Special Joint Information Meeting

TOWN COUNCIL & COUNTY COMMISSIONER MEETING

August 3, 2020
2:00 PM
Teton County Chambers
Chair: Natalia Macker

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I. ZOOM LINK FOR PUBLIC PARTICIPATION

Join the meeting via ZOOM: https://us02web.zoom.us/j/86909967124
or DIAL **1.669.900.6833** WEBINAR ID: **869 0996 7124**

II. CALL TO ORDER AND ROLL CALL

III. 2:00 pm HUMAN SERVICES PLANNING WORKSHOP

Human Service Planning Workshop. *Public comment will not be taken at the workshop*.

IV. PUBLIC COMMENT

This section is reserved for questions and comments from the public on items that are not otherwise included in this agenda. As a general practice, the Electeds will not hold discussion or debate these comments. Nor will they make any decisions on items presented during this time but rather refer items to staff for follow-up. If you would like to communicate with the Electeds during the meeting, please address them during open public comment, when public comment is called for on a specific item, or send an email to *commissioners@tetoncountywy.gov* or *council@jacksonwy.gov*.

V. CONSENT CALENDAR

All matters listed in this section are considered to be of routine nature by the governing body and will be enacted in one motion, unless it is removed from the consent calendar and considered separately by Council. Public comment may be given on any item.

A. Meeting Minutes:
   1. July 6, 2020 regular JIM
   2. July 13, 2020 special JIM

B. RFQ Award for Employee Generation by Land Use Study (Housing Nexus Study)

C. Housing Rules and Regulations Annual Clean-Up Update

VI. DISCUSSION/ACTION ITEMS

A. Structure of Pathways Task Force (Brian Schilling)

B. Housing Mitigation Rates (Tyler Sinclair) *This item is for discussion only*.

VII. MATTERS FROM COUNCIL, COMMISSIONERS, AND STAFF

VIII. PROPOSED AGENDA ITEMS FOR UPCOMING JIMs

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.

A. 9/14 Integrated Transportation Plan
B. 9/14 Human Services Plan
C. 9/14 FY21 Comp Plan Work Plan and Northern South Park RFP
D. *tbd* Childcare Baseline Inventory Next Steps

IX. 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.

TETON COUNTY AND TOWN OF JACKSON HUMAN SERVICES AND RESOURCE ALLOCATION PLAN

February 2020

TETON COUNTY WYOMING

TOWN OF JACKSON WYOMING

Prepared by

Program and Policy Insight PPI

FOREWORD

The planning process implemented to develop this Human Services and Resource Allocation plan benefited from the experience and insight of many community stakeholders. Numerous individuals provided ongoing feedback and participation. Program and Policy Insight would like to express gratitude to:

- The many individuals who completed the community survey, as well as the local agencies and organizations who encouraged the individuals they serve to participate in the survey;
- Program participants who participated in focus groups and community members who participated in interviews and the community forums to provide greater context about human service delivery and experience in the greater Teton region;
- The Human Services Planning Core Committee which provided valuable guidance and document review throughout the planning process;
- Human Services Council and System of Care member organizations who provided important feedback and budget information to support the planning process; and
- Town and County representatives who participated in interviews and community forum events, and who provided budgetary and contextual information to the project.

Any inquiries or feedback on the Human Services and Resource Allocation Plan should be directed to:
Alyssa Watkins
Board of County Commissioners Administrator
awatkins@tetoncountywy.gov

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CONTEXT

Teton County and the Town of Jackson have a history of committing funds to health and human services in the community. Contributions from the Town and County have grown by nearly 25 percent over the past 10 years as funding from federal, state, and private sources has fluctuated. Teton County and the Town of Jackson currently implement an annual budget request process where community human services providers can request funding to support service delivery in the community. Funding for these services is not organized by human service area or strategy and relies in part on previous funding allocations as precedence for future decisions. Lack of a strategic funding framework hinders elected officials' ability to assess funding commitment through key service categories and limits their ability to respond to identified community priorities or changes in the community human service context.

SCOPE

In recognition of this dynamic, in January 2019, Teton County and the Town of Jackson issued a Request for Proposal (RFP) to identify a consultant to develop a Human Services and Resource Allocation Plan for Teton County that provides strategic direction for community planning and prioritization and informs future funding decisions. Program and Policy Insight, LLC (PPI) was hired through the RFP process and was scoped to facilitate stakeholder engagement, support human service vision and mission development, and develop a Human Services and Resource Allocation plan that translated community input into recommendations for a dynamic funding environment. Project tasks centered around soliciting broad stakeholder feedback on human services and developing a clear, transparent process for identifying priorities and aligning funding decisions.

KEY FINDINGS

Human Services Vision, Mission, and Goals

Community stakeholders defined the vision of human services for the region as:

A greater Teton community in which all people can achieve their full potential for health and well-being.

The community-defined mission of the region's human services is:

To provide accessible, coordinated health and human services across the lifespan to improve quality of life in the community.

Community goals in achieving the vision are:

- Accessible services
- Integrated and coordinated services
- Lifespan well-being
- Community commitment and funding

Key Service Priorities

Figure 1 below illustrates the community human services priorities confirmed through the stakeholder engagement processes. In addition to these service-specific priorities, broader structural issues were identified, including cost of living, lack of cultural integration, social isolation, lack of dedicated human service funding, and opportunity for greater system coordination.

Figure 1: Community-Identified Teton County Human Service Priorities

Teton County Human Service Priorities		
Priority 1 Services:	**Priority 2 Services:**	**Priority 3 Services:**
• Behavioral health support • Child care • Housing stability	• Child abuse and neglect • Crisis services • Domestic violence • Food security • Income support • Physical health support	• Education and training • Employment support • Legal issue support • Oral/dental health support • Transportation support • Utilities stability

Resource Allocation Targets

Resource allocation targets were developed to align with community-identified human service area priorities, avoid abrupt changes in service levels, provide a consistent base percentage of Town and County funding by priority area, and allocate a portion of Town and County funds to a discretionary pool for flexibility and responsiveness. In reduced, level, or increased funding environments, the Town and County should aim to fund according to the following base allocation targets:

- 60 percent base allocation to services prioritized as Priority 1
- 25 percent base allocation to services prioritized as Priority 2
- 5 percent base allocation to services prioritized as Priority 3
- 10 percent discretionary fund

These percentage targets are applied to the total dollars the Town and County intend to allocate to support human service agencies. In a reduced funding environment, the allocation of the discretionary fund is to be most targeted, primarily supporting Priority 1 services, whereas in an increased environment, the discretionary fund is to be allocated more broadly among the service areas.

Future Considerations

This collaboratively developed Human Services and Resource Allocation Plan provides Teton County and the Town of Jackson with strategic tools to better support human services delivery and track progress toward improved outcomes. The resource allocation efforts within this scope of work will support associated efforts by the Town and County to develop a comprehensive human services strategic plan and evaluation plan.

Future consideration to augment this effort include:

- Development of a transparent funding application process that includes opportunity for stakeholder input on the application, includes a funding rubric to respond to changing dynamics of other funding streams, makes funding decisions based on service areas and responsive to community priorities, and assesses services across the lifespan and for special populations.
- Conduct more rigorous funding benchmark analysis to identify appropriate funding goals for the region.
- Conduct regular and rigorous community prioritization activities, including more formal needs assessments, to ensure funding remains responsive to community input and context.
- Consider greater connection between human services and housing to address the interaction that the high cost of living bears on community service needs and implementation.
- Continue to pursue strategies to improve system coordination for service access and navigation.
- Increase active contract management to advance human service outcomes in the region.

PROJECT OVERVIEW

GOAL

Teton County and the Town of Jackson have a history of committing funds to health and human services in the community. Contributions from the Town and County have grown by nearly 25 percent over the past 10 years as funding from federal, state, and private sources has fluctuated. In recognition of this dynamic, in January 2019, Teton County and the Town of Jackson issued a Request for Proposal (RFP) to identify a consultant to develop a Human Services and Resource Allocation Plan for Teton County that provides strategic direction for community planning and prioritization and informs future funding decisions.

Program and Policy Insight, LLC (PPI) was hired through the RFP process and was scoped to facilitate stakeholder engagement, support human service vision and mission development, and develop a Human Services and Resource Allocation plan that translated community input into recommendations for a dynamic funding environment. Project tasks centered around soliciting broad stakeholder feedback on human services and developing a clear, transparent process for identifying priorities and aligning funding decisions.

PROCESS

Development of human services priorities and funding guidelines were built around five key project tasks: background data review, stakeholder engagement, synthesis of human service categorization frameworks, analysis of current human services funding, and development of resource allocation scenarios. Each of these tasks is described briefly below.

Background Data Review

The human services planning project was informed by existing data and reports that provide insight on the human services context, service delivery system, and needs in the community. The human services planning project did not include a formal needs assessment component, so cannot assess service need relative to existing resources. However, it did review community needs assessment and human service analyses conducted recently in the region to inform service context. Referenced documents included, among others:

- The Systems of Care White Paper
- The Human Service Network Analysis
- Teton County Community Youth Needs Analysis
- Mental Health and Substance Use Disorders in Teton County 2019 Report
- Teton County Community Health Needs Assessment

PPI also collected germane U.S. Census Bureau and other secondary data to support greater understanding of human services needs and context in the region. Key secondary data considered included poverty figures, cost of living/living wage estimates, key health and behavioral health indicators, and key childhood health indicators. For more detailed information on the background data and report review please see Appendix A: Teton Context and Appendix C: Prioritization of Service Areas Based on Contextual Data.

Stakeholder Engagement

The human services planning process incorporated multiple methods of stakeholder engagement. To support project implementation, the process was aided by a Core Committee that served in an advisory capacity to review and provide feedback on project goals, activities, and deliverables. The Core Committee was comprised of a representative group of stakeholders, identified through a nomination process, that included human services providers, at large community members, human services program participants, and Town and County representatives.

In addition to Core Committee guidance throughout the project, PPI solicited active community engagement through six primary activities:

1. Individual interviews with 25 respondents including human services providers, government officials, community members, and program funders.
2. Seven (7) focus groups with human services program participants including seniors, people with low-income, people with English as a second language, people with mental illness or substance use disorder, survivors of domestic violence, and other community members participating in human services programs.
3. A community survey, offered online and in print in English and Spanish, that was advertised through community newspapers and service providers; 331 total survey responses were collected.
4. A Community Forum in October advertised and open to the public to introduce the human services planning project and solicit community input on human service goals, vision, and mission; the Community Forum was attended by approximately 20 community members.
5. A facilitated workshop with Systems of Care provider members to discuss obstacles and critical success factors to achieving the draft human service goals developed during the Community Forum. Approximately 20 members of the Systems of Care working group attended the workshop.
6. A Human Services Forum in November advertised and open to the public to review project status, present community priorities, and solicit feedback on preliminary findings; 30 people attended the Human Services Forum.

These varied stakeholder engagement strategies were designed to capture multiple perspectives on human services in Teton County. Key topic areas explored through stakeholder engagement included the importance of different human services, the scale of the impact of different human service issues in the community, availability of services, and the use of local public resources to address different human service needs.

Development of a Human Service Framework

Teton County and the Town of Jackson currently implement an annual budget request process where community human services providers can request funding to support service delivery in the community. Funding for these services is not organized by human service area or strategy and relies in part on previous funding allocations as precedence for future decisions. Lack of a strategic funding framework hinders elected officials' ability to assess funding commitment through key service categories and limits their ability to respond to identified community priorities or changes in the community human services context.

To provide strategic direction for future funding decisions, PPI researched a range of existing human services frameworks established in the field to organize and structure human service development, implementation, funding, and results. Human services frameworks that were consulted in the review process included:

- Social determinants of health
- Social ecological model
- Two generation model of human service delivery
- Collective impact model
- Maslow's hierarchy of human needs
- Seven domains of Human Services Outcomes Framework (NSW)
- Australian Social Values Bank
- Healthy People 2020/2030

In addition, PPI reviewed peer community human services frameworks and funding models to inform development of the greater Teton region structure. For a more detailed summary of the referenced human service frameworks, please see Appendix B: Overview of Guiding Human Services Frameworks.

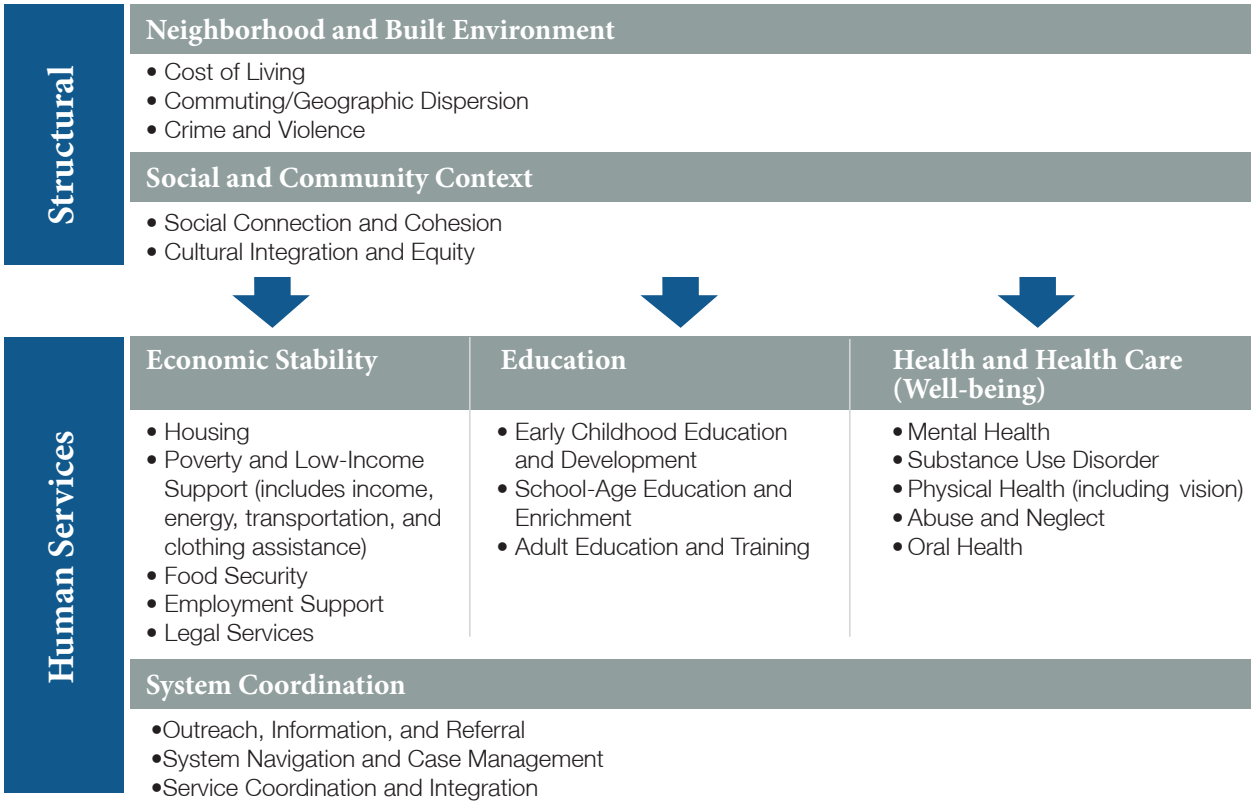
The final human services framework used to guide the resource allocation development blended concepts identified in the Healthy People 2020/30 Social and Physical Determinants of health with services identified through Frederic Reamer's A Guide to Essential Human Services. PPI then integrated economic and social structural issues in Teton County that impact human services, as identified through the community engagement process.

Highlights of the framework include:

- Key human services categories include Economic Stability, Education, and Health and Health Care (Wellbeing).
- System Coordination is an integral component of human services delivery that cuts across service categories.
- Key structural issues impacting human services in Teton County include factors related to the Neighborhood and Built Environment (such as affordability and geographic dispersion) and Social and Community Context (such as social connection and cultural integration).[1]

Figure 2 provides an overview of the human services framework used to structure the resource allocation scenarios.

Figure 2: Proposed Human Services Framework for Teton County



[1] Identified structural factors were not included in the resource allocation modeling.

Service Prioritization

PPI developed a framework to analyze across data sources and identify draft priority service areas. The service priorities reflect input from a broad spectrum of the community, including program participants, residents, and service providers. Prioritization criteria were developed for each data source, and human service areas were assigned a priority point if they were identified as a priority within the data source. For each human service area, prioritization by data source was tallied. For example, service areas that were prioritized by three or four data sources were identified as Priority 1 Service Areas. These included behavioral health support (mental health and substance use disorder), child care, and housing stability. Populations of focus (children and youth, seniors, immigrants, people with disabilities) and variation in prevalence of need were also analyzed. Broader economic and social structural findings were also identified in the process. Figure 6: Teton County Human Service Priorities and Focus Populations, presented within the Project Findings section, shows the results of service prioritization based on the community engagement process.

Funding Analysis

Current human services funding processes prevent the Town or County from assessing the aggregate level of funding support provided to various human service areas. To facilitate this process, PPI asked Town and County human services funding recipients to estimate the share of their Town or County human services funding that was used in different service categories. Some organizations allocated all of their funding toward one service (e.g. behavioral health support), while other distributed their funding dollars across human service areas (e.g. education and training, crisis services, and legal issue support, for example).

Disaggregating human services funding was challenging for many providers, especially those that provide cross-service support or system coordination. Additionally, some services may be provided by agencies not receiving Town or County funding, and therefore may not be reflected in the funding analysis. Despite these limitations, this process provided a useful baseline to gauge current Town and County funding levels by service area. Future implementation of this budget allocation request process may be refined to more closely reflect service providers' experience budgeting and delivering services.

Once baseline funding levels were established by service area, PPI analyzed current funding patterns for the service priorities that were identified by the community. Current regional human service funding generally aligns with the community-identified service priorities, with the highest proportion of funds currently going to Priority 1 services and the lowest proportion currently going to Priority 3 services (see Figure 6 in the Project Findings section below). The Funding Analysis Results section summarizes the results of this analysis.

Resource Allocation Model Development

The resource allocation scenario planning that PPI developed to help guide human services funding in a dynamic environment relies on two core principles:

- The scenarios enable the public, policymakers, and service providers to envision and assess service levels in incremental revenue environments, from reductions in current funding to full funding.
- The resource allocation targets set are responsive to the community-defined service priorities.

In these ways, the scenarios not only enable stakeholders to assess the impact of various funding levels, they align expenditures with community priorities.

