiative in enhancing filter efficiency and sustaining underdrain integrity.

Overview of Filter Operational Capacity

The capacities defined by Leopold provide strong assurance for operating Filters 1–6 with a safeguarded flow of 3 MGD each, totaling 18 MGD. Furthermore, Filter 10, which was replaced in 2018, can reliably operate at 4.0 MGD. This brings the total system capacity to 22 MGD, comfortably within the credited overload limits defined for the system.

Filter Capacities

Filter Group	Normal Rate	Possible Overload	Credited Overload
Filters 1–9	≤ 2 MGD	4.0 MGD	36 MGD
Filters 10–11	≤ 3 MGD	4.5 MGD	9 MGD

Operational Scenario

Filters in Use	Operating Rate per Filter	Total Flow
Filters 1–6	3 MGD	18 MGD
Filter 10	4.0 MGD	4.0 MGD
Total		22 MGD

Conclusion

The filtration system remains stable and fully compliant, with significant performance gains resulting from the recent IMS cap upgrades. Enhancements to Filters 1 through 6 have notably strengthened the system's resilience, providing sustained reliability and long-term stability to underdrain performance during high operational demands.

In the event of an unforeseen failure of Filters 7, 8, 9, and 11—especially during peak summer loading—the system remains well-prepared at 22 MGD. The robust condition of Filters 1–6 ensures we have sufficient capacity and operational flexibility to meet demand without compromising system integrity or compliance.



ADA Compliance - Website

June 2025

To: Board of Water Commissions

From: Tamara Scheuren CRF Supervisor

The Americans with Disabilities Act (ADA), along with recent court interpretations and Department of Justice (DOJ) guidance, requires public entities to ensure that their digital services are accessible to individuals with disabilities. As of 2022, the DOJ reaffirmed that web content must meet Web Content Accessibility Guidelines (WCAG) standards. The DOJ has proposed a rule under Title II that sets a compliance deadline of 2026 for public entities like Sheboygan Water Utility. Failure to comply may result in civil penalties and legal action.

The Utility is actively working with web developers to evaluate the necessary steps for achieving ADA compliance. For our community size, the compliance deadline is April 2026. The Utility is on track to meet that deadline. More information regarding the requirement can be found on the following pages from ADA.gov.

State and local government size	Compliance date
0 to 49,999 persons	April 26, 2027
Special district governments	April 26, 2027
50,000 or more persons	April 24, 2026

**ADA.gov**U.S. Department of Justice
Civil Rights Division

Fact Sheet: New Rule on the Accessibility of Web Content and Mobile Apps Provided by State and Local Governments

April 08, 2024

On April 24, 2024, the Federal Register published the Department of Justice's (Department) final rule updating its regulations for Title II of the Americans with Disabilities Act (ADA). The final rule has specific requirements about how to ensure that web content and mobile applications (apps) are accessible to people with disabilities.

Guidance & Resources

Read this to get specific guidance about this topic.

For a beginner-level introduction to a topic, view [Topics](#)

For information about the legal requirements, visit [Law, Regulations & Standards](#)

Purpose of this fact sheet: This fact sheet gives a summary of the rule. The summary is designed to provide introductory information about the rule's requirements, particularly for people who may not have a legal background. [For more information, please read the full rule.](#) The [official version of the rule](#) is published in the Federal Register.



What is Title II of the Americans with Disabilities Act (ADA)?

[Title II of the ADA](#) requires state and local governments to make sure that their services, programs, and activities are accessible to people with disabilities. Title II applies to all services, programs, or activities of state and local governments, from adoption services to zoning regulation. This includes the services, programs, and activities that state and local governments offer online and through mobile apps.



Terms in this fact sheet

Title II uses the term “public entities” to describe who it applies to, but in this fact sheet, we call these “state and local governments.”



What is a rule?

