

Special Joint Information Meeting

TOWN COUNCIL & COUNTY COMMISSIONER MEETING

January 28, 2020

1:00 - 3:00 PM

Town Council Chambers

Chair: Mayor Pete Muldoon

NOTICE: THE VIDEO AND AUDIO FOR THIS MEETING ARE STREAMED TO THE PUBLIC VIA THE INTERNET AND MOBILE DEVICES WITH VIEWS THAT ENCOMPASS ALL AREAS, PARTICIPANTS AND AUDIENCE MEMBERS. **PLEASE SILENCE ALL ELECTRONIC DEVICES DURING THE MEETING**

I. CALL TO ORDER AND ROLL CALL

II. DISCUSSION/ACTION ITEMS

- A. Consideration of a Request for Qualifications (RFQ) for an Employee Generation by Land Use Study (Housing Nexus Study) (April Norton)

III. EXECUTIVE SESSION

Recess to executive session to consider the selection of a site or the purchase of real estate when the publicity regarding the consideration would cause a likelihood of an increase in price in accordance with Wyoming Statute 16-4-405(a)(vii).

IV. DISCUSSION / ACTION ITEMS:

- A. Possible Action Item related to Executive Session Discussion on Real Estate

V. ADJOURN

Please note that at any point during the meeting, the Chairman or Mayor may change the order of items listed on this agenda. In order to ensure that you are present at the time your item of interest is discussed, please join the meeting at the beginning to hear any changes to the schedule or agenda.



**BOARD OF COUNTY
COMMISSIONERS**



TOWN COUNCIL

JOINT INFORMATION MEETING AGENDA DOCUMENTATION

PREPARATION DATE: January 23, 2020

MEETING DATE: January 28, 2020

SUBMITTING DEPARTMENT: Affordable Housing

DEPARTMENT DIRECTOR: April Norton

PRESENTER: April Norton

SUBJECT: Housing Nexus Study Request for Qualifications

STATEMENT/PURPOSE

The purpose of this staff report is to provide the Board of County Commissioners ("Board") and Town Council ("Council") with:

1. a Request for Qualifications ("RFQ") for an Employee Generation by Land Use Study ("nexus study"); and
2. a timeline for the release, initiation, and completion of the study.

BACKGROUND/ALTERNATIVES

The Jackson/Teton County Comprehensive Plan ("Comp Plan") establishes the goal of housing at least 65% of our workforce locally. The Comp Plan includes a variety of strategies to achieve this goal, including Policy 5.3.a which requires developers to mitigate their impact on the availability of housing that is affordable to the local workforce. To implement housing mitigation requirements based on the Comp Plan, an update to the housing nexus study was necessary to establish a rational nexus between the fee and needs created by development. That study was completed in 2013.

In 2017, the planning and housing departments began updating Town zoning in Districts 3-6, Housing Requirements ("mitigation program"), and the rules that govern the housing program ("rules and regs"). Over 200 individuals provided comments on the zoning, mitigation program, and rules and regs. The updates to the zoning, mitigation program, and rules and regs were adopted by the Council and Board in July 2018. Major policy changes included incentives for developers to build workforce housing in the Town and a move to a mitigation program based on employee generation that requires developers to mitigate for the employees their development creates who earn less than 200% of median family income. The employee generation numbers are derived from the Housing Nexus Study.

So, it is now time to update the Housing Nexus Study to document current links between the construction of new development or redevelopment and the employees generated by the development. The study will also show us the types of jobs being created, the wages being earned, the percentage of the workforce living locally, and the gap between income and housing costs. The study will also provide information about non-brick-and-mortar businesses, employees generated, and wages earned. However, it is unclear whether we can legally require these businesses to pay a mitigation fee based on the "rational nexus" standard.

In addition to updating the nexus study, a technical stakeholder group will be appointed by staff and will meet throughout the nexus study research and writing period to provide comments and consultation that will inform staff's recommendations to the Board and Council. Staff will appoint this group following the approval of the RFQ.

Staff proposes the following timeline for this work:

- January 28, 2020: RFQ is approved by the Board and Council
- January 29, 2020: RFQ is released
- February 27, 2020: RFQ responses are due
- February 28, 2020: Public opening at 8:00 AM at the Housing Department Office
- March 16, 2020: Board and Council award contract
- April 6, 2020: Project initiation
- November 30, 2020: study complete
- December 2020: study presentation to Board and Council
- February-December: technical stakeholder group meets to discuss study and provide consultation to inform staff

EXISTING POLICY DIRECTION – COMPREHENSIVE PLAN, HOUSING ACTION PLAN

Comprehensive Plan Policy:

- Maintain a diverse population by providing workforce housing. Principle 5.1.
- Reduce the shortage of housing that is affordable to the workforce. Principle 5.3.

Housing Action Plan Strategy:

- Require mitigation of employees generated by growth that cannot afford housing. 5C.