The proposed resource allocation scenarios include three potential funding environments: reduced, level, and increased. In each scenario, funding should include a consistent base percentage of Town and County funding by service area to facilitate a certain level of funding predictability for human service agencies. Funding should also include a discretionary pool that enables the Town and County to respond to changing funding conditions, augment base funding allocations, or address emerging needs. The proposed base

and discretionary funding at each resource environment is presented in Figure 3; for more detail on the resource allocation scenarios, please see the Resource Allocation Scenario section within Project Findings.

Figure 3: Proposed Resource Allocation Scenarios to Guide Funding Decisions (Based on Total Town and County Resources Dedicated to Human Services)

Funding Level	Base Funding Allocation	Discretionary Funding Allocation
Reduced	• 60%: Priority 1 Service Areas • 25%: Priority 2 Service Areas • 5%: Priority 3 Service Areas	• 10% o Allocate primarily to Priority 1 services o Backfill losses within priority service areas to extent possible
Level	• 60%: Priority 1 Service Areas • 25%: Priority 2 Service Areas • 5%: Priority 3 Service Areas	• 10% o Allocate according to human services priorities (most to Priority 1 and least to Priority 3) o Secondarily be responsive to changes in the service environment
Increased	• 60%: Priority 1 Service Areas • 25%: Priority 2 Service Areas • 5%: Priority 3 Service Areas	• 10% o Allocate more broadly to Priority 2 and Priority 3 services, which may have experienced the largest reduction in allocations under other funding scenarios

COMMUNITY INPUT

Mission and Vision Development

Community stakeholders defined a vision, mission, and goals for human services in the greater Teton community. The work to articulate this shared direction occurred through multiple meetings and workshops, including the October 16, 2019 community forum, the October 17, 2019 System of Care meeting, and the November 12, 2019 human services forum. Figure 4 below presents the greater Teton community human services vision, mission, and goals.

Figure 4: Human Services Vision, Mission, and Goals for the Greater Teton Community

Vision	A greater Teton community in which all people can achieve their full potential for health and well-being.
Mission	To provide accessible, coordinated health and human services across the lifespan to improve the quality of life in the community.
Goals	1. Accessible Services. Our community's health and human services are available, inclusive, equitable, and accessible to all. 2. Integrated and Coordinated Services. Our community practices truly integrated and coordinated care across the system. 3. Lifespan Well-being. Our community provides quality services to promote health and well-being across the lifespan. 4. Community Commitment and Funding. Our community makes human services a priority and acts to support individuals' and families' well-being, including through the provision of health and human services funding.

These goals are defined at a high-level since they apply universally across human services. The System of Care identified obstacles and critical success factors associated with each of the goals, which can be used to develop effective strategies.[2]

Key Service Priorities

Human Services Priority Findings

Stakeholder input was designed to elicit feedback on community human services priorities and opportunities in Teton County.[3] As noted above, the human services categories defined for the process were informed by similar work completed in other regions, as well as human services literature that identifies essential human services. Stakeholders were asked to provide feedback on:

- The importance of key human services areas, including the scale of the problem and the scale of the impact on the community.
- Availability of human services in the community, including variation in access for different populations within the community.

[2] Please see Appendix D for identified obstacles and critical success factors.
[3] For a list of human services included in the data collection process, please see Appendix E.

- The perceived sufficiency of funding across human services areas and the most strategic use of public resources to complement the funding context.

PPI developed a framework to structure analysis across data sources and identify consensus on priority service areas. The service prioritization process incorporates broad community input, including feedback from program participants, residents, and service providers. Prioritization criteria were developed for each data source, and human service areas were assigned a priority point if they were identified as a priority within the data source. Figure 5 below describes prioritization criteria developed for each data source. Appendix C provides the contextual data that was used in the prioritization process.

Figure 5: Criteria Used to Identify Service Priorities within each Data Source

Data source	Criteria used to assign priority
Community survey	• Was selected as a Very Important human service need by at least 60 percent of survey respondents OR • Was selected as a Top 3 Human Service priority by at least 25 percent of survey respondents.
Focus group	• Emerged as a concern with respect to scale, negative impact, or availability by at least four of the seven focus groups
Interviews	• Emerged as a concern by at least 50 percent of interview respondents
Contextual data	• Was an apparent negative discrepancy between Teton County and Wyoming as a whole OR • Was identified as a large-scale challenge affecting more than 10 percent of the Teton County population OR • Was an identified disparity in outcomes for distinct population groups

For each human service area, prioritization by data source was tallied to produce an aggregate priority score. Service areas that were prioritized by three or four data sources were identified as Priority 1 Service Areas. Priority 2 Service Areas were identified as a priority by one or two data sources, and Priority 3 Service Areas were identified as a priority for more targeted subsets of the population, rather than the community as a whole.

After PPI identified service priorities that emerged from the stakeholder engagement process, they conducted a Human Services Forum to share preliminary results and validate findings. The Human Services Forum included a priority dot exercise intended to determine the extent to which community members agree with the identified priorities. Human Services Forum feedback suggested strong agreement with human services priority findings. Figure 6 below illustrates the community human services priorities confirmed through the stakeholder engagement and forum processes.

Figure 6: Community-Identified Teton County Human Service Priorities

Teton County Human Service Priorities
Priority 1 Services: • Behavioral health support • Child care • Housing stability
Priority 2 Services: • Child abuse and neglect • Crisis services • Domestic violence • Food security • Income support • Physical health support
Priority 3 Services: • Education and training • Employment support • Legal issue support • Oral/dental health support • Transportation support • Utilities stability

Structural Findings

In addition to human service priorities, community feedback identified numerous economic and social-structural issues that impact human services demand and delivery in Teton County. These issues are not the direct purview of human services but are often key drivers in human services demand and implementation success. Key structural issues described by stakeholders include:

Cost of Living/Housing

The cost of living, particularly with respect to housing, in Teton County increases instability among human services clients. Many Teton area residents experience severe rent burden (defined as paying more than 50 percent of income towards rent), and families living on low-income or struggling with other expenses may need to choose between housing, food, or health care bills. The economic precarity resulting from the cost of living may lead to increased stress and demand for behavioral health and other social services.

Additionally, high cost of living impacts staffing stability at human services agencies. Slim operational budgets and increased demand for services leave little margin to increase staff salaries commensurate with regional cost of living. This dynamic leads to increased staff turnover and high staff stress among human services providers.

Finally, the high cost of living also impacts individuals and families' abilities to participate in needed assistance programs. Salaries may exceed eligibility requirements for federally and state-funded assistance programs, yet still render greater Teton region residents unable to pay for housing and living expenses in the region. The disparity between program eligibility and economic sufficiency increases demand on other community services to fill the gap.

Lack of Cultural Integration

Stakeholders cited a lack of integration between traditional residents and cultural minorities, and limited community-wide strategies to increase reception and incorporation across populations. Cultural isolation among non-Native speakers, first-generation residents, and recent arrivals to the region, among other groups, may increase feelings of stress that impact demand for other social services. Additionally, language barriers, variation in social norms regarding use of social services, lack of information about available services, and limited ability to navigate the service delivery system all impact access for these groups.

Lack of Social Support or Social Isolation

Broader lack of social support or social isolation can impact any resident and increase behavioral health, medical, and social support needs. Stakeholders identified multiple groups that often face social isolation in the community, including seniors, people with disabilities, and cultural minorities. These groups may face unique service needs to provide needed social support.

Lack of Stable Dedicated Funding for Human Services

Although federal and state dollars may flow through public health, welfare, or workforce programs, there is little dedicated funding to support the network of services complimenting these state and federal programs. Without a defined source of dedicated Town and/or County funding, human services providers note spending disproportionate resources on fundraising rather than delivering needed services. Additionally, as federal and state funding sources decrease, the need for fundraised resources increases, exacerbating the instability in service delivery. The Town and County have increased funding in recent years in response to decreases in federal and state sources, however, human services providers note lack of certainty about the stability of these funding sources from year to year, limiting providers ability to plan strategically.

Opportunity for Increased Service Coordination

Community stakeholders noted an opportunity to increase service coordination to help participants access and navigate needed services. For example, stakeholders reported challenges when they had to refer to different agencies to meet a client's needs, requiring outreach to several agencies to access services, and once connected, feeling frustrated that no one agency was responsible for managing the client's case.

FUNDING ANALYSIS RESULTS

CURRENT TOWN & COUNTY HUMAN SERVICES FUNDING ENVIRONMENT

Analysis of Town and County budgets, prior human services funding analyses, and spending by human service area revealed the following key findings:

- As shown in Figure 7, current (FY 2019/20) Town and County regional human services funding generally aligns with the community-identified human services priorities, with the highest proportion of funds currently going to Priority 1 services and the lowest proportion currently going to Priority 3 services.[4]
- As shown in Figure 8, Town and County funding for human services is currently allocated predominately to Health and Health Care services (66%), followed by Education (16%), and then Economic Stability (15%). Two percent of funds are allocated to System Coordination services.[5]
- According to 2017 data collected by the ten member agencies of the Human Services Council, Town and County funding accounts for approximately 12 percent of their collective revenue.[6]
- The 2019/20 Town and County funding for human services agencies reflects a 14 percent increase over the 2017/18 funding for human service agencies.

Figure 7: 2019/20 Actual Resource Allocation by Priority Tier

2019/20 Expenditure	Town $ 801,422		County $ 1,560,111		Joint $ 2,361,532	
Priority 1	**$ 376,623**	**47%**	**$ 979,667**	**63%**	**$ 1,356,290**	**57%**
Economic Stability: Housing	$ 8,889	1.1%	$ 8,860	0.6%	$ 17,749	0.8%
Education: ECE and Development	$ 101,400	13%	$ 212,750	14%	$ 314,150	13%
Health & Health Care: Mental Health	$ 191,672	24%	$ 607,428	39%	$ 799,100	34%
Health & Health Care: Substance Use Disorder	$ 74,662	9%	$ 150,629	10%	$ 225,291	10%
Priority 2	**$ 322,117**	**40%**	**$ 460,709**	**30%**	**$ 782,826**	**33%**
Economic Stability: Poverty and Low-Income Support	$ 92,298	12%	$ 127,800	8%	$ 220,098	9%
Economic Stability: Food Security	$ 10,000	1.2%	$ 12,899	0.8%	$ 22,899	1.0%
Health & Health Care: Physical Health	$ 54,905	7%	$ 72,591	5%	$ 127,496	5%
Health & Health Care: Abuse and Neglect	$ 164,914	21%	$ 247,419	16%	$ 412,333	17%
Priority 3	**$ 102,682**	**13%**	**$ 119,735**	**8%**	**$ 222,417**	**9%**
Economic Stability: Employment Support	$ 43,146	5%	$ 47,678	3%	$ 90,824	4%
Economic Stability: Legal Services	$ 1,448	0.2%	$ 9,957	0.6%	$ 11,405	0.5%
Education: School-Age Education and Enrichment	$ 34,440	4%	$ 37,700	2%	$ 72,140	3%
Education: Adult Education and Training	$ 1,148	0.1%	$ 1,900	0.1%	$ 3,048	0.1%
Health & Health Care: Oral Health	$ -	0%	$ -	0%	$ -	0%
System Coordination: Outreach, Access, Navigation, and Case Management	$ 22,500	3%	$ 22,500	1.4%	$ 45,000	2%

Source: Human services agency self-report of approximate use of 2019/20 Town and/or County funds by service area; crosswalk to current human services framework conducted by Program and Policy Insight.

[4] Figure 7 provides the 2019/20 Town and County resource allocations by service area priority (Priority 1 through 3) and service area category. The third column presents total funding summed across Town and County.

[5] Figure 8 presents the 2019/20 Town and County resource allocations sorted by human service area. The colors in the figure correspond to the service area priority tier, where red indicates Priority 1, orange indicates Priority 2, and yellow indicates Priority 3.

[6] Human Services Council presentation, October 9, 2017.

Figure 8: 2019/20 Actual Resource Allocation by Service Area

2019/20 Expenditure	Town $ 801,422		County $ 1,560,111		Joint $ 2,361,532	
Economic Stability	**$ 155,781**	**19%**	**$ 207,194**	**13%**	**$ 362,975**	**15%**
Housing	$ 8,889	1%	$ 8,860	1%	$ 17,749	1%
Poverty and Low-Income Support	$ 92,298	12%	$ 127,800	8%	$ 220,098	9%
Food Security	$ 10,000	1%	$ 12,899	1%	$ 22,899	1%
Employment Support	$ 43,146	5%	$ 47,678	3%	$ 90,824	4%
Legal Services	$ 1,448	0.2%	$ 9,957	0.6%	$ 11,405	0.5%
Education	**$ 136,988**	**17%**	**$ 252,350**	**16%**	**$ 389,338**	**16%**
Early Care & Education and Development	$ 101,400	13%	$ 212,750	14%	$ 314,150	13%
School-Age Education and Enrichment	$ 34,440	4%	$ 37,700	2%	$ 72,140	3%
Adult Education and Training	$ 1,148	0%	$ 1,900	0%	$ 3,048	0%
Health & Health Care	**$ 486,153**	**61%**	**$ 1,078,067**	**69%**	**$ 1,564,220**	**66%**
Mental Health	$ 191,672	24%	$ 607,428	39%	$ 799,100	34%
Substance Use Disorder	$ 74,662	9%	$ 150,629	10%	$ 225,291	10%
Physical Health	$ 54,905	7%	$ 72,591	5%	$ 127,496	5%
Abuse and Neglect	$ 164,914	21%	$ 247,419	16%	$ 412,333	17%
Oral Health	$ -	0%	$ -	0%	$ -	0%
System Coordination	**$ 22,500**	**3%**	**$ 22,500**	**1%**	**$ 45,000**	**2%**
Outreach, Access, Navigation, and Case Management	$ 22,500	3%	$ 22,500	1%	$ 45,000	2%
Discretionary	**$ -**	**0%**	**$ -**	**0%**	**$ -**	**0%**

Source: Human services agency self-report of approximate use of 2019/20 Town and/or County funds by service area; crosswalk to current human services framework conducted by Program and Policy Insight.

Anticipated Funding Environments

While it is not possible to concretely forecast future revenue from the sources supporting the Teton region's human services agencies – including federal, state, local and private dollars – the ongoing revenue challenges at the state level lead regional stakeholders to anticipate continuing reductions in state funding for human services agencies.[7] Therefore, depending on the size of the state reductions and assuming no other changes in the broader funding context (federal, local or private revenue), the regional human services scenario is likely to be "level" or "reduced" in the foreseeable future unless new revenue mechanisms are pursued.[8]

RESOURCE ALLOCATION SCENARIOS

Resource Allocation Scenario Criteria

The resource allocation targets described below result from the application of the following criteria:

1. Resource allocation targets should align with community-identified human service area priorities.
2. Resource allocation changes should be gradual from year to year in order to avoid abrupt changes in service levels.
3. Resource allocation targets should provide a consistent base percentage of Town and County funding by priority area to facilitate a certain level of funding predictability for human services agencies.
4. Resource allocation targets should allocate a proportion of Town and County funds to a discretionary pool to enable local responsiveness to changing funding conditions and to positively augment base funding allocations, when possible.
5. If there is a tension between these criteria, adjust allocation proportions to result in a compromise allocation.

[7] Human Service Mill Levy Talking Points – from TYFS," received December 23, 2019, and "Teton County System of Care 2017 – Budget Cuts"
[8] See the funding recommendation in this document for more information, as well as Appendix F for a summary of county funding research.

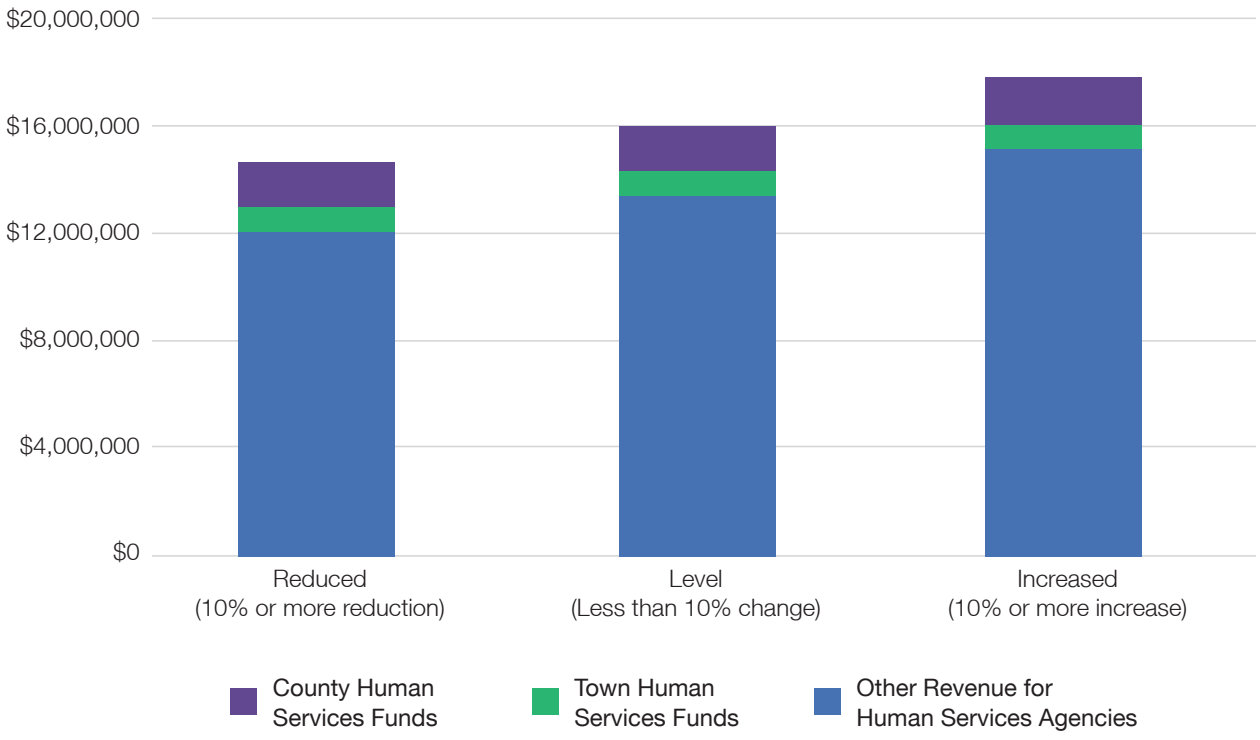
Resource Scenario Determination

With each funding cycle, prior to allocating funds to human services agencies, the Town and County should use revenue information provided by the applicant agencies to determine the current funding environment based on the following parameters:[9]

- **Reduced:** Ten (10) percent or more reduction relative to the prior fiscal year in total human services revenue among applicant agencies, including public (federal, state, county, or town) or private (fund-raising or fee for service) dollars.
- **Level:** Less than 10 percent change relative to the prior fiscal year in total human services revenue among applicant agencies, including public (federal, state, county, or town) or private (fundraising or fee for service) dollars.
- **Increased:** Ten (10) percent or more increase relative to the prior fiscal year in total human services revenue among applicant agencies, including public (federal, state, or local) or private (fundraising or fee for service) dollars.