A regulation, also called a “rule,” is a set of requirements issued by a federal agency for laws passed by Congress. When Congress passed the ADA, it gave the Department the authority to make regulations that explain the rights and requirements for Titles II and III of the ADA. A regulation usually

has two parts. The first part is regulatory text. The second part provides information about the regulatory text and what it means, which is sometimes in an appendix in the rule.



How did the Department make this rule?

The Department made this rule using a process sometimes called “notice and comment rulemaking.” As part of this process, the Department published a Notice of Proposed Rulemaking (NPRM). The NPRM was basically a first draft of the regulation. It let the public know about the requirements the Department was considering and gave an opportunity for feedback.

The Department got feedback from the public on the NPRM. Based on that feedback, the Department made changes to certain parts of the rule. A description of the feedback the Department got and how it updated the rule is available in the appendix in the [rule](#).



Who has to follow the web and mobile app accessibility requirements in the rule?

Like the rest of Title II, the rule applies to all state and local governments (which includes any agencies or departments of state or local governments) as well as special purpose districts, Amtrak, and other commuter authorities.

State and local governments that contract with other entities to provide public services for them (like non-profit organizations that run drug treatment programs on behalf of a state agency) also have to make sure that their contractors follow Title II.

Examples of state and local governments include:

- State and local government offices that provide benefits and/or social services, like food assistance, health insurance, or employment services
- Public schools, community colleges, and public universities

- State and local police departments
- State and local courts
- State and local elections offices
- Public hospitals and public healthcare clinics
- Public parks and recreation programs
- Public libraries
- Public transit agencies

For more information about the responsibilities of state and local governments under Title II, [visit our State and Local Governments page](#).

The Reasons the Department Set Specific Requirements for Web and Mobile App Accessibility

State and local governments provide many of their services, programs, and activities through websites and mobile apps. When these websites and mobile apps are not accessible, they can create barriers for people with disabilities.

- For example, individuals who are blind may use a screen reader to deliver visual information on a website or mobile app as speech. A state or local government might post an image on its website that provides information to the public. If the website does not include text describing the image (sometimes called “alternative text” or “alt text”), individuals who are blind and who use screen readers may have no way of knowing what is in the image because a screen reader cannot “read” an image.

Websites and mobile apps that are not accessible can make it difficult or impossible for people with disabilities to access government services, like ordering mail-in ballots or getting tax information, that are quickly and easily available to other members of the public online. Sometimes, inaccessible websites and mobile apps can keep people with disabilities from joining or fully

participating in civic or other community events like town meetings or programs at their child's school.

This rule will help make sure people with disabilities have access to state and local governments' services, programs, and activities available on websites and mobile apps. This rule will also provide state and local governments with more clarity about what they have to do to comply with the ADA.

You can find more information about why the Department made this rule in the section of the [rule](#) called "Need for Department Action."

Highlights of the Requirements in the Rule

The rule's requirements for making web content and mobile apps accessible are highlighted below. The full [rule](#) explains these requirements in more detail.

Requirement: The Web Content Accessibility Guidelines (WCAG) Version 2.1, Level AA is the technical standard for state and local governments' web content and mobile apps.

- This rule sets a specific technical standard that state and local governments must follow to meet their existing obligations under Title II of the ADA for web and mobile app accessibility.
- WCAG, [the Web Content Accessibility Guidelines](#), is a set of guidelines that say what is needed for web accessibility, such as requirements for captions for videos. WCAG is developed by the [World Wide Web Consortium](#).
- You can find more information about why the Department picked WCAG 2.1, Level AA as the technical standard for state and local governments' web

content and mobile apps in the rule in the section of the appendix called “Technical Standard—WCAG 2.1 Level AA.”



What is a technical standard?

A technical standard says specifically what is needed for something to be accessible. For example, the existing ADA Standards for Accessible Design are technical standards that say what is needed for a building to be physically accessible under the ADA, such as how wide a door must be or how steep a ramp can be.

Requirement: State and local governments’ web content usually needs to meet WCAG 2.1, Level AA.