ATTACHMENTS

- Request for Qualifications for an Employee Generation by Land Use Study

FISCAL IMPACT

- The 2013 nexus study cost around \$70,000. Staff anticipates the budget for this project will be in the \$150,000 range based on the timeline and limited internal staff capacity.
- Staff anticipates that hiring a facilitator for the stakeholder group will cost in the \$15,000-\$30,000 range.
- Including advertising and education for both projects, staff anticipates an all-in cost not to exceed \$200,000.

Based on the timeline proposed, the contractor for the nexus study and facilitation services will not begin work until April 2020. Since this project is not part of any department's work plan for this year, a budget amendment for three months of work may be necessary. The balance will need to be provided in the FY21 budget.

STAFF IMPACT

This project will require significant staff time from multiple departments across the Town and County.

In 2019, the nexus study was in the Joint Long-Range Planning work plan for FY 19-20. However, given persistent staffing shortages in that department and the time-sensitive nature of this work, staff recommends shifting the study to the Joint Housing Department which will manage the contract with significant support from the Joint Senior Long-Range Planner once the Growth Management Plan is complete (estimated completion: March 2020).

In addition to considerable time from the Joint Senior Long-Range Planner and Joint Housing Director, the Planning Directors from the Town and County, the Town Attorney, Deputy County Attorney, and Town Community Development Director will all provide critical support and expertise throughout the project.

STAKEHOLDER ANALYSIS

Stakeholders include Town and County taxpayers, local working families, business owners, developers, and visitors.

LEGAL REVIEW

Reviewed by Lea Colasuonno, Town Attorney, and John Graham, Deputy County Attorney.

RECOMMENDATION

Staff recommends approval of the Request for Qualifications:

- It's time. The nexus study should be updated every five years; the 2013 study is seven years old.
- It will not set the rate. The nexus study will provide the maximum amount of mitigation that can legally be required. The rate is a political decision that will be dictated by the Board and Council.

Housing requirements are one piece of the housing production pie. In 2019 housing requirements accounted for 20 of the 62 new permanently deed restricted units built. The other two pieces of the pie – zoning incentives and public participation – are also key producers of housing. It takes all three (requirements, incentives, public participation) to provide safe, stable housing for our working-class families and individuals so that we can mitigate our impacts on the environment, manage the type of growth we see in the Town and County, and sustain a high quality of life.

SUGGESTED MOTION

I move to direct staff to release the Request for Qualifications for the Employee Generation by Land Use Study.



TETON COUNTY, WYOMING &
THE TOWN OF JACKSON, WYOMING

EMPLOYEE GENERATION BY LAND USE STUDY
Request for Qualifications

Release Date: January 29, 2020
Submission Deadline: February 27, 2020

REQUEST SUMMARY

The Town of Jackson and Teton County seek a qualified team to conduct an Employee Generation by Land Use Study. The Town and County are committed to increasing the supply of stable, affordable housing for the local workforce to meet community goals related to Quality of Life, Ecosystem Stewardship, and Growth Management (see: Jackson/Teton County Comprehensive Plan).

Introduction

The Jackson/Teton County Comprehensive Plan (“Comp Plan”) establishes the goal of housing at least 65% of the Teton County workforce locally. The Comp Plan includes a variety of strategies to achieve this goal, including Policy 5.3.a which requires developers to mitigate their impact on the availability of housing that is affordable to the local workforce.

In July 2018, updates to zoning in the Town of Jackson, Town and County Housing Requirements (“mitigation program”), and the rules that govern the housing program (“rules and regs”) were adopted by the Town Council and Board of County Commissioners. Major policy changes included incentives for developers to build workforce housing in the Town and a move to a mitigation program based on employee generation that requires commercial and residential developers to mitigate for the employees their development creates who earn less than 200% of median family income. The employee generation numbers are currently derived from the existing 2013 Employee Generation by Land Use Study (“Housing Nexus Study”).

The Town and County now seek a new Housing Nexus Study that will document current links between the construction of new commercial and residential development and the employees generated by the development. The study should also provide information about the existing types of jobs, the wages being earned, the percentage of the workforce living locally, the gap between income and housing costs, and information about non-brick-and-mortar businesses including the employees generated and wages earned. The study may also provide information about if and how to require non-brick-and-mortar businesses to mitigate for their impacts.

In addition to the Housing Nexus Study, the consultant will be asked to facilitate a technical stakeholder group, which will meet throughout the nexus study and provide comments and consultation that will inform the Town and County Planning and Housing staff recommendations related to the mitigation program. The stakeholder group will consist of nine community members and five key staff.

RFQ REQUIREMENTS

The Teton County Board of County Commissioners and Jackson Town Council have approved the following timeline for this RFQ:

RFQ Release	January 29, 2020
Submission Deadline	February 27, 2020
Contract Award	March 16, 2020
Project Initiation	April 6, 2020
Project Completion	November 30, 2020

Submissions are due February 27, 2020 by 4pm MST. Submissions received after 4pm on February 27th will not be considered. Incomplete submissions will not be required. All responses shall include one (1) signed original and one (1) electronic copy of the proposal and should be delivered to:

Jackson/Teton County Housing Department
Attn: April Norton, Director
320 South King Street, Box 575
Jackson, WY 83001

Proposals shall include the following information, in this order:

A) Introductory Letter

Please include a letter of interest that clearly demonstrates the respondent's understanding of the project and interest in being considered for the project. The letter shall include the respondent's name, contact information, and primary contact name.