Figure 9 provides a visual demonstration of the three different resource scenarios using hypothetical funding amounts, tacking the Level resource scenario to a 2017 estimate of all revenue for the 10 agencies that make up the Human Services Council. The Reduced resource scenario is 10 percent less than the Level scenario and the Increased is 10 percent more. In this demonstration, the Town and County allocations remain steady, although there may be fluctuations from year to year.

Figure 9: Demonstration of Change in Human Services Resource Scenarios



Source: This hypothetical estimate of total revenue for Teton County regional human services agencies is based on a Human Services Council report from 2017 which tallied the revenue of the 10 member agencies at approximately $16 million in fiscal year 2016/17. The Town and County amounts are based on 2019/20 actual human services funding.

[9] Since the determination of the funding environment for Town and County funding purposes is based on the revenue of applicant agencies, year-over-year comparisons in human services agency revenue could be influenced by new agencies applying for funds. In this event, Town and County stakeholders can use their judgement as to omit the revenue reported by the newly applying agency (agencies) or to include these dollars in the assessment.

Allocation of Funds According to the Resource Scenario

The resource scenario influences how dollars are to be allocated. This framework proposes a steady base allocation, regardless of resource scenario, and a discretionary fund that is responsive to the resource scenario.

Base Allocation

In all resource scenarios, the Town and County should aim to fund according to the following base allocation targets:

- 60% base allocation to services prioritized as Priority 1
- 25% base allocation to services prioritized as Priority 2
- 5% base allocation to services prioritized as Priority 3
- 10% discretionary fund

These percentage targets are applied to the total dollars the Town and County intend to allocate to support human services agencies. For example, in 2019/20, that amount was approximately $800,000 and $1.56 million, respectively. As the percentages are targets, some variation in funding above or below these targets is to be expected.

Using a hypothetical investment of $2.36 million between the Town and County, Figure 10 provides a visual representation of the base allocation and the 10 percent discretionary fund.

Figure 10: Demonstration of Town and County Human Services Funding Allocation Based on Hypothetical $2.36 Million Funded

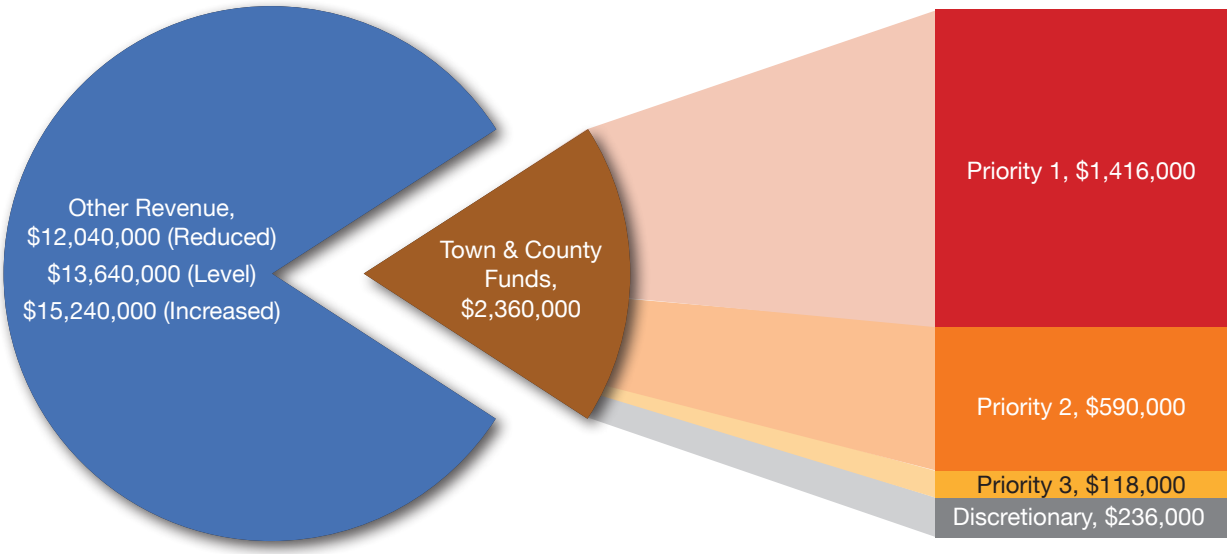


Figure 11 below provides an at-a-glance depiction of how discretionary funding would be handled in different funding environments, or resource scenarios. More detail on the allocation of the discretionary fund is provided below, in the Discretionary Fund Allocation sub-section.

Figure 11: Target Distribution of Discretionary Funding Pool to Service Priority Tiers Based on Resource Scenario

		Service Priority Tier		
		Priority 1	Priority 2	Priority 3
Resource Scenario	Increased	Least	Moderate	Most
	Level	Most	Moderate	Least
	Reduced	Significant backfill of losses in this tier	Modest-to-minimal backfill of losses in this tier	Minimal-to-no backfill of losses in this tier

Using 2019/20 funding levels as a demonstration, Figure 12 provides an illustration of how funds would be allocated according to the resource allocation targets. This model is not informed by past funding levels therefore percentage targets at the sub-area level are not set. This provides the Town and County with the most flexibility to allocate funds within each priority area in response to the funding requests received. Following the first year of this flexible funding model, the Town and County could decide to set targets at the sub-area based on the previous year's funding levels or other factors.[10]

Figure 12: Base Resource Allocation Targets by Priority Tier (demonstration based on 2019/20 amount funded)

Town	$ 800,000		$ 1,560,000		$ 2,360,000	
Priority 1	**$ 480,000**	**60%**	**$ 936,000**	**60%**	**$ 1,416,000**	**60%**
Economic Stability: Housing Education: ECE and Development Health & Health Care: Mental Health Health & Health Care: Substance Use Disorder						
Priority 2	**$ 200,000**	**25%**	**$ 390,000**	**25%**	**$ 590,000**	**25%**
Economic Stability: Poverty and Low-Income Support Economic Stability: Food Security Health & Health Care: Physical Health Health & Health Care: Abuse and Neglect						
Priority 3	**$ 40,000**	**5%**	**$ 78,000**	**5%**	**$ 118,000**	**25%**
Economic Stability: Employment Support Economic Stability: Legal Services Education: School-Age Education and Enrichment Education: Adult Education and Training Health & Health Care: Oral Health System Coordination: Outreach, Access, Navigation, and Case Management						
Discretionary	**$ 80,000**	**10%**	**$ 156,000**	**10%**	**$ 236,000**	**10%**

The resource allocation targets have the following features:

- They use the joint Town and County percentages to understand current regional human services funding distributions.
- They create Town and County alignment by setting the same allocation targets for both entities.
- They honor the community-identified priorities by providing a modest increase to Tier 1 spending (relative to the 2019/20 baseline), a modest decrease to Tier 2, and a more substantial decrease to Tier 3.

[10] For an example of resource allocation targets at the sub-service level using 2019/20 funding as a reference, please see Appendix K.

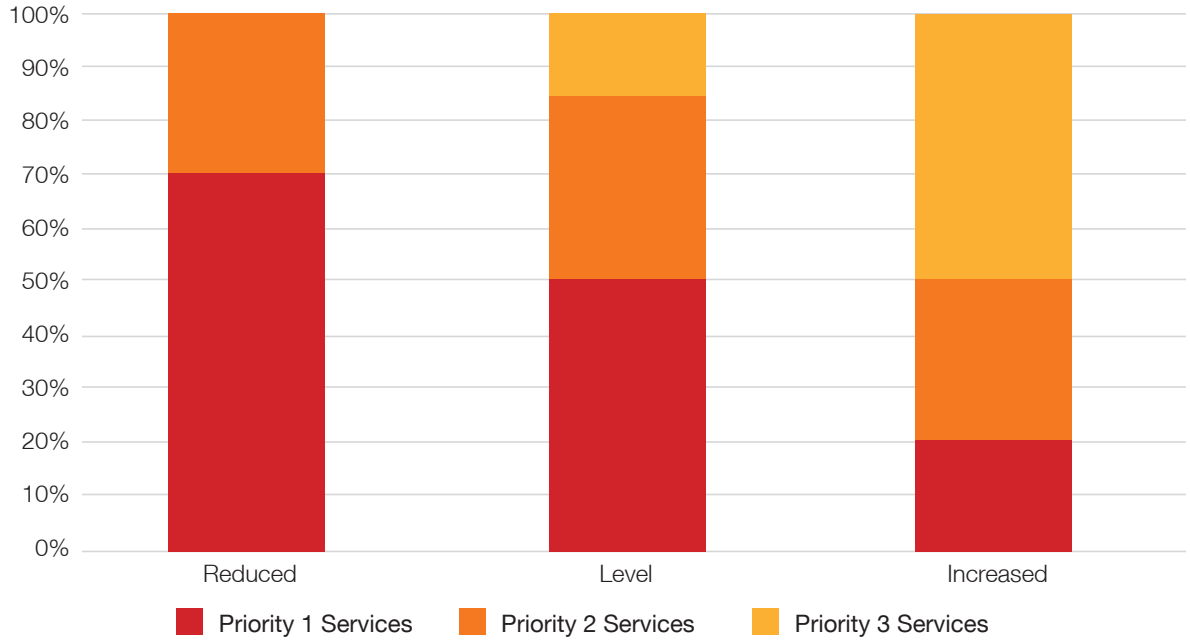
- They provide a base allocation percentage in any funding environment, where 90 percent of the Town and County human service funds available are distributed proportionally according to the base allocation guidelines.
- They provide a 10 percent discretionary pool, which enables the augmentation of base funding in response to dynamic funding environments – reduced, level, or increased.

Discretionary Fund Allocation

The discretionary fund enables the Town and County to be responsive to different revenue environments and newly identified needs. Since the intent is for these funds to be flexible, there are no specific target percentages, however, the following recommendations can provide some guidance on how those funds should be allocated depending on the resource scenario. Figure 13 provides a visual demonstration of how the discretionary fund could be allocated depending on the funding environment.

- **Reduced:** Town and County discretionary funds are to be targeted primarily to Priority 1 services or allocated to backfill losses in a particular service area, to the extent possible, while continuing to respect the identified human services priorities. For example, a substantial cut in federal dollars for a Priority 3 program may be allocated some discretionary dollars, but given its priority level, all or most discretionary dollars should still be allocated to Priority 1 services, and secondarily to Priority 2 services.
- **Level:** Town and County discretionary funds are allocated primarily according to community-identified priorities, with most going to Priority 1 services and least to Priority 3, and secondarily responsive to changes in the service environment, such as a newly identified increased demand for a particular service.
- **Increased:** The discretionary allocation must consider where the new dollars can be spent:
  - Assuming new dollars are for human services generally, allocate discretionary dollars more broadly to Priority 2 and/or 3 services which may have experienced the largest reductions in allocations under current and reduced funding environments.
  - Assuming the new dollars are targeted to specific services, use discretionary dollars to fund services that did not receive new dollars, with priority given to Priority 2 and/or Priority 3 services.

Figure 13: Demonstration of Possible Allocation of Discretionary Funds by Resource Scenario



Funding Recommendation

Teton County and the Town of Jackson are interested in determining overall funding goals for the amount of Town and County funding dedicated to supporting human services in the region. In response to this interest, PPI initiated a review of academic literature on county and city human services spending, as well as a review of similar counties' budget and expenditure information available online. Data limitations and variation in budget methodology precluded direct comparisons with average human services spending and peer county data. Recommendations to refine the budget review to develop a more precise funding guideline are provided below.

Based on the limited data available for analysis, PPI identified multiple counties that allocate a dedicated 0.9 mill levy towards human services.[11] This 0.9 mill levy is in addition to other county and city human services spending, including dedicated human services departments, funding streams, and staff not supported by the 0.9 mill levy. In some cases, money generated through the 0.9 mill levy is targeted to fill the void left by state and federal funding cuts to health and human services, which was a key motivation in Teton County for developing the human services plan and funding strategies.

In the absence of a more robust funding comparison recommended below, and based on available data, we suggest the following funding considerations:

- Until more directly comparable research is conducted, the 0.9 human services mill levy identified in several counties may serve as an initial proxy point for a discussion regarding a funding benchmark.
- Analysis by PPI, and confirmed by the Teton County assessor, on Teton County human services spending from the General Fund suggested that if the County's current human services funding were to be calculated "in mills" it would be roughly equivalent to 0.75 mills.
- Increasing the County contribution towards human services by the equivalent of approximately 0.15 mill, to total 0.9 mill as a preliminary proxy point, would total roughly $293,000. Increasing the Town contribution by an analogous amount (0.20 of FY19/20 human services investment) would total an additional $167,000.
- These figures may be useful initial starting points for discussion regarding a Teton County regional human service funding benchmark. The amount of dollars directed at human services each year (e.g. the equivalent of 0.9 mill levy at the County and a commensurate amount from the Town) would reflect variation in General Fund revenue over time.
- As discussed above, completing a more robust analysis with similar counties and towns would strengthen contextual information for determining appropriate Teton regional human service funding benchmarks.

[11] Please see Appendix F for a summary of county funding research.

This section provides suggestions for potential next steps for the Town and County to consider as they implement the human services and resource allocation plan.

DEVELOP FUNDING SOLICITATION PROCESS

The ability to implement the human services and resource allocation plan as proposed will require modifications to the information that the Town and County solicit from the agencies seeking funding and the process by which funding decisions are made. Stakeholders may want to consider the following recommendations in the process of developing a procurement process that is responsive to the human services plan. Several recommendations are informed by Harvard Kennedy School Government Performance Lab work on supporting results-driven procurement systems and related best practices. Copies of requests for proposals collected from comparison counties and reviewed by PPI can be provided upon request.

Sample shell matrices are provided to illustrate possible ways to collect the needed data from requesting agencies with the least amount of burden. To facilitate analysis by service priority area, PPI recommends using an electronic database or online survey service that can easily collect and compile all funding requests by service area.

- **Convene a stakeholder working group.** The intent of the stakeholder working group is to reflect on the Town and County's goals with respect to funding human services and develop a procurement request or application process that achieves those goals. The stakeholder group can also provide feedback on practical elements of the application process, including the feasibility of providing the requested information and response burden. The Harvard Kennedy School Government Performance Lab provides a step-by-step process for creating robust procurement requests. Note that the stakeholder working group is to provide input on the new funding application; it is not intended to make funding decisions.
- **Develop a funding rubric that incorporates the changing dynamics of other funding streams.** To determine the funding environment – reduced, level, or increased – the resource allocation scenarios assume that the Town and County have information on the variety of revenue streams supporting the activities of the region's human services agencies. A request for this information should be included in the application process. PPI recommends using the following revenue categories that were used in a Human Services Council research effort in 2017:
    - Federal grants or contracts
    - State grants or contracts
    - Teton County funds or contracts
    - Town of Jackson funds or contracts
    - Other County grants or contracts (specify counties)
    - Other State grants or contracts (specify state(s))
    - Fees for services / earned income
    - Private fundraising
    - Other

  In addition to considering the revenue of the requesting human services agencies, the Town and County may also want to assess the local investment in programs such as TANF, SNAP, or other human services programs administered locally by state or federal agencies. Doing so would provide the broadest assessment of the regional human services funding environment, but it could be challenging to obtain reliable figures.

Since the revenue information collected from the agencies responding to the application request would be actual revenues from the prior fiscal year funding, any anticipated changes to the previous year's revenue amounts should be estimated by the responding agencies. This could take the form of an anticipated dollar amount or percent change for each revenue source. Justification for the anticipated change should be noted. Barring information on anticipated changes, the assumption should be that future revenue will be roughly on par with the previous year.

With this information compiled, the Town and County can determine the resource scenario that will guide the allocation of the discretionary fund for the funding cycle.

Sample data collection matrix:

	Prior FY Revenue (Actual)	Anticipated Percent or Dollar Change	Anticpated Revenue	Rationale for Anticipated Change
Federal grants or contracts	$	% or $	$	text
State grants or contracts	$	% or $	$	text
Teton County grants or contracts	$	% or $	$	text
Town of Jackson grants or contracts	$	% or $	$	text
Other County grants or contracts (specify counties)	$	% or $	$	text
Other State grants or contracts (specify state(s))	$	% or $	$	text
Fees for services / earned income	$	% or $	$	text
Private fundraising	$	% or $	$	text
Other	$	% or $	$	text

- **Collect funding request amounts by service area.** To enable the Town and County to allocate funds according to the appropriate resource allocation scenario, the application must ask applicants to identify the human service area(s) they serve. These are broad categories, and most agencies provide a range of services, but the agencies should be encouraged to identify their core service area or areas. Highly cross-service agencies may want to propose several project alternatives (see recommendation below).

Sample data collection matrix:

Funding Request (in dollars)	Service Areas (select one service area per line item)													
	Economic Stability					Education			Health and Health Care					System Coordination
	Housing	Poverty and Low-Income Support	Food Security	Employment Support	Legal Services	Early Childhood Education and Development	School-Age Education and Enrichment	Adult Education and Training	Mental Health	Substance Use Disorder	Physical Health	Oral Health	Abuse and Neglect	Outreach, Access, Navigation, and Case Management
$	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
$	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
$	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
$	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
$	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
$	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
$	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
$ total	$	$	$	$	$	$	$	$	$	$	$	$	$	$

- **Assess services across the lifespan and for special populations.** As noted above, the prioritization work conducted through this project identified a focus on the needs of children, youth, and seniors; however, there was widespread recognition that the human services system must serve across the lifespan. Similarly, while it is imperative that the human services system meets all needs, the community engagement work identified the particular needs of recent immigrants and people with disabilities. At minimum, funding requests should identify the populations to be served by Town and/or County funds. In developing the application, staff should consider whether asking agencies to provide service or client counts, when possible and applicable, would be valuable additional detail. Stakeholders will want to determine if priority should be given to proposals that serve the identified focus populations or if the Town and County should simply ensure that there is coverage for the focus populations across all the submitted proposals.