- The rule applies to web content that a state or local government provides or makes available. This includes when a state or local government has an arrangement with someone else who provides or makes available web content for them.
 - **Example:** If a county web page lists the addresses and hours of operation for all county parks, that web page must meet WCAG 2.1, Level AA even if a local web design company made the web page and updates it for the county.



What is web content?

“Web content” is defined as the information and experiences available on the web, like text, images, sound, videos, and documents. You can find more information about how the Department defines “web content” in the rule in the section of the appendix called “Section 35.104 Definitions.”

Requirement: State and local governments' mobile apps usually need to meet WCAG 2.1, Level AA

- The rule applies to mobile apps that a state or local government provides or makes available. This includes when a state or local government has an arrangement with someone else who provides or makes available a mobile app for them.
 - **Example:** If a city lets people pay for public parking using a mobile app, that mobile app must meet WCAG 2.1, Level AA even if the app is run by a private company.



What is a mobile app?

Mobile apps are software applications that are downloaded and designed to run on mobile devices like smartphones and tablets. You can find more information about how the Department defines mobile apps in the [rule](#) in the section of the appendix called “Definitions.”



Can state and local governments provide web content or mobile apps that follow a higher standard than WCAG 2.1, Level AA?

Yes, this rule does not stop a state or local government from using designs, methods, or techniques as alternatives to WCAG 2.1, Level AA if the state or local government can prove the alternatives provide the same or more accessibility and usability. The rule refers to this as “equivalent facilitation.” The rule allows this so that state and local governments can have some flexibility, while also making sure that people with disabilities still have equal access to state and local government web content and mobile apps.

- **Example:** There may be new web accessibility standards that are developed in the future, such as WCAG Version 3.0. Under this rule, a state parks department would probably be allowed to create a new mobile app for campground reservations that meets a future standard

if the standard provides the same or more accessibility and usability than WCAG 2.1, Level AA.

Exceptions: In limited situations, some kinds of web content and content in mobile apps do not have to meet WCAG 2.1, Level AA.

- It is important that state and local governments can prioritize so they can choose the most important content — like current or commonly used information — to make accessible to people with disabilities quickly.
- There are limited exceptions for some kinds of content that are not as frequently used or that may be particularly hard for state and local governments to address right away.
- If an exception applies to certain content, it means that content would not have to meet WCAG 2.1, Level AA.
- In the next section, we describe the exceptions and provide examples of how they might apply. We also give examples of when the exceptions would not apply.



What the exceptions do not change

The ADA requires that state and local governments must provide individuals with disabilities with effective communication, reasonable modifications, and an equal opportunity to participate in or benefit from their services, programs, and activities. So even when web content or content in mobile apps does not have to meet WCAG 2.1, Level AA, a state or local government would likely still need to provide the content to a person with a disability who needs it in a format that is accessible to them.

- Learn more about existing ADA obligations to ensure effective communication.

- Learn more about existing ADA obligations to make reasonable modifications.

Summary of the Exceptions

1. Archived web content

State and local governments' websites often include a lot of content that is not currently used. This information may be outdated, not needed, or repeated somewhere else. Sometimes, this information is archived on the website.

- Web content that meets **all four** of the following points would not need to meet WCAG 2.1, Level AA:
 1. The content was created before the date the state or local government must comply with this rule, or reproduces paper documents or the contents of other physical media (audiotapes, film negatives, and CD-ROMs for example) that were created before the government must comply with this rule, **AND**
 2. The content is kept only for reference, research, or recordkeeping, **AND**
 3. The content is kept in a special area for archived content, **AND**
 4. The content has not been changed since it was archived.
- **Example:** A water quality report from 1998 that a state has stored in an "archive" section of its website and has not updated would probably fall under the exception. The exception would also probably apply to handwritten research notes or photos that go with the 1998 water quality report that the state scans and posts to its website in the archive section.

The exception does not apply unless all four points are present. If any point is missing, the content generally must meet WCAG 2.1, Level AA unless another exception applies.