B) Qualifications

- a. Proposed Project Team – Please include a description of each team member, including: a resume, how s/he will participate in the project and her/his relevant experience. Please designate the Principal in Charge and the Project Manager for the contract. An organizational chart must be included.
- b. Firm/Team Experience – Please summarize your experience completing nexus studies and assessing housing impact fees on commercial and residential development. Please describe any major challenges you faced while working on other nexus studies and how you addressed them.
- c. Legal Experience – Please describe any legal experience your team has had with nexus studies. Please include information about any challenges your team has faced related to other nexus studies.
- d. References - Please provide three (3) references for whom your team has provided similar services. List the name, address, email address and telephone number for each reference along with a brief description of the relevant work provided for each reference.

C) Work Plan

- a. Technical Approach and Methodology – Please provide a brief explanation of the approach and methodology for completing the study. Please include any peer reviews of the methodology/technique proposed.
- b. Schedule – Please Include a detailed project schedule with an initiation date of April 6, 2020. Please note all dates for key project milestones and deliverables along with any assumptions used to develop the schedule.
- c. Unique Approach/Technology – Please identify and describe any unique approaches or technologies you propose using as part of this project.
- d. Town/County Staff Support – Please describe the type and amount of support you will require to complete this project. If possible, please note the timing for this work.

D) Responses to the Key Issues

- a. The key questions that should be addressed through this nexus study are:

- i. How many employees are generated by the construction of new commercial and residential development? This should be broken out by type of new development and redevelopment and job sector.
- ii. What are the types of existing jobs that exist today and what are the wages being earned?
- iii. What is the percentage of the workforce living locally (within Teton County)?
- iv. What is the gap between income and housing costs?
- v. How many jobs are being created by non-brick-and-mortar businesses., what are the wages being earned by these employees, and where are the jobs located? Can these businesses be required to mitigate for their impacts through housing requirements? If not, what are other ways they can be required to mitigate for their impacts?
- b. Please discuss in detail the methodology and technology you propose to use for this housing nexus study. Please answer how this technology can be utilized in this geographic region, why the methodology and technology you propose is superior to other methodologies, and how your method will develop and incorporate local data.
- c. Please describe how the method you use to determine the resident workforce percentage may be replicated by Town and County staff on an annual basis to be incorporated in the Indicator Reports (link below).
- d. Please describe your experience and approach to a) presenting to elected officials, b) facilitating small working groups, and c) communicating technical information to non-technical audiences. What challenges have you faced while doing this and what solutions have you utilized?
- e. Please describe your approach to facilitating. What methods do you use? What methods do you avoid? Please provide examples of facilitation around complex issues.

E) Budget

Provide the fees for each service provided broken out by the number of hours for each specific task, the staff person responsible for that task, and his/her hourly rate. Please also provide a “Not to Exceed Cost” for the project. Necessary travel and any other costs should be included in the Cost Proposal.

EVALUATION CRITERIA

The initial review of submittals for completeness will be conducted by the Housing Director. All complete submittals will then be reviewed by the technical stakeholder group. Town and County Staff will bring forth a recommendation to the Board of County Commissioners and Town Council based on the following criteria:

- response to the key questions.
- experience and performance, including demonstrated ability to deliver high quality, advanced work for relevant projects that are similar in complexity and scope.
- proven ability to meet deadlines and control costs.
- adequate staffing resources to complete the scope of work within the timeframe proposed; and
- proposed fees.

Please note that the Town and County reserve the right not to choose anyone.

INQUIRIES

All inquiries regarding this RFQ should be directed to ahnorton@tetoncountywy.gov. Questions will be accepted until February 24, 2020. Answers will be posted on a rolling basis at www.jhaffordblehousing.org.

RESOURCE DOCUMENTS

All respondents are encouraged to review the following resource documents:

Jackson/Teton County Comprehensive Plan
<http://jacksontetonplan.com/270/Comprehensive-Plan>

Jackson/Teton County Workforce Housing Action Plan
<http://jacksontetonplan.com/202/Housing-Action-Plan>

Engage 2017: Housing Requirements
<http://jacksontetonplan.com/161/Housing-Requirements>

Town of Jackson Land Development Regulations
<http://jacksontetonplan.com/DocumentCenter/View/934/Town-of-Jackson-Land-Development-Regulations-PDF?bidId=>

Teton County Land Development Regulations
<http://jacksontetonplan.com/DocumentCenter/View/932/Teton-County-Land-Development-Regulations-PDF?bidId=>

Annual Indicator Reports
<http://jacksontetonplan.com/35/Community-Monitoring>