  Sample data collection matrix:

Population(s) to be served												
Lifespan Category	Children and Youth				Young Adults / Adults				Older Adults			
	# or ✓				# or ✓				# or ✓			
Special Populations	Recent Immigrants	People with Disabilities	People with Low Income	Other	Recent Immigrants	People with Disabilities	People with Low Income	Other	Recent Immigrants	People with Disabilities	People with Low Income	Other
	# or ✓	# or ✓	# or ✓	# or ✓	# or ✓	# or ✓	# or ✓	# or ✓	# or ✓	# or ✓	# or ✓	# or ✓

- **Ensure funding requests are responsive to community goals and objectives.** The human services community engagement work resulted in collaboratively developed vision, mission, and goals. At minimum, application responses should indicate how the agency's proposed work will respond to the community vision and mission, and at least one of the goals. If the Town and County conduct subsequent work to identify associated community-informed objectives, strategies, and actions, the application should request that agencies indicate how the funds will be used to implement the identified strategies. Alternatively, the Town and County may request that agencies develop an outcomes-based plan by proposing objectives and outcomes measures for the services proposed, while ensuring alignment with one or more of the community-identified human service goals. The outcomes identified may be client-oriented (did the client improve?) or program-oriented (was the program implemented with fidelity?). Program-oriented measures require that the services proposed are evidence-based best practices. The working assumption is that if a program is implemented with fidelity to the evidence-based model, positive client outcomes will result. Program-based outcomes may reduce reporting burden.
- **Consider movement towards a two- or three-year funding cycle.** Many public agencies and private funders are shifting to a multiple year funding cycle to reduce administrative burden, provide revenue and expenditure continuity, and allow for a longer-term investment and outcomes measurement horizon. Second and subsequent year funding is contingent upon funding availability and reporting on annual performance measures, and is typically adjusted for inflation. Flexibility can be built into this model, such as enabling agencies to request a contract modification if circumstances change dramatically from when they initially applied for funding. The Town and County may wish to consider opportunities to implement multiple-year human service funding cycles to experience these benefits.
- **Enable agencies to apply for several alternative projects.** To ensure that the Town and County are funding according to the resource allocation targets, which are based on community-identified service area priorities, they may wish to allow agencies to propose several different projects that serve different service areas. This would enable the Town and County to select to fund projects that align with the service priority targets. This would also be particularly beneficial to agencies that provide a variety of cross-sector services, any of which need support, and reduce the need for agencies to attempt to guess which service area has the highest chance of being funded.

- **Provide support in preparation for the FY2022 human service funding cycle.** The proposed content, process, and evaluation are sufficiently different from current human services funding practices that technical assistance for agencies is warranted. Convening a stakeholder workgroup to refine the application, as discussed above, can facilitate communication and consensus on the process. Opportunities for agencies to complete a "dry run" of the new application, with technical assistance from the Town and County, prior to the actual FY2022 funding cycle can increase their familiarity with the application and identify any needed modifications. Technical assistance can take the form of funder/recipient application forums or on-call assistance.

CONDUCT COMPARATIVE FUNDING ANALYSIS

Conduct more rigorous funding benchmark analysis. In the interest of developing benchmark data from peer communities to guide funding decisions, PPI sought academic and professional articles that summarized county/town expenditures on human services, and budget data from similar regions to gauge Teton's funding in the context of comparable counties.[12] Compared to the relative abundance of data on health care spending, very little directly comparable data exist to present how much is spent on social services, and how spending varies across counties.[13] In conducting our own analysis of county human service budgets, we found several challenges in developing apples-to-apples comparisons with like county data available online.[14] However, county-level budget research did identify multiple case study examples of how counties have funded human services in their jurisdiction (including state statutes, mill levies, and private fundraising).[15]

If Teton County and the Town of Jackson are interested in true apples-to-apples comparison of their respective expenditures on human services, we recommend a separate analysis that clearly identifies the human service categories to be included in the comparison (e.g. limited to general fund human services spending, human services spending in its entirety across categories and governmental departments, such as education, etc.) and solicits original county- or city-level data through individual data requests of the identified service categories to ensure comparable, meaningful data.

REGULARLY REVISIT COMMUNITY PRIORIZATION

Conduct regular and rigorous community prioritization activities. To ensure that human services remain aligned with community priorities, the stakeholder engagement and prioritization process should be replicated every three-to-five years. Additionally, although the current process incorporated diverse stakeholder feedback and utilized recently completed needs assessment for contextual data, aligning the human services prioritization with a formal community needs assessment would provide more robust data on service need and supply to inform the prioritization process. The Town and County may consider opportunities to build supplemental questions into regular needs assessment processes, such as the Teton County Community Health Needs Assessment, to minimize respondent burden and ensure that priorities are informed by up to date information on human services demand and supply. Ongoing refinement of human services priorities to reflect shifts over time is expected. The human services funding model can be adjusted to account for evolving community priorities.

CONSIDER GREATER CONNECTION BETWEEN HUMAN SERVICES AND HOUSING

Consider forging a greater connection between human services and housing. Housing costs are extremely high in the Town of Jackson and Teton County. High housing costs and the high overall cost of living significantly impact low and moderate income community members through housing instability, pushing the workforce into outlying areas to find affordable housing and requiring many people to

[12] For a summary of county funding research, please see Appendix F.
[13] McCullough, J.M. Local health and social services expenditures: An empirical typology of local government spending. Preventive Medicine 105 (2017) 66-72.
[14] See Appendix G for a summary of challenges in collecting comparable human service funding data.
[15] Please see Appendix F for brief descriptions of human service funding strategies used in other counties.

work multiple jobs or live in overcrowded conditions to remain in the region. Housing issues are linked to working adults spending less time with their families, children having less supervision, and increased household stress negatively impacting health and well-being.

It is hard to analyze or address health and human services needs without including housing. However, the scale and cost of housing-related issues make some human services providers hesitant to incorporate housing stability within the human services framework, worrying housing may overwhelm other important human services work. This challenging dynamic contributes to the fact that the greater Teton community has not yet defined its approach to supporting housing stability for marginalized communities across varied providers and funding streams.[16]

The Jackson/Teton County Affordable Housing Department primarily focuses on housing supply issues, while some greater Teton community human services providers provide housing supply and supportive services for target populations, including domestic violence survivors and seniors. Many of these are short-term housing solutions for individuals and families in crisis. The Affordable Housing Department is working to horizontally integrate housing across these organizations to increase coordination across emergency housing supports.

Communities across the country are struggling with the same issue.[17] A growing number of counties, cities, and states are increasing coordination between housing and human services to better serve shared clients. Some have focused their coordination efforts on target populations, including the chronically homeless and people with disabilities, including severe mental illness, through Housing First approaches.[18] Others have combined health and human services with housing agencies to improve coordination for all low income residents. Boulder County, Colorado was among the first to merge housing and human services functions in 2009, in an effort to effectively focus on the social determinants of health. San Diego County merged services into a new Health, Housing, and Human Services Department in 2016.[19]

Consolidation or creation of a new entity are two approaches to increasing coordination between housing, health, and human services. Short of that level of organizational/governance structure change, the greater Teton community would benefit from increased coordination to meaningfully support a social determinants of health framework.

Effectively addressing housing stability issues requires significant, dedicated, and coordinated funding. The Jackson/Teton County Housing Supply Program is funded by the Town of Jackson and Teton County (typically $1,000,000 from one governmental entity in alternating years) and development fees and includes new housing production, housing preservation, and programs. The Affordable Housing Department is funded jointly – 45 percent from the Town and 55 percent from the County – and covers management and administration of housing programs. The Town and County funding for the Affordable Housing Department is in addition to human services funding discussed in the funding models.

The Affordable Housing Department is looking at a few new or emerging opportunities to bolster housing stability in the community.

- **Nonprofit arm of Jackson/Teton County Affordable Housing Department.** According to interview input, the Affordable Housing Department is looking at creating a 501(c)(3) nonprofit organization to allow them to pursue state and federal grant funds.
- **SPET-funded Community Housing Opportunities initiative.** In 2019, Teton County passed a housing-focused Special Purpose Excise Tax (SPET) initiative, dedicating $5.5 million toward increasing the supply of affordable housing for the local workforce.
- **Supporting at-risk families through pilot project.** The Affordable Housing Department recently adopted a pilot project to pass funds to a local nonprofit to support housing stability for at-risk families, across the continuum of pre-tenancy, tenancy, and supportive services.

[16] Please see Appendix H for a summary of the continuum of housing services.
[17] Please see Appendix I for an example of how the City of Aspen and Pitkin County have funded housing support services through a combination of taxes and fees.
[18] National Alliance to End Homelessness, What Housing First Really Means, (https://endhomelessness.org/what-housing-first-really-means/, March 2019).
[19] Mattie Quinn, Boulder County, Colo.: Blueprint for Merging Health and Housing Under One Roof, (Governing, August 2019).

Specific considerations related to human services and housing coordination include:

1. **Continue to increase coordination of housing and human services as the greater Teton community works within a social determinants of health framework.** This coordination may take many forms, including: formalized processes and agreements develop a centralized or horizontally integrated housing supply including emergency or crisis housing; deepened coordination between the Affordable Housing Department and human services providers including data sharing and blended/braided funding; established meetings between the Housing Director and human service providers for dedicated discussion on increased housing/human service integration; and consideration of consolidation and creation options for a more coordinated governance structure to support improved support across the social determinants of health.

2. **Define housing service continuum for greater Teton community.** Having a shared understanding of what housing support services are (including outreach and screening, housing placement, tenancy, and supportive services) and who is responsible for them is a concrete step toward increasing effective coordination. For example, this could take the form of housing continuum collateral provided throughout the human services community that is widely distributed and available online.

3. **Continue to analyze options for increasing stable, ongoing funding for housing support services.** The Affordable Housing Department has been exploring funding benefits from establishing a nonprofit arm and supporting the passage of the 2019 SPET housing initiative. A housing real estate transfer tax, sales taxes, and other taxes and fees are additional options that could be analyzed.

CONSIDER STRATEGIES TO IMPROVE SYSTEM COORDINATION

Explore opportunities for more intentional system coordination. The need for ongoing and improved system coordination was identified in the community engagement process. This may be done through the identification of a "front-door" organization that refers individuals to appropriate services within the community network, or a common application and intake process that routes participants to appropriate services regardless of their entry organization. Additionally, human services navigators in a front door organization or embedded within existing providers can facilitate warm hand-offs and follow-up across services.

To build this capacity, the Town and County may wish to allocate a portion of the discretionary fund to support deliberate system coordination activities, including outreach, navigation, cross-agency case management, and improved data sharing and analytics. Alternatively or additionally, the Town and County may wish to build system coordination into the application process, asking agencies to identify how they will work collaboratively with other agencies to ensure seamless service delivery and avoid duplication or gaps in services.

ENGAGE IN ONGOING EVALUATION AND LEARNING

Increase active contract management. Teton County and the Town of Jackson expressed interested in developing capacity to conduct ongoing contract evaluation and learning. Recent research by the Harvard Kennedy School's Government Performance Lab indicates that when cities align their procurement practices with a data driven strategy, they advance performance results. Key components of contract program evaluation include identification of program outcomes, articulation of reasonable indicators to track progress on outcomes, and development of capacity to interpret and learn from data for program improvement. From a funding management perspective, research suggests three key ways in which typical government contracts fail to optimize performance opportunities:[20]

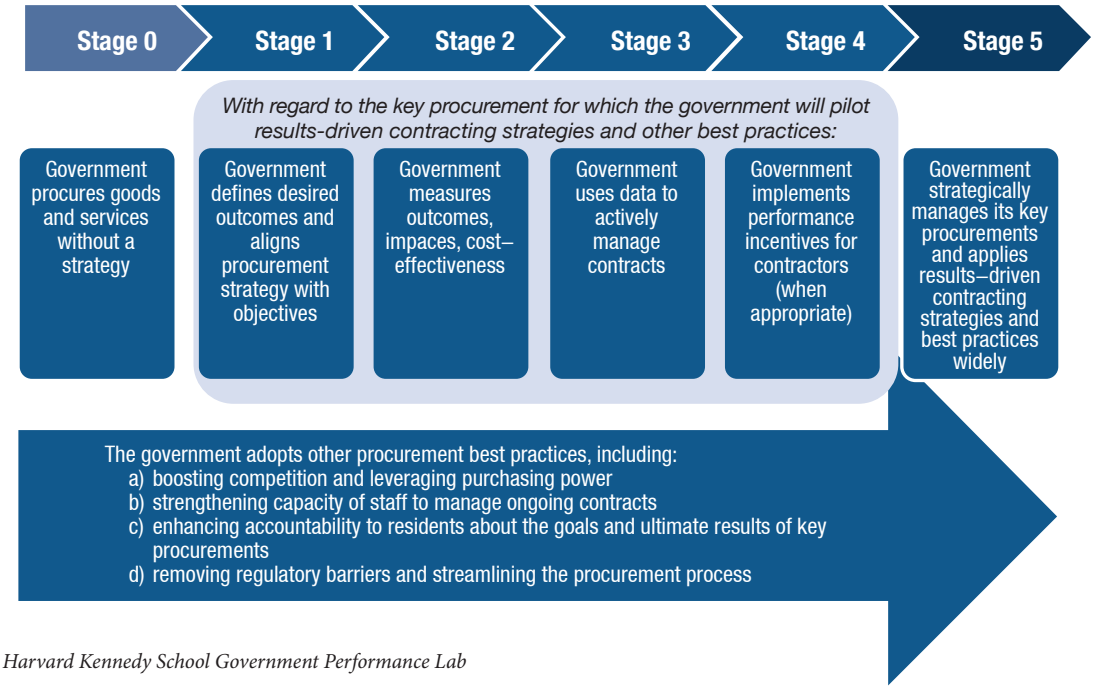
- Government agencies do not purposefully attempt to improve service provision.

[20] Harvard Kennedy School Government Performance Lab. Active Contract Management: How Governments Can Collaborate More Effectively with Social Service Providers to Achieve Better Results.

- Agencies fail to collect and use data to improve delivery of contracted services.
- Agencies fail to collaborate effectively with providers to improve outcomes.

Figure 14 below presents six stages of results-driven contracting strategies. Research suggests three primary benefits from an actively managed contracting relationship, including the ability to identify performance problems in real-time and respond with immediate course corrections, incremental improvement stemming from persistent attention to key performance drivers, and broad systems improvement based on service delivery or administrative changes that result from utility-focused evaluation and performance measurement.

Figure 14: Continuum of Results-Driven Contracting Strategies and Other Procurement Best Practices

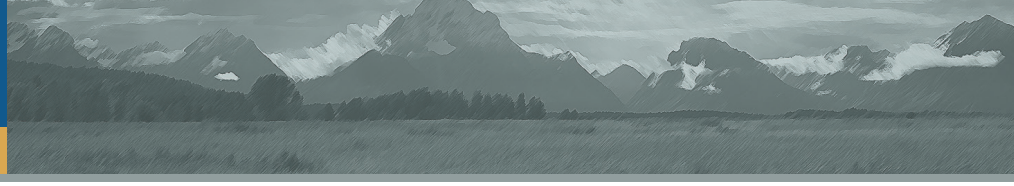


Source: Harvard Kennedy School Government Performance Lab

To actualize these benefits, Teton County and the Town of Jackson may wish to integrate elements of active contract management, such as collaborative development and review of program measures, to improve program services and outcomes. Development of a strategic plan and associated evaluation plan can identify human service outcomes and shine a light on progress being made in the region. This evaluation process should include human service providers as partners in the development of, review of, and response to program data.[21]

[21] For examples of ongoing evaluation and management, see Appendix J.

CONCLUSION



This collaboratively developed Human Services and Resource Allocation Plan provides Teton County and the Town of Jackson with strategic tools to better support human services delivery and track progress toward improved outcomes. The resource allocation efforts by the Town and County within this scope of work will support associated efforts to develop a comprehensive human services strategic plan and evaluation plan. These efforts should be informed by community indicators, periodic needs assessment, and service prioritization analysis in a continuous improvement cycle. Work done through this project demonstrates a collective dedication to improving the effectiveness of human services delivery and outcomes for all community members, particularly those who are underserved or vulnerable. As the Town and County move forward in partnership with human service providers to realize the shared vision of a greater Teton community in which all people can achieve their full potential for health and well-being, next steps should be pursued with strong leadership, effective communication, and thoughtful change management approaches.

TETON COUNTY AND TOWN OF JACKSON HUMAN SERVICES AND RESOURCE ALLOCATION PLAN:

APPENDICES

February 2020

TETON COUNTY WYOMING

TOWN OF JACKSON WYOMING

Prepared by

Program and Policy Insight PPI

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DEMOGRAPHIC AND ECONOMIC CHARACTERISTICS

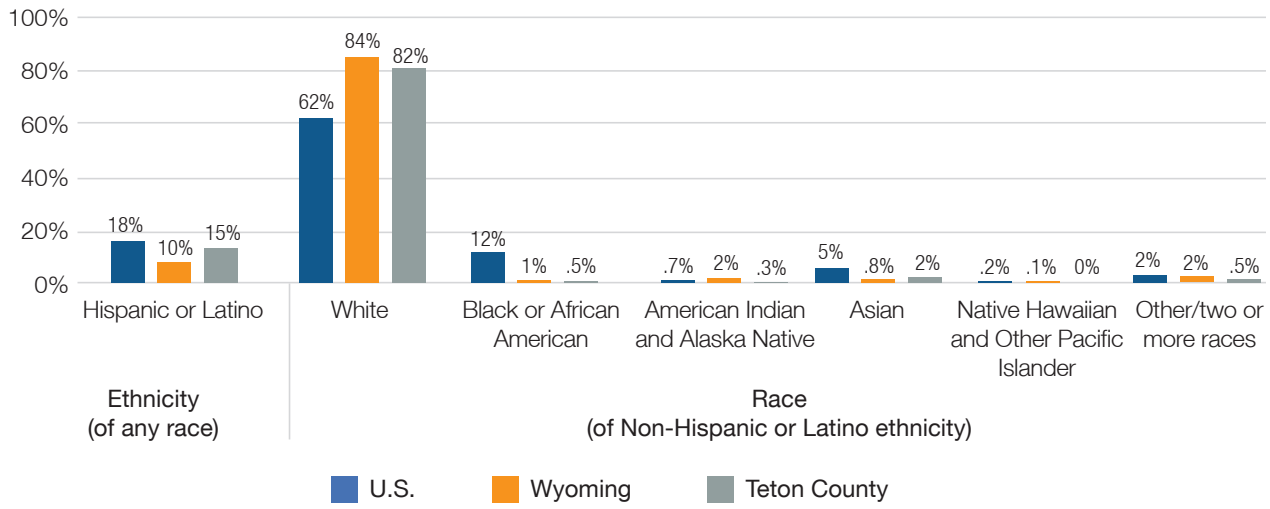
The following is a brief profile of key demographic and economic features of Teton County. Additional contextual data for the region, including health and welfare indicators, can be found in Appendix C: Prioritization of Service Areas based on Contextual Data.