- **Example:** City council meeting minutes created after the date the city must comply with this rule would **not** fall under the exception even if they are posted in the “archive” section of the city’s website. The meeting minutes would probably have to comply with WCAG 2.1, Level AA, because this content was created after the time the city had to comply with this rule.
- **Example:** A spreadsheet of 2021 COVID-19 statistics posted in the “archive” section of a county health department’s website would probably not fall under the exception if the spreadsheet is later edited and reposted in the archive. The exception would probably **not** apply, and the spreadsheet would probably have to comply with WCAG 2.1, Level AA, because the content was changed after it was first posted in the archive.
- **Example:** A PDF document that includes a current map of a county park that is based on data collected after the county was required to comply with this rule would probably not fall under the exception even if the document is posted in the “archive” section of the county’s website. The PDF provides current information about the park. The exception would probably **not** apply, and the PDF would probably have to comply with WCAG 2.1, Level AA, because the content is not kept only for reference, research, or recordkeeping.

What the exception does not change

The ADA requires that state and local governments have to provide individuals with disabilities with effective communication, reasonable modifications, and an equal opportunity to participate in or benefit from their services, programs, and activities.

- **Example:** If a person with a hearing disability requests access to a city's video that is archived, one way that the city could provide effective communication to the person is by adding captions to the video and sharing a copy of the captioned video file with the person.

2. Preexisting conventional electronic documents

Some state and local governments have a lot of old documents, like PDFs, on their website. It can sometimes be hard to make these documents meet WCAG 2.1, Level AA.

- Documents that meet **both** of the following points usually do not need to meet WCAG 2.1, Level AA, except in some situations:
 1. The documents are word processing, presentation, PDF, or spreadsheet files; **AND**
 2. They were available on the state or local government's website or mobile app **before** the date the state or local government must comply with this rule.
- **Example:** This exception would probably apply to a PDF flyer for a Thanksgiving Day parade posted on a town's website in 2018, or a Microsoft Word version of a sample ballot for a school board election posted on a school district's website in 2014.

The exception does not apply unless both points are present. Where either point is missing, the document generally needs to meet WCAG 2.1, Level AA.

- **Example:** After the date a town has to comply with the rule, it posts a PowerPoint presentation that will be used in an upcoming town council meeting. The presentation would **not** fall under the exception, and it would probably have to meet WCAG 2.1, Level AA, because it was posted after the rule's compliance date.
- **Example:** After the date a city has to comply with the rule, it updates a Microsoft Word document that was first posted on its website in 2020 to include the city's new contact information. The updated document would **not** qualify for the exception anymore, and it would probably have to meet WCAG 2.1, Level AA.

When the exception does not apply: Documents that are currently being used to apply for, access, or participate in a state or local government's services, programs, or activities do not fall under the exception even if the documents were posted before the date the government has to comply with the rule.

- **Example:** A state posted a PDF version of a business license application on its website in 2020. Members of the public still use that PDF to apply for a business license after the date the state has to comply with the rule. The exception would **not** apply to the application and it would usually need to meet WCAG 2.1, Level AA.

3. Content posted by a third party where the third party is not posting due to contractual, licensing, or other arrangements with a public entity

Third parties sometimes post content on state and local governments' websites or mobile apps. Third parties are members of the public or others who are not controlled by or acting for state or local governments. The state or local government may not be able to change the content third parties post.

- Content that is posted by third parties on a state or local government's website or mobile app would not need to meet WCAG 2.1, Level AA.
 - **Example:** A message that a member of the public posts on a town's online message board would probably fall under the exception.

This exception only applies to content posted by a third party. Content that is not posted by a third party usually needs to meet WCAG 2.1, Level AA. This includes:

1. Third-party content posted by the state or local government.
 - **Example:** Many state or local governments post content on their websites that is developed by an outside technology company, like calendars, scheduling tools, maps, reservations systems, and payment systems. This content would **not** fall under the exception, and it would usually need to meet WCAG 2.1, Level AA, because it is posted by the state or local government.
2. Content posted by a state or local government's contractor or vendor.
 - **Example:** If a state or local government uses a company to design, manage, or update its website, the content the company posts for the government would **not** fall under the exception, and it would usually need to meet WCAG 2.1, Level AA.
3. Tools and platforms that allow third parties to post content.
 - **Example:** If the state or local government has a message board platform on its website, that platform would **not** fall under the exception, and it would usually need to meet WCAG 2.1, Level AA, because the message board was added to the website by the

state or local government. However, the exception would probably apply to posts by third parties on that platform.

What the exception does not change

The ADA requires that state and local governments must provide individuals with disabilities with effective communication, reasonable modifications, and an equal opportunity to participate in or benefit from their services, programs, and activities.

- **Example:** If a person with a disability is a party to a state court case, and a third-party private law firm in the case submits documents to the state court's website, the court could provide effective communication to the person with a disability by providing the documents to the person in a format that is accessible to them quickly upon request.

4. Individualized documents that are password-protected

State and local governments sometimes use password-protected websites to share documents that are for specific individuals, like a water or tax bill. It might be hard to make all of these documents accessible right away for everyone, and there might not be a person with a disability who needs access to these documents.

- Documents that meet **all three** of the following points do not need to meet WCAG 2.1, Level AA:
 1. The documents are word processing, presentation, PDF, or spreadsheet files, **AND**
 2. The documents are about a specific person, property, or account, **AND**

3. The documents are password-protected or otherwise secured.

- **Example:** A PDF version of a water bill for a person's home that is available in that person's secure account on a city's website would probably fall under the exception. However, the exception does not apply to the city's website itself.

The exception does not apply unless all three points are present. If any point is missing, the content usually must meet WCAG 2.1, Level AA. Here are some examples related to a town water bill:

- **Example:** If a person's water bill is made available for them to view on a password-protected website as HTML content, the exception would **not** apply because the content is not in one of the listed document formats, and the content would usually need to meet WCAG 2.1, Level AA.
- **Example:** If the water company posts a PDF document on a password-protected website about an upcoming rate increase for all customers, the exception would **not** apply, and the document would usually need to meet WCAG 2.1, Level AA, because the document is not about one customer's account.

What the exception does not change

The ADA requires that state and local governments must provide individuals with disabilities with effective communication, reasonable modifications, and an equal opportunity to participate in or benefit from their services, programs, and activities.

- **Example:** If a person with vision loss asks to access their personal and password-protected PDF town water bill, the town might provide

effective communication to the person by giving them a large print version of the water bill, or a version of the water bill that meets some WCAG criteria, even though the PDF document would meet the exception.

5. Preexisting social media posts

For many state and local governments, making all of their past social media posts accessible may be impossible. There also may be very little use to making these old posts accessible because they were usually intended to provide updates about things happening at the time they were posted in the past.

For these reasons, social media posts made by a state or local government before the date the state or local government must comply with this rule do not need to meet WCAG 2.1, Level AA.

- **Example:** This exception would apply to a 2017 social media post by a city's sanitation department announcing that trash collection would be delayed due to a snowstorm.

What the exception does not change

The ADA requires that state and local governments must provide individuals with disabilities with effective communication, reasonable modifications, and an equal opportunity to participate in or benefit from their services, programs, and activities.

- **Example:** If an individual who is blind requests access to a picture a city posted on social media in 2023, the city could provide effective communication by providing an alternative text description of the image to the individual.
-

If none of the exceptions apply, do state and local governments always have to make web content and content in mobile apps meet WCAG 2.1, Level AA?

Usually, yes. But there are some situations where meeting WCAG 2.1, Level AA is not required:

- Under the ADA rules, state and local governments do not need to take actions that would result in a fundamental alteration or an undue burden. This is also true for this rule. Determining what is a fundamental alteration or undue burden is different from entity to entity and sometimes from one year to the next.
- For more information about fundamental alteration and undue burden, see the [final rule](#) in the section of the appendix called “Section 35.204 Duties” and the [Department’s State and Local Governments page](#).