DEMOGRAPHICS

Race/Ethnicity

Teton County has a higher proportion of Hispanic or Latino residents than the statewide average, but a lower proportion compared the U.S. as a whole. Generally, Teton County is less racially diverse than both the state and nation.

Figure A.1: Racial and Ethnic Composition of Teton County, Wyoming, and the United States

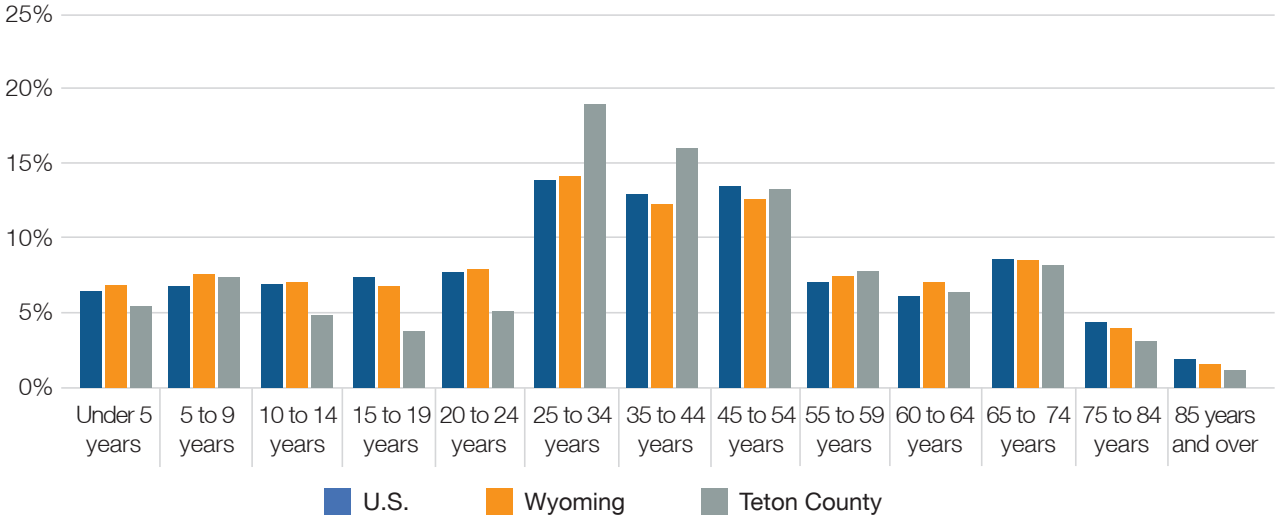


Source: U.S. Census Bureau, 2017 American Community Survey, 5-Year Estimates

Age

Compared to the state and nation, Teton County has a lower proportion of children and older adults and a higher proportion of adults ages 25-59 years. This creates a favorable local dependency ratio, with more residents of working age to sustain schools, pensions, and other supports for non-working age residents.

Figure A.2: Age Composition of Teton County, Wyoming, and the United States



Source: U.S. Census Bureau, 2017 American Community Survey, 5-Year Estimates

Economic Characteristics

Cost of Living

Teton County cost of living is 89.9% higher than the national average.[1]

Living Wage

In Teton County, a living wage for a single adult without children is $12.64, compared to $11.10 for Wyoming as a whole. A single adult with two children would need to earn $32.15 to afford to live in Teton County, whereas two working adults with two children would each need to earn $17.44 per hour. Due to the higher cost of living in Teton County compared to the remainder of the state, as a rule, the living wage in Wyoming overall is less than in Teton County.[2]

Median Income

Median income in Teton County in 2018 was $83,131, compared to $62,268 in Wyoming and $60,293 nationwide.[3]

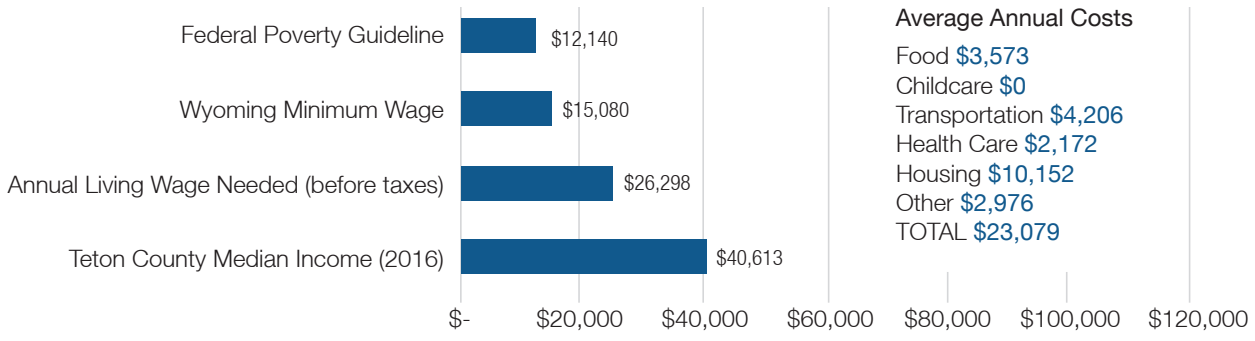
Poverty

The poverty rate in Teton County was 7.1% in 2018, compared to 11.1% in Wyoming and 14.1% nationwide. Since the poverty rate is flat nationwide, but cost of living varies dramatically, PPI estimates that the poverty rate in Teton County is closer to 13.5% when the higher cost of living in Teton County is taken into account.[4]

Figure A.3: Income, Poverty, and Costs for a Single Adult in Teton County (2018 unless noted) provides a comparison of the value of the federal poverty guideline for a single adult, the annual income of a Wyoming minimum wage earner, the annual living wage needed to get by in Teton County as a single adult, the median Teton County income for a 1-person household, and the average annual costs of living expenses in Teton County.

Figure A.4: Income, Poverty, and Costs for a 4-Person Household with Two Working Adults and Two Children (2018 unless noted) provides the same comparison except for a 4-person household, comprised of two working adults and two children.

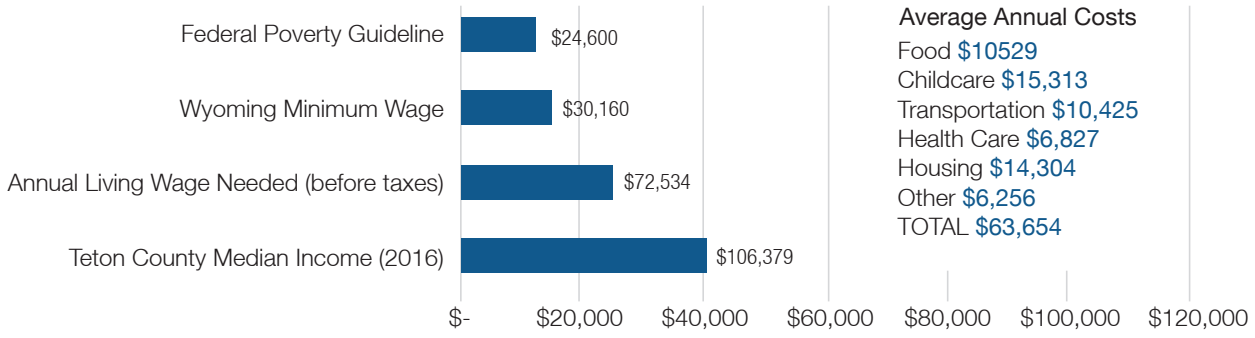
Figure A.3: Income, Poverty, and Costs for a Single Adult in Teton County (2018 unless noted)



Sources: U.S. Census Bureau, 2016 American Community Survey, 5-Year Estimates (B19019, median income by household size); Massachusetts Institute of Technology Living Wage Calculator, updated for 2018; U.S. Department of Health and Human Services, 2018 Federal Poverty Guidelines

[1] Sperlings Best Places, Cost of Living Index, 2018
[2] Massachusetts Institute of Technology, Living Wage Calculator (https://livingwage.mit.edu/)
[3] U.S. Census Bureau, 2018 American Community Survey, 5-Year Estimates, Table DP03
[4] This statistic is an approximation based on data available. The proportion of Teton County residents below the poverty level was multiplied by a factor of 1.899, given Teton County is 89.9% more expensive than the national average.

Figure A.4: Income, Poverty, and Costs for a 4-Person Household with Two Working Adults and Two Children (2018 unless noted)



Sources: U.S. Census Bureau, 2016 American Community Survey, 5-Year Estimates (B19019, median income by household size); Massachusetts Institute of Technology Living Wage Calculator, updated for 2018; U.S. Department of Health and Human Services, 2018 Federal Poverty Guidelines

SUMMARY OF RECENT NEEDS ASSESSMENTS AND RELATED DOCUMENTS

The following section summarizes a selection of recent community-developed reports that are relevant to human services planning. Appendix C: Prioritization of Service Areas Based on Contextual Data also contains findings from several of these reports.

Wyoming's Children's Trust Fund Community Mapping Report

The Wyoming Children's Trust Fund Community Mapping Report identified the following issues in Teton County based on a 2019 Community Café Survey:[5]

- Lack of access to mental health services.
- Income restrictions prevented some individuals from affording substance use disorder treatment.
- Lack of access to caregiving and social support for parents.
- Much of the workforce in the Jackson area is unable to locate or afford housing and must commute from other communities in Wyoming or across the border into Idaho. Families are often sharing housing with multiple families for affordability. These stressors reduce parents' ability to effectively parent their children and increase the risk of child abuse and neglect.
- Lack of access to reliable after-hours and weekend transportation services.
- Residents reported that cultural barriers, such as competitiveness and stigma surrounding use of services, impact residents participation in human service programs. Community members also expressed concerns regarding the immigration status of some residents and how immigration status restricts some residents from accessing services.

Community Health Needs Assessment

In 2018, the Healthy Teton County Coalition conducted a comprehensive community health assessment.[6] Some important findings of the report were:

- When asked about the most important factors for a healthy community in the community health survey, respondents chose affordable housing as their primary issue. The second most selected issue was access to healthcare. The third issue was access to well-paying jobs.
- One in five or 21.4% of Adults in Teton County, WY are uninsured (18.5% in Wyoming).

[5] Wyoming Children's Trust Fund. 2019. Community Mapping Report Teton County. https://wyctf.org/wp-content/uploads/2019/03/Teton-County-Report.pdf
[6] Heemstra and Pond. 2018. Community Health Assessment. http://healthytetoncounty.org/DocumentCenter/View/7714/2018-CHNA-Report-PDF?bidId=

- One in five or 19% of residents suffer from severe housing, defined as one of the following: housing unit lacks complete kitchen facilities or lacks complete plumbing; severely overcrowded; severely cost burdened.
- Over half (54%) of respondents identified alcohol use as the primary risky behavior that needs to be addressed in the community; 84% of respondents chose alcohol use for their first, second, or third choice of risky behaviors.
- Drug abuse was the second most selected risky behavior that needs to be addressed.
- While unsafe sex was selected as the third most important issue to be addressed, only 24% selected it as first, second, or third priority. Since 2010, there has been an increase in sexually transmitted infections and unsafe sex practices.
- The adult binge drinking rate of 22.7% in Teton County was significantly higher than Wyoming's rate of 16.6%.
- 9% of 8th graders, 26% of 10th graders and 27% of 12th graders reported using e-cigarettes in the last 30 days.
- Mental health problems were identified as the most pressing issue by respondents, closely followed by cancer and domestic violence. The suicide rate in Teton County (23.89/100,000) is significantly higher than that of Wyoming (21.4/100,000).
- The report found that Teton County, WY is performing better than Wyoming on the following indicators: adult obesity, physical inactivity, access to exercise opportunities, poor or fair health, poor physical health days, frequent physical distress, poor mental health days, frequent mental distress, teen births, low birthweight, preventable hospital stays, prostate cancer incidence, diabetic monitoring, diabetes prevalence, and radon.

Teton County Community Youth Needs Assessment

Funded by the Laura Jane Musser Fund, One22 led the implementation of a youth needs assessment in the fall of 2017 to assess the needs of at-risk and in-need middle and high school aged students in Teton County. Key issues facing youth include: economic challenges, immigration issues, college pressures, acceptance and social media acceptance, peer pressure related to drugs, alcohol and sex, and racism and discrimination.

St. John's Hospital Mental Health Report

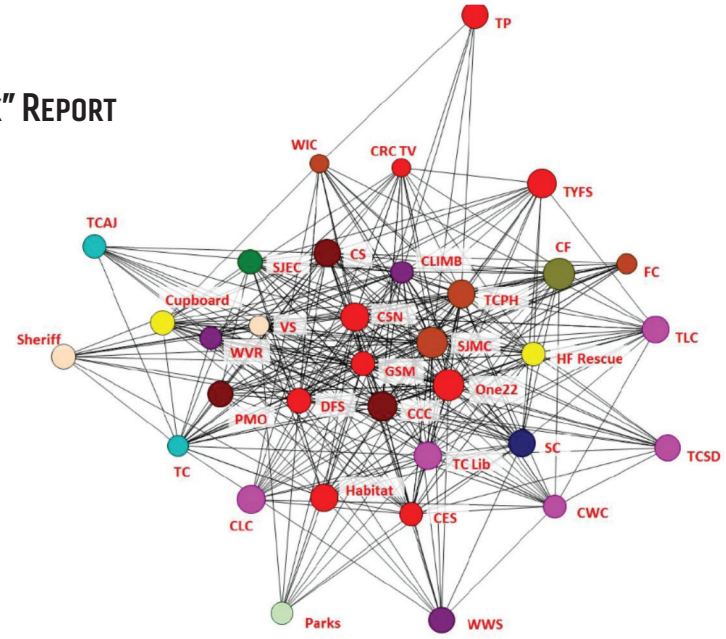
A report by the St. John's Hospital Foundation in 2017 identified six community needs for mental health services:

- Residents of Teton County are not aware of the available mental health services.
- The local system lacks central administration, leadership and coordination.
- Funding is limited and unstable.
- Limited integration of mental health and primary care services.
- There is a lack of understanding of roles and responsibilities in the system and in the community.
- Teton County lacks psychiatrists.[7]

[7] Kylie Mohr. 2017. Report: Jackson suffers a lack of psychiatric care. https://www.jhnewsandguide.com/news/health/report-jackson-suffers-a-lack-of-psychiatric-care/article_b12a4754-accd-52bd-8257-532a3d67ab86.html

System of Care "Human Services Network" Report

In 2017, SoC surveyed all its 34 members (response rate 74%) to create a network analysis. The analysis found a high level of connection, collaboration, and trust (see figure). Respondents were asked to rate the quality of their collaboration; however, it is unclear whether people selected items that had been achieved, or items that need improvement.[8]



System of Care "Impacts of Current and Future Budget Cuts" Report

SoC released a report in 2017 addressing state budget cuts to human services.[9] According to the report, the state reduced its human services funding significantly between 2015 and 2017. The budget was cut by 25% and many available funds were not awarded. Some of the funding deficits were remedied by more funding from county and town sources, as well as increased fundraising.[10] According to 2015 figures, the average HSC member has funding from the following sources: State 31%; Fees 27%; Fundraising 21%; Federal 10%; Local 10%; In-Kind 1%. The following effects are noted in the report:

- HSC members have administrative costs of 12%.
- Additional cuts will reduce their capacity to deliver services.
- 30% of HSC members needed to lay off staff and reduce their services, despite an increase in human service needs. Between 2013 and 2015, the number of clients increased by 23%.
- Increasing fees is being considered.

Latino Community Assessment

A December 2015 report by the Latino Resource Center, funded by the Community Foundation of Jackson Hole, presents data on the Latino community living in the region and recommends strategies to increase integration and civic participation for this population. The study found that the critical issues for the region's Latino population were:

- Documentation and citizenship
- Housing
- Language proficiency
- Educational attainment
- Wages and income levels
- Healthcare access

[8] Teton County System of Care. 2017. Human Services Network. p. 10.
[9] Teton County System of Care. 2017. Budget Cuts.
[10] John Spina. 2017. Social services develop plan for stable funding. https://www.jhnewsandguide.com/news/town_county/article_837843a7-dfa9-59c8-9607-f1253fbd17ce.html

The report recommends: better data collection for this population, support for language acquisition skills, increasing educational opportunities, and engaging in strategies that successfully speak to the Latino community.