Other Information About Complying with the Rule

Use of Conforming Alternate Versions

- Sometimes a state or local government tries to have two versions of the same web content or content in a mobile app: one version that is not accessible and another version that is accessible and provides all the same information and features. The second version is called a “conforming alternate version.”

- Usually state and local governments should not have a main web page that is inaccessible and a separate accessible version of the same content, because people with disabilities should get equal access to that content on the same page.
- Under the rule, state and local governments may use conforming alternate versions as an alternative to inaccessible content only in very limited circumstances. State and local governments are allowed to do this only when there is a technical or legal limitation that prevents inaccessible web content or mobile apps from being made accessible.
- For more information about conforming alternate versions and when they are allowed, see the [final rule](#) in the section of the appendix called “Section 35.202 Conforming Alternate Versions.”



What if an individual with a disability still cannot access web content and mobile apps that meet WCAG 2.1, Level AA?

Sometimes an individual with a disability may not be able to access a state or local government’s web content or mobile apps even if they meet WCAG 2.1, Level AA. If this happens, the state or local government is not required to make more changes to its web content or mobile apps that meet the technical requirement, but the government must still satisfy its other obligations under the ADA to provide individuals with disabilities with [effective communication](#), [reasonable modifications](#), and an equal opportunity to participate in or benefit from their services, programs, and activities. The state or local government must figure out on a case-by-case basis how best to meet the needs of the individual with a disability.

- **Example:** If a person’s disability stops them from accessing a county’s mobile app that meets WCAG 2.1, Level AA to buy tickets to the county’s annual fair, the county needs to provide an alternative way for the person to purchase tickets.

What Happens If a State or Local Government Has Failed to Meet WCAG 2.1, Level AA in a Minor Way?

In some limited situations, state and local governments may be able to show that their web content or mobile apps do not meet WCAG Version 2.1, Level AA in a way that is so minor that it would not change a person with a disability's access to the content or mobile app. If the state or local government can show that, then they are not violating the rule.

State and local governments cannot use this part of the rule to avoid trying to meet WCAG 2.1, Level AA. If a state or local government's web content does not fully meet WCAG 2.1, Level AA, there are many things the government would have to prove to show that they did not violate the rule.

- **Example that violates the rule:** A state's online renewal form does not meet WCAG 2.1, Level AA. Because of that, a person with a manual dexterity disability may need to spend a lot more time to renew their professional license online than someone without a disability. This person might also need to get help from someone who does not have a disability, give personal information to someone else, or go through a much harder and frustrating process than someone without a disability. Even if this person with a disability could ultimately renew their license online, the state would violate the rule.
- **Example that meets the rule:** A state's web page with information about a park has text with a color contrast ratio that is 4.45:1. WCAG 2.1, Level AA requires a color contrast ratio of 4.5:1 for this text. It can be hard for some people with vision disabilities to see text on a web page if there is not enough contrast between the color of the text and the background color. But that very small difference in color contrast ratio probably would not change whether most people with vision disabilities could read the text on the website and access the information about the park. If the state can prove the difference in color contrast is so small that it would not make it harder for people with disabilities to access the information about the park, the state would not violate the rule.

For more information, see the [final rule](#) in the section of the appendix called “Section 35.205 Effect of Noncompliance That Has a Minimal Impact on Access.”

How Long State and Local Governments Have to Comply with the Rule

State and local governments must make sure that their web content and mobile apps meet WCAG 2.1, Level AA within two or three years of when the rule was published on April 24, 2024, depending on their population.

You can find more information about why the Department is requiring compliance with this timeline in the [rule](#) in the section of the appendix called “Requirements by Entity Size.”

This table shows how much time a state or local government has to comply with this rule.

State and local government size	Compliance date
0 to 49,999 persons	April 26, 2027
Special district governments	April 26, 2027
50,000 or more persons	April 24, 2026

After this time, state and local governments must continue to make sure their web content and mobile apps meet WCAG 2.1, Level AA.



What is the compliance date for school districts?

A school district is not a special district government. If it is a city school district, it would use the population of the city to know when to comply. If it

is a county school district, it would use the population of the county. If it is an independent school district, it would use the population estimate in the most recent [Small Area Income and Poverty Estimates](#).



How do you know the compliance date for other parts of government, like your city, state, or town police department or library?

To figure out the date, you have to know the population of your state or local government. For most governments, this is a number you can find in the [2020 data from the U.S. Census Bureau](#). For smaller parts of a larger government that do not have a population listed there, like a city police department or a city library, you can look at the population of the larger government they are part of, like the city that runs the police department and library in this example.

You can find more information about how to find the population of your state or local government in the [rule](#) in the section of the appendix called “Section 35.104 Definitions” under the heading “Total Population.”

ADA Information Resources

If you have questions about this rule or the ADA, you can call the Department’s [ADA Information Line](#).

Another source of information is the [ADA National Network](#). The National Network includes ten regional centers that provide ADA technical assistance to businesses, state and local governments, and individuals with disabilities. One toll-free number connects you to the center in your region: 800-949-4232 (Voice and TTY).

April 08, 2024



BOARD OF WATER COMMISSIONERS

To: Joe Trueblood, Utility Superintendent

From: Dave McMillan, Distribution Supervisor

Subject: River Crossing- West Side Piping

The Sheboygan Water Utility has allocated funding in the 2025 budget for a water main river crossing project. This project is being coordinated in conjunction with a City of Sheboygan development initiative located on the west side of the river.

Progress on the project has been delayed due to pending easement acquisition on the east side of the river. In order to avoid further delays to the city's development schedule, the Water Utility and the City's Department of Public Works have collaborated to secure pricing for a portion of the water main installation—specifically the portion of the project located on the west side of the river—and include this work in the City's construction contract.

Under this arrangement, the City will issue a change order to its contract and subsequently invoice the Water Utility for the water main materials and associated work. Vinton Construction, the City's contractor, has provided the following pricing for the west side water main components:

Bid Due: Thurs. 3/20/2025 10:00 AM
Addendum: #1 Included

Sheboygan 25-08
North Commerce St Improvements

6/9/2025 2:36 PM
ONLINE: Q9569645



VINTON CONSTRUCTION COMPANY...Road Contractors
An Equal Opportunity Employer
P.O. Box 1987
2705 N. Rapids Road
Manitowoc, Wisconsin 54221-1987
Office 920-682-0375
Fax 920-682-2838

City of Sheboygan
Commerce Street Project
Requested pricing

6/9/2025

Add in a portion of River Crossing Project						
Line Item	Item Code	Item Description	UofM	Quantity	Unit Price	Extension
COS						
96	SPV.0061	Remove Hydrant	EA	TBD	\$495.00	\$0.00
97	SPV.0062	Remove Water Valve & Valve Box	EA	1.00	\$375.00	\$375.00
98	SPV.0063	Remove Water Pipe/ ABANDON	LF	115.00	\$20.30	\$2,334.50
102	SPV.0065	Hydrant Lead 6-Inch	LF	0.00	\$139.60	\$0.00
103	SPV.0066	PVC Watermain - 6-Inch	LF	0.00	\$141.50	\$0.00
104	SPV.0067	PVC Watermain - 8-Inch	LF	0.00	\$167.60	\$0.00
	cco item	PVC Watermain - 10-Inch	LF	10.00	\$200.00	\$2,000.00
	cco item	PVC Watermain - 12-Inch	LF	254.00	\$296.00	\$75,184.00
	cco item	PVC Watermain - 16-Inch	LF	10.00	\$238.00	\$2,380.00
		Base Bid Total:			\$82,273.50	
		Includes switch from DI to C-900, all additional fittings and necessary reconnections to existing water mains				

additional qty
additional qty

WWW.SHEBOYGANWATER.ORG

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