Jackson/Teton County Comprehensive Plan

The 2012 Jackson/Teton County Comprehensive Plan vision statement is: "Preserve and protect the area's ecosystem in order to ensure a healthy environment, community and economy for current and future generations." While the Comprehensive Plan is largely associated with land use planning, the "Quality of Life" common value incorporates goals and strategies that pertain to human services, including local workforce housing, multimodal transportation goals, and coordinated, cross-sector service delivery.[11]

The Comprehensive Plan releases an annual Indicator Report to measure progress on the Plan goals. The February 28, 2019 report provides the status on the identified Quality of Life indicators, including the percentage of the workforce living locally (trending downward), home sale prices (trending mostly upward and not affordable), START ridership (trending upward), and others.[12]

SERVICE INFRASTRUCTURE

Human services provision in Wyoming is regulated by the Community Human Services Act (W.S. 35-1-600 to 628), first passed in 1979, with the goal to "establish, maintain, and promote the development of a comprehensive range of services in communities of the state to provide prevention of, and treatment for individuals affected by, mental illness, substance abuse, or developmental disabilities, to provide shelter and crisis services for victims of family violence or sexual assault or to provide other community - based services which serve a public purpose." (W.S. 35-1-612). Together with the statutes concerning senior citizens services (W.S. 18-2-105 to 107), child protective services (W.S. 14-3-101 to 440, 14-5-101 to 108, 14-8-101 to 108, and 14-11-101 to 109), child care (14-4-101 to 111 and 14-4-201 to 207), children in need of supervision (14-6-401 to 440), delinquent juveniles (14-4-115, 14-4-117, 14-6-102, 14-6-201 to 252, 14-6-301 to 314, and 14-9-101 to 108), and services and supports for low income populations (W.S. 42-2-102; 42-2-201; 42-2-401; and 42-2-501), Wyoming statutes define the following core human services programs:

- Mental Illness
- Substance Use Disorder
- Developmental Disabilities and Child Care Facilities for Families with Special Needs
- Victim Services (family violence and sexual assault)
- Child Abuse or Neglect and Children in Need of Supervision
- Detention Homes and Secure facilities for Juveniles (and diversion programs)
- Senior Citizen Centers for Transportation, Information, Recreation Facilities, and Other Services
- (Other community-based services with a public purpose)
- Food/Nutrition
- Housing, Energy/Heating
- Transportation
- Early Learning and Development

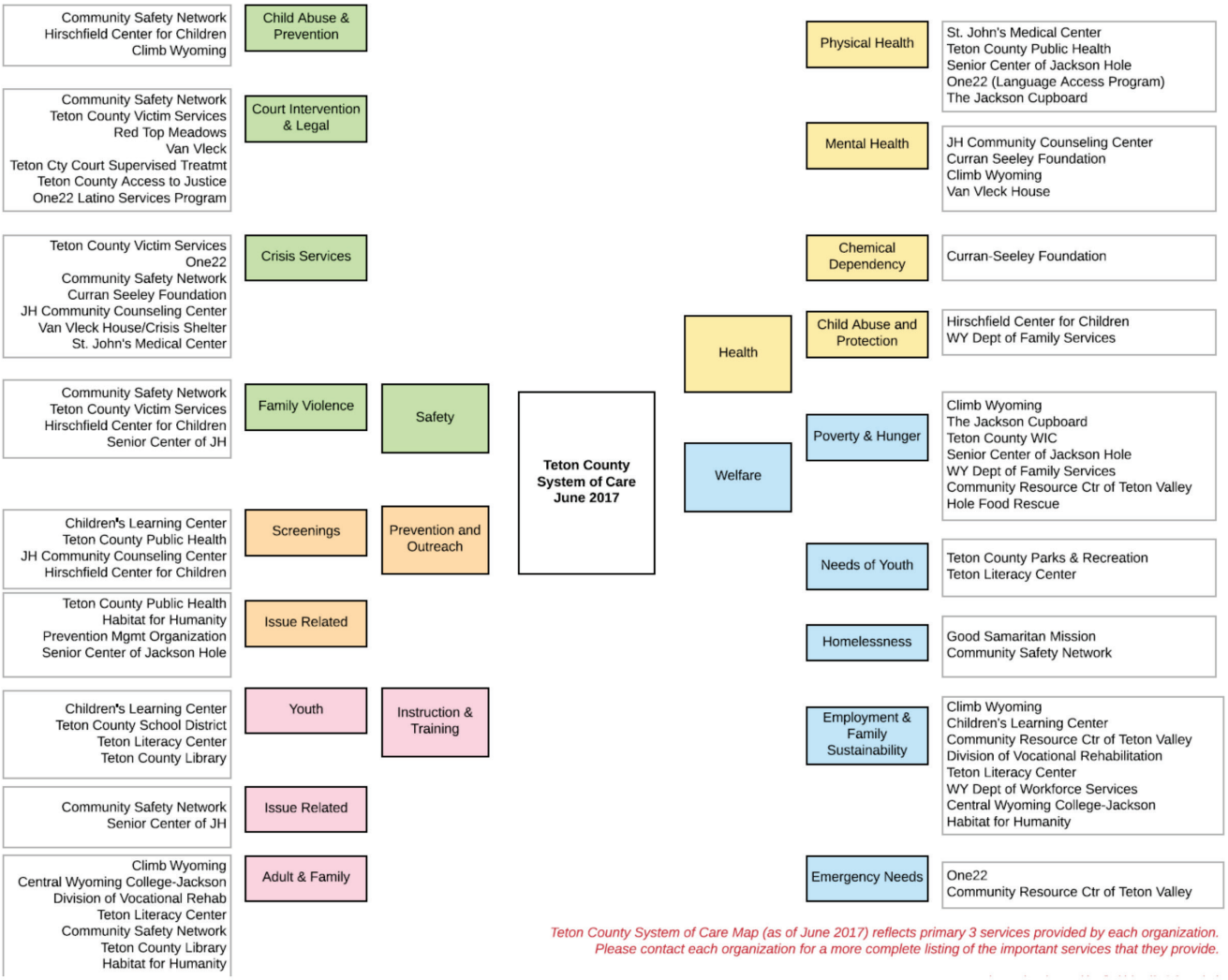
The State of Wyoming sets the standards as to how the human services providers will operate, the professional standards, eligibility for services, uniform schedule of fees to be charged, and acts as the conduit for all

[11] Jackson/Teton Comprehensive Plan. April 6, 2012
[12] Jackson/Teton Comprehensive Plan, 2019 Annual Indicator Report. February 28, 2019

federal funds. The State of Wyoming may fund up to 90% of the needs of the human services provider with the human services provider required to find the remaining 10% through fees charged, private donations, or contributions from county, town, school district appropriations. (Exception for Early Childhood DD which only requires a 3% match from local services).[13]

Counties do not have a mandatory role in human services, but statutes allow counties to directly provide or encourage local human services provision. Specifically, according to W.S. 35-1-611 through 35-1-627 counties may contract for treatment and preventive services for people with mental illness, substance use disorders, and developmental disabilities. Counties can contract with private or public agencies and appropriate funds for human services programs. Senior Citizen Centers have their own unique appropriation provision in W.S. 18-2-105 through 18-5-107 that allows for the town and county to appropriate funds to support the Senior Citizen Centers. W.S. 14-4-115 and 117 allow for counties to acquire and maintain a detention home for juveniles as well as hire staff for secure facilities. WS 18-13-101 allows for counties to fund and operate child care facilities for "families with special needs during normal working hours of the day to enable the parents to pursue employment."

Teton County, WY has a robust network of human services providers meeting needs across the social and economic determinants of health continuum, including all of the core human services defined by statute. The map illustrated below was developed by the Teton County System of Care, one of the local coalitions guiding human services in the County, outlining human services providers and the type of services provided.



[13] Gingery 2018. Internal Memo Teton County Attorney.

The resource allocation analysis and the greater Teton community human services vision, mission, and goals are influenced by key social science models. There is no one, agreed upon human services framework, however there is alignment in key service categories across models.

A social ecological framework contributes to understanding the interrelationships and influences of personal and environmental factors on an individual.[14] An ecological framework considers the complex interplay between individual, relationship, community, and societal factors influencing individual's and community's health and well-being.

Two-generation models provide services and supports to assist multiple generations, recognizing that social and economic conditions do not impact one generation of a family in a silo. Two-generation or multi-generation models emphasize integrated efforts to address intergenerational barriers to success, interrupting the cycle of poverty.

Maslow's hierarchy of needs proposes that humans have a certain number of needs, which can be arranged hierarchically from basic to higher needs: 1) physiological (air, water, food, shelter, sleep, clothing, reproduction); 2) safety/security (personal security, employment, resources, health, property); 3) love and belonging (friendship, intimacy, family, sense of connection); 4) esteem (respect, self-esteem, status, recognition, strength, freedom); and 5) self-actualization (desire to become the most that one can be).[15]

Social determinants of health demonstrate the interconnectedness of individual and community health and well-being with social and economic opportunities and living conditions. Social determinants of health are environmental conditions and resource availability in which people are born, live, work, and play, including safe and affordable housing, availability of healthy foods, public safety, reliable transportation, access to health care, access to education and job opportunities, social connections, social norms, community integration, and exposure to violence, crime, and social disorder. This model recognizes that efforts to improve population health and well-being require comprehensive approaches that address social, economic, and environmental issues.

The Healthy People initiative develops national objectives to improve the health of all Americans every decade. It is led by the Federal Interagency Workgroup with input from diverse stakeholders.[16] Healthy People developed an organizing framework, which reflected five key areas of social determinants of health: 1) economic stability; 2) education; 3) social and community context; 4) health and health care; and 5) neighborhood and built environment.[17]

The Human Services Value Curve provides a framework for improving human service outcomes, value, and legitimacy through a continuum of service models, from regulative to generative. Regulative environments achieve program compliance. Collaborative environments work across program boundaries towards a "one door" experience. Integrative environments consider root causes of problems and tailor solutions with input from consumers. Finally, generative environments create broad capacity and solutions to community-wide challenges with collective input from diverse stakeholders.

A Collective Impact approach aligns partner organizations to solve complex problems, using: 1: a common agenda with a collective defined problem and common vision for solving it; 2) a shared measurement system aligning with the common agenda; 3) mutually reinforcing activities coordinated to maximize impact; 4) continuous communication through trusting, strong relationships; and 5) a backbone organization supporting the infrastructure of the effort.[18]

[14] Developmental psychologist Urie Bronfenbrenner created the Ecological Framework for Human Development in the 1970's and this framework is the inspiration for most adaptations.
[15] Developed by Abraham Maslow in his 1943 paper, *A Theory of Human Motivation*.
[16] Office of Disease Prevention and Health Promotion, *Healthy People 2030 Framework*, (https://www.healthypeople.gov/2020/About-Healthy-People/Development-Healthy-People-2030/Framework).
[17] Office of Disease Prevention and Health Promotion, *Social Determinants of Health*, (https://www.healthypeople.gov/2020/topics-objectives/topic/social-determinants-of-health).
[18] Collective Impact Forum, *What Is Collective Impact*, (https://www.collectiveimpactforum.org/what-collective-impact).

The Human Services Outcomes Framework uses an outcomes focused approach with seven outcomes domains, which are used across governmental agencies and nonprofits in New South Wales Australia to promote consistency:[19]

1. **Education and skills.** All people in NSW are able to learn, contribute, and achieve.
2. **Economic.** All people in NSW are able to contribute to and benefit from our economy.
3. **Health.** All people in NSW are able to live a healthy life.
4. **Home.** All people in NSW are able to have a safe and affordable place to live.
5. **Safety.** All people in NSW are able to be safe.
6. **Empowerment.** All people in NSW are able to contribute to decision making that affects them and live fulfilling lives.
7. **Social and community.** All people in NSW are able to participate and feel culturally and socially connected.

The Australian Social Value Bank (ASVB) was established as a social enterprise to provide a cost-effective solution for measuring social impact in a standardized approach using cost benefit analysis through an online Value Calculator. The ASVB contains 63 social values related to all aspects of life, using a Wellbeing Valuation methodology to calculate primary benefits to individuals and secondary benefits including government costs savings.[20]

A Guide to Essential Human Services by Frederic Reamer defines major categories and target populations of human services, including: income support; housing assistance; food assistance; clothing assistance; energy assistance; transportation assistance; health care; mental health; addiction; sexual orientation; family life education; children and adolescents; abuse and neglect: protective services; military personnel and veterans; immigrants and refugees; education and literacy; employment assistance; aging and retirement: financial and legal issues; legal services and dispute resolution; crime victims; and disaster assistance.

[19] NSW Government, Finance Services and Innovation, *The Human Services Outcomes Framework*, (https://www.finance.nsw.gov.au/node/7846).
[20] Australian Social Value Bank, (https://asvb.com.au).

SELECTION CRITERIA

Criteria applied for service area prioritization:

- Apparent discrepancy (negative) between Teton County and Wyoming as a whole; or
- A large-scale challenge – more than 10% of Teton County population directly affected.

Data points that meet one of the two criteria are marked with an "X" in the tables below. Data points that meet both criteria are marked with an "XX."

BEHAVIORAL HEALTH

Mental Health

Concerns were expressed through the St. John's Hospital Foundation Mental Health Report about the insufficient supply of psychiatry services in the region. Given the small size of the region, a retirement or a provider moving can result in a substantial loss. Investment in telemedicine was noted as a way to improve access to specialty mental health care.

Population-Level Data

X	**Suicide rate** (per 100,000)	Teton County	23.9
		Wyoming	21.4
	Residents per mental health provider	Teton County	240:1
		Wyoming	310:1

Sources: Healthy Teton County, 2018 Community Health Needs Assessment (WY vital statistics); County Health Rankings and Roadmaps, Robert Wood Johnson Foundation, 2019

Teton County Community Perception

Percentage of community ranking mental health problems as a top 3 most pressing health issue	49%
Percentage of community citing suicide as a top 3 most pressing health issue	23%

Source: Healthy Teton County, 2018 Community Health Needs Assessment (2018 CHNA survey)

Chemical Dependency

Population-Level Data

XX	**Binge drinking** (adults)	Teton County	22.7%
		Wyoming	16.6%
XX	**Residents per mental health provider**	Teton County	47.0%
		Wyoming	36.0%

Sources: Healthy Teton County, 2018 Community Health Needs Assessment

Teton County Community Perception

Percentage of community that considers alcohol abuse a top 3 risky behavior that needs to be addressed	83%
Percentage of community that considers drug abuse a top 3 risky behavior that needs to be addressed	78%

Sources: Healthy Teton County, 2018 Community Health Needs Assessment (2018 CHNA survey)

ABUSE AND NEGLECT

Population-Level Data

	Child Protective Services reports per 1,000 children under 18	Teton County	34.3
		Wyoming	53.7
	CPS substantiated reports per 1,000 children under 18	Teton County	1.6
		Wyoming	4.7
	Adult Protective Service reports screened in per 1,000 children under 18	Teton County	91.3
		Wyoming	229.3

Source: Wyoming Department of Family Services (Matthew Banks, 12/3/2019)

CHILD CARE

Population-Level Data

	Licensed child care slots per child (slots divided by children ages 0–11)	Teton County	0.27
		Wyoming	0.22
X	**Monthly child care costs for a family with an infant and a preschooler**	Teton County	$2,358
		Wyoming	$1,369

Note: Child care costs for Wyoming are an estimate, calculated by averaging the costs of each county in Wyoming.

Sources: Annie E. Casey Foundation Kids Count Data Center (https://datacenter.kidscount.org/); U.S. Census Bureau, American Community Survey, 5-Year Estimates, 2017; Wyoming Women's Foundation, Self-Sufficiency Calculator (https://wywf.org/self-sufficiency-calculator/)

Teton County Community Perception

Youth providing unpaid childcare to family members or neighbors (proportion of CYNA interview respondents)	34-37%

Source: Teton County Community Youth Needs Analysis, 2017

DOMESTIC VIOLENCE

Teton County Community Perception

Percentage of community citing domestic violence as a top 3 most pressing health issue	22%

EDUCATION AND TRAINING

Population-Level Data

	Educational attainment (bachelor's or higher)	Teton County	54.1%
		Wyoming	26.7%
	Educational attainment (high school graduate or higher)	Teton County	95.1%
		Wyoming	92.8%

Sources: U.S. Census Bureau, American Community Survey, 5-Year Estimates, 2017

EMPLOYMENT SUPPORT

Population-Level Data

	Unemployment rate (May 2019)	Teton County	3.0%
		Wyoming	3.5%

Sources: U.S. Bureau of Labor Statistics, Local Area Unemployment Statistics (https://www.bls.gov/lau/)

FOOD SECURITY

Teton County School District representatives report concerns of fewer families applying for the Free and Reduced-Price Lunch program due to the requirement of a parental social security number to apply.[21] Therefore, the FRPL figures may be an undercount of the number of students who are actually in need of subsidized meals.

Population-Level Data

X	**Food insecure**	Teton County	10%
		Wyoming	12%
X	**Children eligible for free or reduced-price school meals**	Teton County	23%
		Wyoming	37%

Sources: Health Teton County, 2018 Community Health Needs Assessment (2015 Map the Meal Gap); National Center of Education Statistics, 2017/18 school year (https://nces.ed.gov/ccd/elsi/default.aspx?agree=0)

HOUSING STABILITY

Population-Level Data

X	**Severe housing**	Teton County	19%
		Wyoming	12%
X	**Homeless or housing insecure students** (2016/17)	Teton County	2.5%
		Wyoming	2.0%
X	**Percentage of households spending more than 30% of income on rent**	Teton County	36%
		Wyoming	37%

Notes: Severe housing is defined as: A household that has one or more of the following: housing unit lacks complete kitchen facilities; lacks complete plumbing; severely overcrowded (1.5 persons or more per room); severely cost burdened (monthly costs including utilities exceeding 50% of monthly income). (CHNA 2018)

Sources: U.S. Census Bureau, American Community Survey, 5-Year Estimates, 2017; Healthy Teton County, 2018 Community Health Needs Assessment; Wyoming Department of Education; U.S. Department of Education, Consolidated State Performance Report, 2016/17 (homeless student data)

INCOME SUPPORT

According to a study by the Economic Policy Institute, Teton County had the largest gap between the top 1% and the bottom 99%. In Teton County, WY, the top 1% in 2015 earned on average 142.2 times the average income of the bottom 99% of families.[22]

Population-Level Data

	Poverty rate	Teton County	6.8%
		Wyoming	11.1%
X	**Estimated poverty rate adjusted for relative cost of living**	Teton County	12.9%
		Wyoming	12.0%
X	**Income inequality** (1=maximum inequality, 0=maximum equality)	Teton County	0.48
		Wyoming	0.43

Note: The "poverty rate adjusted for relative cost of living" statistic is an approximation based on data available. The proportion of Teton County residents below the poverty level was multiplied by a factor of 1.899, given Teton County is 89.9% more expensive than the national average. The proportion of Wyoming residents below the poverty level was multiplied by a factor of 1.056, given Wyoming is 5.6% more expensive than the national average.

Source: U.S. Census Bureau, American Community Survey, 5-Year Estimates, 2017; Sperlings Best Places, Cost of Living Index, 2018

[21] One22, Teton County Community Youth Needs Analysis, 2017

[22] Sommeiller and Price. 2018. The new gilded age. Economic Policy Institute. https://www.epi.org/publication/the-new-gilded-age-income-inequality-in-the-u-s-by-state-metropolitan-area-and-county/

LEGAL ISSUES

According to the System of Care members, law enforcement and courts was identified as sector that stands to endure the greatest pressure as a result of state budget cuts.[23]

ORAL/DENTAL HEALTH

No data available.

PHYSICAL HEALTH

Access

Population-Level Data

X	**Percentage of all residents without health insurance**	Teton County	11.7%
		Wyoming	11.9%
	Residents per primary care physician	Teton County	830:1
		Wyoming	1,470:1

Sources: U.S. Census Bureau, American Community Survey, 5-Year Estimates, 2017; County Health Rankings and Roadmaps, Robert Wood Johnson Foundation, 2019

Health Status

Out of 23 counties in Wyoming, Teton County ranks first in overall health outcomes, as well as first in overall health factors, according the Robert Wood Johnson Foundation's County Health Rankings and Roadmaps, which compiles a broad cross-section of commonly used indicators for all U.S. counties.[24]

Population-Level Data

X	**People in poor or fair health**	Teton County	12%
		Wyoming	15%
X	**People with obesity**	Teton County	14%
		Wyoming	29%
X	**Physical inactivity**	Teton County	12%
		Wyoming	23%
X	**Sexually transmitted infections** (newly diagnosed chlamydia cases, per 100,000)	Teton County	436.8
		Wyoming	351.5
XX	**Teen condom use**	Teton County	25.0%
		Wyoming	52.7%

Source: County Health Rankings and Roadmaps, Robert Wood Johnson Foundation, 2019

Teton County Community Perception

Percentage of community citing unsafe sex as a top risky health behavior to be addressed	24%
Percentage of community citing tobacco use as a top risky health behavior to be addressed	23%
Percentage of community citing poor eating habits as a top risky health behavior to be addressed	22%

Source: Healthy Teton County, 2018 Community Health Needs Assessment

[23] System of Care, White Paper: Impacts of Current and Future Budget Cuts on Human Services in Teton County, 2017
[24] Health outcomes include quality of life and length of life metrics. Health factors include health behaviors, clinical care, social and economic factors, and the physical environment.

Prevention/Screening

Population-Level Data

X	Mammography screening	Teton County	69.5%
		Wyoming	56.0%
X	Influenza immunizations for 65+	Teton County	38.5%
		Wyoming	35.7%

Note: Mammography screening met the criteria for more than 10% affected because 30.5% of women are not screened, or if the Healthy People 2020 Target of 81.1% is used, the county falls short by 11.6%. Flu immunization met the criteria for more than 10% affected because 61.5% of seniors are not immunized, or if the Healthy People 2020 Target of 90% is used, the county falls short by 51.5%.

Source: Healthy Teton County, 2018 Community Health Needs Assessment (2014 Wyoming Behavior Risk Factor Surveillance Survey)

TRANSPORTATION

Population-Level Data

	Percentage of public transit riders commuting more than 45 minutes to work	Teton County	3.9%
		Jackson WY-ID	9.1%
		Wyoming	34.6%
	Percentage of drivers who drove alone commuting more than 45 minutes to work	Teton County	2.7%
		Jackson WY-ID	9.6%
		Wyoming	7.3%
	Worked outside county of residence	Teton County	2.3%
		Jackson WY-ID	2.5%
		Wyoming	5.2%

Sources: U.S. Census Bureau, American Community Survey, 5-Year Estimates, 2017

UTILITIES

Population-Level Data

	Percentage of income eligible people served by Low Income Home Energy Assistance Program	Teton County	N/A
		Wyoming	15%

Source: U.S. Health and Human Services, Administration for Children and Families, Low Income Home Energy Assistance Program Data Warehouse (https://liheappm.acf.hhs.gov/data_warehouse/)

NEEDS OF SPECIFIC POPULATIONS

Children and Youth

Population-Level Data

	Percentage of total population under age 18	Teton County	19.3%
		Wyoming	23.7%
	Population under age 18 with a disability	Teton County	2.9%
		Wyoming	4.0%
	Population under age 18 in poverty	Teton County	2.8%
		Wyoming	12.8%
	Percentage of children 18 and under without health insurance coverage	Teton County	5.2%
		Wyoming	7.2%
	Child dependency ratio	Teton County	28.5
		Wyoming	38.4
X	Graduation Rate	Teton County	87.8%
		Wyoming	81.7%

Note: This met the criteria for more than 10% affected since 12.2% of students in 2017/18 did not graduate in four years.

Source: Wyoming Department of Education, 2017/18 four-year graduation rate (https://portals.edu.wyoming.gov/Reports/Public/wde-reports-2012/public-reports/gradrates/fedfouryearadjusteddistrict); U.S. Census Bureau, American Community Survey, 5-Year Estimates

Teton County Community Perception

According to System of Care members, Teton County School District was identified as an agency that stands to endure the greatest pressure as a result of state budget cuts.[25]

A majority of youth student respondents to the Teton County Community Youth Needs Assessment indicated that they want to attend college or some post-secondary education upon completion of high school.

Adults 19-64

Population-Level Data

	Percentage of total population that is ages 19-64	Teton County	68%
		Wyoming	62%
	Population under age 19-64 with a disability	Teton County	6.4%
		Wyoming	10.9%
	Percentage of adults ages 19-64 in poverty	Teton County	8.4%
		Wyoming	11.2%
X	Percentage of adults ages 19-64 lacking health insurance coverage	Teton County	15.6%
		Wyoming	16.5%

Seniors

Population-Level Data

	Percentage of population age 65 and over	Teton County	12.7%
		Wyoming	14.4%
X	Population age 65 and over with a disability	Teton County	15.5%
		Wyoming	36.5%
	Population age 65 and over in poverty	Teton County	4.7%
		Wyoming	8.0%
X	Population ages 65 and over lacking health insurance coverage	Teton County	0.9%
		Wyoming	0.4%
	Old-age dependency ratio	Teton County	18.7
		Wyoming	23.4

Notes: The old-age dependency ratio is derived by dividing the population 65 and over by the 18-to-64 (working age) population and multiplying by 100. A higher number indicates more older people for every working age adult.

Sources: U.S. Census Bureau, American Community Survey, 5-Year Estimates, 2017; Healthy Teton County, 2018 Community Health Needs Assessment

Teton County Community Perception

Percentage of community citing "aging problems" as a top 3 most pressing health issue	23%

[25] System of Care, White Paper: Impacts of Current and Future Budget Cuts on Human Services in Teton County, 2017

Immigrant/Latinx Residents

Population-Level Data

Percentage of population identifying as Hispanic or Latino		Teton County	15.0%
		Wyoming	9.7%
	Hispanic or Latino population with a disability	Teton County	6.7%
		Wyoming	10.3%
X	**Hispanic or Latino population in poverty**	Teton County	6.0%
		Wyoming	1.7%
XX	**Hispanic or Latino population in lacking health insurance coverage**	Teton County	36.5%
		Wyoming	20.4%
X	**Limited-English speaking** (Spanish speaking)	Teton County	6.0%
		Wyoming	1.7%
XX	**Foreign born**	Teton County	10.8%
		Wyoming	3.6%

Note: Hispanic and Latino ethnic identification is of any race.

Sources: U.S. Census Bureau, American Community Survey, 5-Year Estimates, 2017

People with Low Income

Population-Level Data

XX	**Estimated percentage of low-income residents** (adjusted for cost of living)	Teton County	28.9%
		Wyoming	20.1%
	Low-income residents with a disability	Teton County	1.8%
		Wyoming	3.6%
X	**Low-income residents lacking health insurance coverage** (138% below poverty, not adjusted for cost of living)	Teton County	30.3%
		Wyoming	23.6%

Note: The percentage of low-income residents is an estimate that has been adjusted by cost of living. The proportion of Teton County residents with incomes less than 150% of poverty was multiplied by a factor of 1.899, given Teton County is 89.9% more expensive than the national average. The proportion of Wyoming residents with incomes less than 150% of poverty was multiplied by a factor of 1.056, given Wyoming is 5.6% more expensive than the national average.

Source: U.S. Census Bureau, American Community Survey, 5-Year Estimates, 2017 (B17022); Sperlings Cost of Living Index, 2018

APPENDIX D: Identified Obstacles and Critical Success Factors to Human Services Goals

Goal 1: Accessible Services. Our community's health and human services are available, inclusive, equitable, and accessible to all.

Obstacles	Critical Success Factors
1. Services are not known to the community at large 2. Human services are hard to describe and understand 3. You don't think about them until you need them 4. Lack of state funding 5. High cost of living 6. Difficult to hire staff because of housing crisis 7. Resource constraints, including lack of time 8. Staffing constraints 9. Language and the lack of translation services 10. Legal constraints can hinder access to care 11. Stigma of using human services	1. Community education 2. Housing dedicated for human services staff/workforce 3. Living wage for workforce 4. Coordination/supporting navigation to get people to where they need to go 5. Have integrated resource and referral services 6. Address language barriers so English language learners have access to same information 7. Change eligibility requirements to eliminate barriers (citizenship, residency, income (adjust for high cost of living))

Goal 2: Integrated and Coordinated Services. Our community practices truly integrated and coordinated care across the system.

Obstacles	Critical Success Factors
1. Reliance on client capacity to access multiple services, may need additional navigational support 2. Services are not integrated now; no centralized place that puts people where they need to be; System of Care (SoC) is designed to do this. 3. SoC is continually evolving, constant change in people (turnover in staff, community, and increasing scale of community (community grown larger than organizational capacity)) 4. Organizational capacity insufficient to serve demand/volume of need (with community growth)	1. Coordinated information system - centralized data/IT approach (common client indicator, enterprise approach to support individualized data requirements) 2. Navigator is needed, exclusive to navigation - focus on referral without confidential information included, free up specialties to do their intervention/acute care 3. Language organizations use needs to be inclusive of broader human services and medical context/system, demonstrating association with other services to promote awareness and understanding

Goal 3: Lifespan Well-being. Our community provides quality services to promote health and well-being across the lifespan.

Obstacles	Critical Success Factors
1. Limited coordination between medical community and human services 2. Workforce has limited schedule availability to engage in services because working long hours and/or multiple jobs 3. High cost of living 4. Do not have economies of scale – need to address full range of human services issues across a small population 5. Transient, seasonal workers, and visitors are part of our community and put demands on medical and human services 6. Fear by undocumented residents that using services will create immigration repercussions 7. Uninsured and un-insurable population	1. Providing different service hours including expanded and weekend hours 2. Be more mobile and go to where people are

Goal 4: Community Commitment and Funding. Our community makes human services a priority and acts to support individuals' and families' well-being, including through the provision of health and human services funding.

Obstacles	Critical Success Factors
1. Human service clients can be less marketable to donors 2. Smaller populations (e.g. ppl with IDD) are harder to see and fund 3. Return on investment formula - have it in early childhood but not in many other human services areas 4. Lack of capacity to develop community understanding and commitment – providers are too busy providing services 5. Resort community and second home owners support the causes that support their recreation (music, arts, outdoors, etc.) 6. Possible perception that, "it doesn't happen here and it doesn't impact me" 7. Possible sense that, "community is lucky to have me because I am providing jobs, generating economic activity," without seeing the generation of need 8. Lack of understanding of the economics of living here by second home owners 9. Heavy reliance on finite group of donors to support community services - sustainability concerns 10. Funding decisions can be political or based on personal connections 11. Conscientiousness about visitor services - may create funding bias toward these services 12. Don't have collective buy-in - whose responsibility is it to fund (county's, state's, donors')? 13. Lack of understanding of the interconnection of various funding sources (federal, state, county, town, etc.) 14. A feeling of competition between nonprofits as they fundraise (zero sum) 15. Reliance on and competition for volunteers	1. Tax houses over 3,000 SF 2. Mill levy 3. 1 cent sales tax for human services 4. Developing risk pool for medical care/health insurance (do good, do well argument) - require payment for benefit of infrastructure within which you live 5. Organize around one issue like housing to get this done as a collective - be an advocacy voice 6. Combat donor saturation by better coordinating efforts to reduce event fatigue and share planning burden 7. Consider our neighboring communities (Sublet, Teton (ID), and Star counties) 8. Reduce percentage of income spent on housing and time spent commuting - would reduce issues

APPENDIX E: Service Categories Used to Identify Community Priorities

BEHAVIORAL HEALTH SUPPORT: Finding, paying for or managing behavioral health care, including mental health and substance use disorder.

CHILD ABUSE AND NEGLECT INTERVENTION AND PREVENTION: Addressing child abuse or neglect.

CHILD CARE: Finding and paying for quality child care.

CRISIS SERVICES: Services that address emergency needs related to housing, food, safety, mental health, etc.

DOMESTIC VIOLENCE INTERVENTION AND PREVENTION: Addressing domestic violence.

EDUCATION AND TRAINING: Getting education or skills training.

EMPLOYMENT SUPPORT: Finding or keeping a good job.

FOOD SECURITY: Paying for food and groceries.

HOUSING STABILITY: Finding and paying for quality housing.

INCOME SUPPORT: Cash assistance.

LEGAL ISSUE SUPPORT: Finding or paying for legal services.

ORAL/DENTAL HEALTH SUPPORT: Finding, paying for or managing oral/dental health care.

PHYSICAL HEALTH SUPPORT: Finding, paying for or managing physical health care.

TRANSPORTATION SUPPORT: Finding or paying for transportation to work, school or appointments.

UTILITIES STABILITY: Paying for basic utilities, such as electric/gas and telephone.

OTHER ISSUE

Counties and towns use a variety of mechanisms to fund human services in their region. The funds that the Town of Jackson and Teton County commit to human services include some pass-through funds for mandated services (such as involuntary hospitalization), but primarily consist of flexible funding that the county and town may use to further human services goals and support community providers. In researching comparable human services funding benchmarks, PPI was challenged by lack of comparable data across regions to establish valid recommendations. A county's responsibility for human services, and their corresponding human services funding, varies widely across states hindering any ability to make apples to apples comparisons of human services spending.

However, research on human services funding identified multiple strategies that counties and towns have undertaken to develop a source for human services funding. We describe a few of these examples below as background for further discussion on Teton County's opportunities to establish a reliable pool of human services funding to augment other funding sources. In selecting case studies, we chose examples whose characteristics resemble Teton County human services funds: funding sources that focus predominantly on funding community nonprofit service providers, rather than government agencies, and include a high degree of flexibility in funding decisions.

Each of the funding sources described below are a small portion of the respective community's human services funding, which is augmented by other federal, state, county, and local sources of revenue, but may be a feasible model of human services funding for Teton County. Strategies described below include counties' use of mill levies to generate human services funds, town's allocation of general fund dollars towards human services, a community foundation's implementation of a reliable human services funding source for local providers, and a state level funding mechanism to provide flexible funds to counties.

PITKIN COUNTY/CITY OF ASPEN

The Healthy Community Fund Grant Program was first passed by voters of Pitkin County, Colorado, in 2002. The property tax/mill levy was passed again in 2006 and renewed and increased (to .99 mill levy) in November 2018 to extend funding for another nine years. In 2019, the property tax brought in $2,300,000 in revenue for non-profits in the region. Community services that have benefitted from the funding include:

- Protective and supportive services for children
- Services for at-risk youth
- Assistance for victims of domestic violence and sexual assault
- Behavioral health counseling and preventive services
- Provision of diverse physical, social, and educational activities for seniors
- Preventive health services for people with lower-incomes
- Support for people with developmental disabilities
- Care for terminally ill individuals and their families

The mill levy is roughly distributed across the following services:

- 46% to health and human services
- 22% to public health
- 15% to senior services
- 12% to local nonprofits
- 5% to manage the fund

As of 2018, the revenue used to manage the fund was approximately $150,000 which funded a coordinator who oversees accountability of the grant. Coordinator responsibilities include providing assistance with grant submission, helping agencies with outcomes measures, conducting site visits, and strengthening connection and coordination among the human services system.[26] Pitkin County government officials indicated that in absence of the mill levy, or if faced with voter rejection of the renewal, the county would have to absorb the cost of mandated services through its general fund, resulting in spending reduction for mandated services and elimination of optional grant making.

In addition to the Healthy Community Fund, Pitkin county implements a small mill levy (.065 as of 2016) for County Human Services. This mill levy accounts for 5 percent of Pitkin County's overall Human Services Fund revenue. The remainder of revenue sources include:

- 53% from state allocations and pass-through federal allocations
- 12% from the Healthy Community Fund support for Senior Services
- 27% from transfers from the General Fund to cover the net costs of Human Services Administration and Senior Services departments, which were previously part of the General Fund but moved to the Human Services fund in 2019

When applying for grants from the Healthy Community Fund, community agencies must identify the community goal that best describes the proposed grant's primary focus. Health and human services agencies select from the following goals:

- Family and Youth Well-Being: Promote the social, emotional, and economic well-being of families and youth;
- Physical Health: Promote the preventive, palliative and primary health needs of individuals and families;
- Mental Health and Substance Abuse Prevention: Promote the psychological well-being of individuals, provide treatment and promote prevention of substance abuse; and
- The Well-Being of Seniors: Provide a variety of physical, social, and educational activities.

Agencies applying for grants must also provide a proposal narrative that identifies the programs or services the funding will support, provides the number of unduplicated clients served, and describes how their work is similar or different to related non-profits in the community. If an agency is requesting more than $10,000, they are also required to complete an outcomes-based performance plan in which they identify their Service Delivery Goal, Objectives, Outcome Measures, and Community Benefits.

In addition to the Pitkin County human services funding mechanisms, including the mill levies, the City of Aspen awards grants for health and human services to address mental health and substance abuse or support community and family connections, especially those that address root problems (e.g. lack of school readiness or risky teen behaviors) for individuals that work or live in the City of Aspen. The City of Aspen Health and Human Services Grants are requested through a joint application process with the County Healthy Community Fund. Notably, the City of Aspen recently included a multi-year funding option which enables grantee applicants to request a two-year grant; although grant funds are still provisioned on an annual basis, this option was added to reduce administrative burden on grant applicants. The 2019 recommended funding for City of Aspen Health and Human Services grants was $467,850.

BOULDER

Like Aspen and Pitkin County, the City and County of Boulder, CO have multiple funding streams to support human services. At the County level, the total budget of Boulder County to support Health and Welfare/Economic Opportunity was $121,334,320. This budget is comprised of diverse funding streams, including federal, state, and county dollars.

[26] Salvail, Andre. Pitkin County works out details on Healthy Community Fund tax increase. Aspen Daily News. August 8, 2018.

In 2010, Boulder County voters first approved a temporary .9 mill levy, the Human Services Safety Net Initiative (HSSNI now the Human Services Safety Net Fund (HSSNF)), to help backfill a void left by state and federal cuts to housing and human services. The mill levy was extended by voters in 2014 to continue funding through 2030. In 2014, the mill levy generated approximately $5 million per year. As stated by the County, the primary function of the mill levy is to fill gaps left by inadequate state and federal funding for health care, housing assistance, and other humans services. The goals of the funding stream are to:

- Invest in families early, before they hit crisis
- Strengthen early intervention and prevention
- Invest in community-based safety net services
- Promote individual and family stabilization

Services that may be funded to support these goals include: food and financial assistance, housing and rental assistance, access to health care, access to quality child care, job training and employment supports, behavioral health services, and support for Family Resource Centers.

Since Colorado counties administer several means-tested social support programs directly, such as Colorado Works (TANF), SNAP, and workforce development, they can directly track increases in demand for core human services, while simultaneously tracking changes in state and federal funding to support human services programs. Additionally, since the County directly provides many of these health and human services, they are uniquely motivated to find solutions to budget fluctuations and increasing caseloads with a sense of urgency that other counties may not experience. The HSSNF enables the county to partner with community nonprofit providers to address immediate human services needs.

In addition to the Human Services Safety Net Fund, there are multiple other county funding streams to support community organizations that provide human services:

- The County Commissioners supported Housing and Human Services Non-Profit Grants provide funding to nonprofits that address areas of the Boulder County Human Services Strategic Plan, including meeting basic needs of food and shelter, improving access to health care, promoting economic well-being and self-sufficiency, and community safety. The 2019 budget was $3.4 million.
- Like the Housing and Human Services Non-Profit Grants, the Community Services Non-profit Grants is supported by County Commissioners and provides $1.3 million to community nonprofits providing strategic human services.
- Developmental Disabilities funding supports agencies assisting individuals with developmental disabilities and is funded at a property tax mill levy of 1.0 mills.
- An additional .5 mills of property tax fund Human Services government agencies that have suffered cutbacks as a result of state funding.

These funding streams are in addition to funding that supports human services delivered directly by county agencies. As noted by the total human services budget above, a high level of resources is devoted to health, welfare, and economic opportunity in Boulder County.

In addition to County level human services funding, the City of Boulder approved $23,505,312 for human services in 2019. In 2018, the City of Boulder merged Housing and Human services into one department; the stated funding covers the range of services provided by the new entity, including housing asset management, family services, funding and resource planning, and senior services. As part of its $23 million budget, the City operates a Human Services Fund which supports community agencies providing services to Boulder residents in support of the City's Human Services Strategy. The City awards grants through a competitive process and based on alignment with City of Boulder priorities and goals. The Human Services Fund program funds four-year grants with annual distribution of funds. Just over $2 million were recommended for distribution in 2020 through the City Human Services Fund.

The City's four-year funding cycles allow a focus on long-term outcomes and development of funder/partner approach. City and program staff meet regularly to assess progress toward goals and identify opportunities for program modifications. In addition:

- Four-year funding is dependent on appropriations and progress on program metrics and milestones.
- Funded programs report regularly on metrics and outcomes that are closely aligned with anticipated results.
- Each goal area has an annual summit to convene funded programs to discuss outcomes and learning and share information with city agencies, peer programs, community partners, and other funders participating in the summit.
- Annual summits are intended to cross-pollinate and generate ideas for new programs, enhancements, or partnerships.

WHISTLER FOUNDERS PASS

In additional to property taxes and public mill levies, communities have found alternative avenues to generating funds for human services. The Whistler Blackcomb Foundation in British Columbia, Canada aims to support larger, more long-lasting community projects within the Sea to Sky Corridor, and to build a stronger relationship with community residents. The Whistler Blackcomb region shares many similarities with Teton County stemming from the impact of the resort dynamic on local cost of living, service needs, and worker housing. The Foundation provides support to organizations whose activities benefit area residents in the areas of health, human services, education, recreation, arts and culture and the environment. In addition to multiple signature events such as a golf classic, weekend ski celebration, and a fine-dining gondola experience, the Foundation manages the Founders Pass. The Founders Pass is the Foundation's primary fundraising vehicle and raises $300,000 (CAD) each year through the sale of 50 VIP Annual ski passes donated by Whistler and Blackcomb Mountain Resorts. The Founders Pass is $6,000 CAD per year and offers the following privileges:

- Lift Line Priority for the first ride up of the day for the passholder and three paid guests
- 10 fresh tracks breakfast tickets
- Summer Skiing and Sightseeing access
- Discount Perks of a regular season pass
- Complimentary on-hill storage
- Donor Wall recognition

PENNSYLVANIA HUMAN SERVICES DEVELOPMENT FUND

Funding for human services as the local level can be a confusing network of sources. As described by the County Commissioners Association of Pennsylvania:[27]

> "Funding for county human services programs is derived from a series of federal, state, and county funding streams. Some funding streams are intended to cover costs of a mandate, in whole or in part, some require shared funding responsibility between the federal and state budgets, and some include a county match…. Numerous terms abound when human services discussions focus on finances. Funding for human services can be confusing and difficult to understand. Each system has specific funding and along with those dollars are inevitable constraints."

In 1994 Pennsylvania established the Human Services Development Fund (HSDF) to provide Pennsylvania

[27] Salvail, Andre. Pitkin County works out details on Healthy Community Fund tax increase. Aspen Daily News. August 8, 2018.

counties with funds to address the needs of specific populations, including low-income adults, older adults, dependent and delinquent children, persons experiencing or at risk of homelessness, individuals with behavioral health challenges, or individuals with intellectual or developmental disabilities. The HSDF is a line item in the state Department of Public Welfare's budget and may pay for services or service coordination; up to ten percent of a counties HSDF fund may be used to reimburse for costs of administering the HSDF program. HSDF is often thought of as an "adult services" fund to provide services for low-income adults not covered by any other source, however, counties may use funds flexibly and often target preventative programs, self-sufficiency programs, in-home services, and coordination of county human services programs to reduce redundancy or gaps. In 2012, Pennsylvania established the Human Services Block Grant (HSBG) to provide more flexibility to counties in funding services; the HSDF is one of seven HSBG funding streams. In FY 2016/17 the HSDF was appropriated $13.5 million statewide and served a total of 422,859 individuals across counties.

APPENDIX G: Challenges to Collecting Comparable Human Services Funding Data

In response to interest in identifying benchmark data to guide Teton funding decisions, PPI undertook the following activities:

- Sought academic and professional articles that summarized county/town expenditures on human/social services.
- Sought budget/expenditure data from similar regions to gauge Teton's funding in the context of comparable counties.

ACADEMIC/PROFESSIONAL ARTICLES

Developing consistent figures to compare county spending across jurisdictions or develop benchmark measures is challenging. County responsibility for contributing to federally or state funded programs varies considerably, as do government transfer and pass-through payments.

- Major cost categories for counties include human services, general government projects, employee salaries and benefits, and public safety, which account for nearly 65% of county expenses.[28]
- County spending is highly correlated to increases in state-imposed mandates and economic conditions that increase demands for social services and curtail revenue.
- In New York counties, human services were 25.8% of average county expenditure, however, counties must administer and pay for more state and federal human services programs in New York compared to many other states, including Wyoming.[29]
- In most research, data on human/social services includes Medicaid and other entitlement programs. Social services spending per capita in New York has increased from $431 to $517 in 2014, however, Medicaid represents 42 percent of total county social services spending, and 31 percent is cash assistance programs such as LIHEAP and disability payments. These expenditures are not included in all county budgets or human services spending nationally, making apples to apples comparisons across counties/states difficult.[30]
- State and local governments combined spend an average of $1,972 per capita on public welfare, with Washington DC at the high end ($5,332) and Georgia at the low end ($1,318). These ranges include Medicaid spending, for which elderly and adults account for two-thirds of spending.[31]
- In 2016, 42% of state's direct general expenditures went to public welfare, the largest source of state direct spending. Local governments spend only 4 percent on public welfare. Medicaid spending is included in these figures, and accounts for most of the increase in public welfare spending.[32]
- Despite the recognized importance of non-medical and human services, little research has been conducted to understand how social service investments translate into population health outcomes. There is evidence that increased human services spending in the US at the county level was associated with improved health outcomes, however, no research has explored correlates and patterns in social services expenditures.
- Recently, census public expenditure data was analyzed at the county level on a per capita and percentage of total revenue basis. Local level per capita human services spending averaged $3,120, while per capita health care spending from federal sources averaged $9,440. The largest social services expenditure category was K-12 education ($1,774) representing 42% of total local government spending.[33]

[28] New York State Association of Counties. NYS County Expenditures: Aggregate Trends. January 5, 2017.
[29] New York State Association of Counties. NYS County Expenditures: Aggregate Trends. January 5, 2017.
[30] New York State Association of Counties. NYS County Expenditures: Aggregate Trends. January 5, 2017.
[31] Urban Institute. State and Local Finance Initiative: State and Local Revenues.
[32] Urban Institute. State and Local Finance Initiative: State and Local Revenues.
[33] McCullough, J.M. Local health and social services expenditures: An empirical typology of local government spending. Preventive Medicine 105 (2017) 66-72.

- Relative to the abundance of data on health care spending, very little directly comparable data exist to present a descriptive picture of how much is spent on health care versus public health versus social services, and how that spending varies across counties and across programs.[34]
- The recent analysis suggests that there are not social services that universally trade-off with one another (e.g. additional spending on public health does not necessarily mean less spending on other community priorities such as parks, education, or safety).[35]
- Teton County resembled Group 4 in the above analysis, which included counites that tended to be smaller, more rural, less diverse, and economically better of counties with strong health outcomes and indicators. For this group, social services spending per capita averaged $3,458, and social services spending as a percent of health care spending was 41.1%.[36]

Social Service Category	Per Capita Spending Average for Like Counties	Proportion of Total Spending Among Like Counties
Public health and community health care	$114	2.3%
Public welfare	$75	1.4%
K-12 education	$1976	40.2%
Housing and community development	$45	.9%

COUNTY BUDGET DATA

In an effort to identify comparable data on county human services expenditures, we also sought budget data from similar counties to analyze for social service expenditures/funding totals. Systems of Care stakeholders described conducting a related analysis approximately three years ago where they extracted social/human services funding from like-county budgets online and compared it to Systems of Care and Teton County spending. We found several challenges in developing apples to apples comparisons with like county data available online:

- The National Association of County (NACo) County Explorer tool allows counties to benchmark data with other counties of similar geographic location and size. The data NACo used in its County Total Human Services Expenditures analysis are Public Welfare data and include administrative costs for running SSI, Medicaid and TANF at the county level. The total annual human services expenditure for Teton County in their analysis was $27,000, and the range among similar counties was $0 to $3.7 million, highlighting the wide variation in county funding and contribution formulas. This information does not provide relevant data or insights on human services expenditures for the purposes of human services planning in Teton County, but highlights the challenge in finding accurate, comparable data to use as a benchmark or guide.
- Most county budgets do not include line items for human or social services, and it is unclear how analogous human/social services expenditures are distributed across existing budget categories, or to what degree they are funded at the county level.
- Many county human/social services budgets in comparable communities in Colorado or California include county level expenditures on cash assistance programs including county-level TANF programs that inflate county expenditures and preclude like comparison with Teton County funding.
- The bundle of services included in human/social services line items are not consistent across counties and may not yield reasonable comparisons.

[34] McCullough, J.M. Local health and social services expenditures: An empirical typology of local government spending. Preventive Medicine 105 (2017) 66-72.
[35] McCullough, J.M. Local health and social services expenditures: An empirical typology of local government spending. Preventive Medicine 105 (2017) 66-72.
[36] McCullough, J.M. Local health and social services expenditures: An empirical typology of local government spending. Preventive Medicine 105 (2017) 66-72.

APPENDIX H: Continuum of Housing Services

Housing services include a focus on physical housing/housing supply as well as supportive services to help people remain stably housed. The continuum of housing services includes pre-tenancy, tenancy, and supportive services, as shown in the following table.

Outreach and Screening	Housing Placement	Housing Services	Supportive Services
• Locate individuals • Determine eligibility • Conduct intake assessment • Engage clients repeatedly in flexible, responsive, proactive, and committed manner	• Assess housing needs • Establish housing placement plan • Work with client to access and maintain housing through: housing search and location; property owner outreach and relationship building; client education around acquisition and leasing; lease negotiation	• Establish housing stability plan • Ongoing lease education • Conflict and crisis mediation • Assistance with maintaining the household and finances • Support with independent performance of activities of daily living • Support with good neighbor skills and lease compliance • Eviction prevention and rehousing	• Treatment planning and goal setting • Intensive case management • Crisis intervention • Substance use disorder counseling • Mental health treatment • Peer support • Skill building • Connection to or delivery of primary care • Employment or vocational support

APPENDIX I: Aspen/Pitkin County Housing Authority Workforce Housing Fund

The City of Aspen and Pitkin County, Colorado, similarly to the town of Jackson and Teton County, Wyoming, have high housing costs, which make it difficult for the local workforce to afford to live there. The Aspen Pitkin Housing Authority (APCHA) was created in 1982 through an inter-governmental agreement, combining previously separate City (Aspen) and County (Pitkin County) housing programs. APCHA was established as a separate multijurisdictional governmental entity with authority to acquire and dispose of property as well as plan, construct, and manage affordable workforce housing. APCHA can raise revenues to fund the program. APCHA is governed by a five-member board of directors appointed by the Aspen City Council and the Board of County Commissioners of Pitkin County.

APCHA's mission is to provide affordable workforce housing for the community and local economy. APCHA's governing principles include a focus on providing affordable housing opportunities to full-time permanent working residents as well as providing housing opportunities for full-time seasonal workers. Additionally, APCHA promotes the development and maintenance of housing that is affordable across social-economic sectors.

Workforce housing in Aspen and Pitkin County is funded by the City, the County, and APCHA, with revenues coming from multiple sources including fees.

APCHA Funding	In general, two-thirds of APCHA's annual revenues are generated by fees and one-third from an operation subsidy which is split by the City and County. Fees are charged for administrative services.
City Funding	The city also has a Housing Development Fund dedicated to workforce housing, which is funded through: • A housing real estate transfer tax of 1% on the sale price of private real estate sold within the city, exempting the first $100,000. • A portion of the city sales tax is dedicated to affordable housing and child care. • Fee-in-lieu and impact fees can be charged to developers who do not construct or convert affordable housing as part of development projects. • Land-in-lieu or conveyance of vacant land help the city and APCHA acquire real property to be developed or sold to support affordable housing. • City of Aspen's Credit Certificate Program where developers can mitigate affordable housing requirements by purchasing a credit equivalent to the fee market value of an affordable housing unit located in an "all-affordable" housing project.
County Funding	Pitkin County maintains an affordable housing dedicated fund through the Employee Housing Impact Fee.

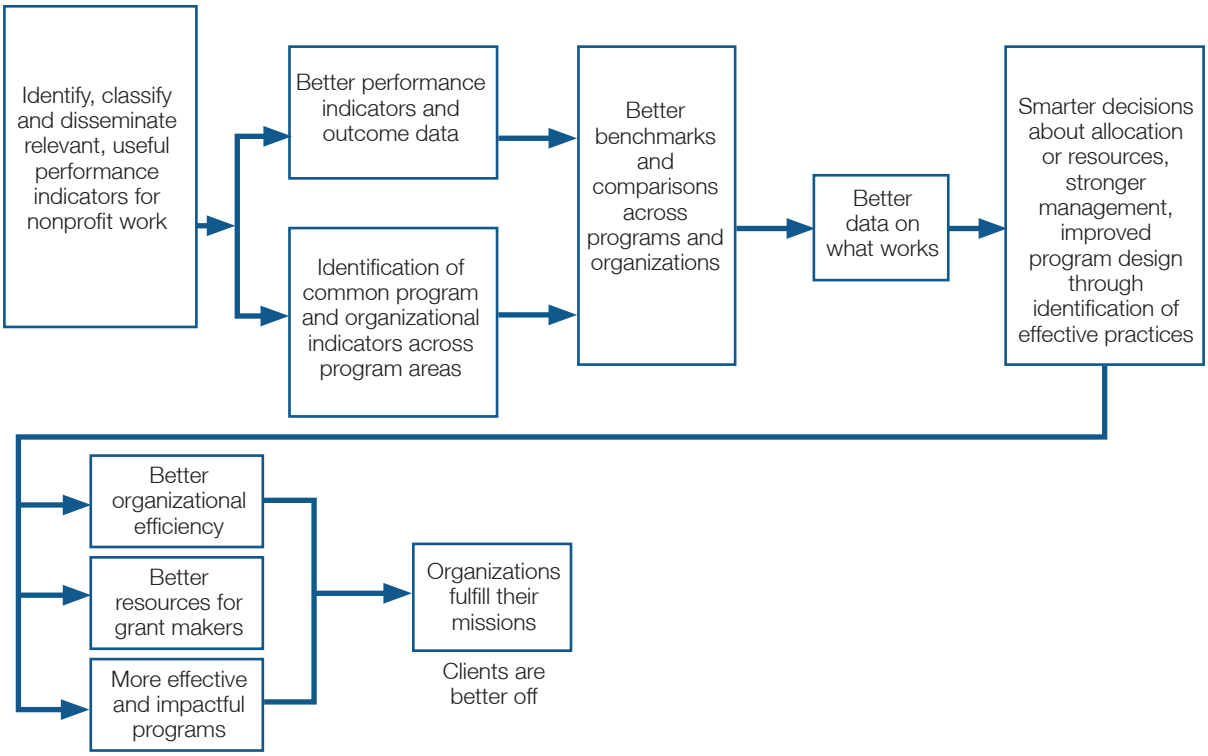
[37] Bethany Spritz, *The Aspen Pitkin County Housing Authority: An Affordable Workforce Housing Program*, (Colorado Lawyer, October 2019).

THE VALUE OF ACTIVE CONTRACT MANAGEMENT

Although not scoped in the current human services planning project, Teton County and the Town of Jackson are interested in building more active contract management and strategic evaluation into the funding process. Active contract management can help funders better understand the outcomes of their support, adjust funding in response to contextual or community changes, and improve service delivery and participant outcomes. For grantees, active contract management can build a partnership to strengthen service implementation and provide tools to help service providers make meaning out of program data, respond to implementation challenges, and improve service delivery and participant and community success.

To achieve these goals, active contract management must be collaborative and flexible, build capacity among providers to strengthen evaluation competency and minimize burden of additional funding requests, and seek to inform rather than prescribe service delivery decisions. Without this focus, funding requirements often lead grantees to perceive the process as siphoning time away from the core work of the organization, setting unrealistic expectations of performance that incentivize overstating accomplishments, and expectation of rigorous monitoring without commensurate funding support, among others.[38] Figure J.1 provides rationale for building a better outcome framework to measure human services performance.

Figure J.1: Active contract management and improved outcome frameworks help organizations fulfill their mission and clients progress toward goals



Data Source: Urban Institute Outcome Indicators Project

[38] Ebrahim, Alnoor. Measuring Social Change: Performance and Accountability in a Complex World. Stanford University Press, 2019.

NEEDED FUNDER SUPPORT

Ongoing performance measurement and continuous learning requires additional support from funders to build capacity and organically develop evaluation fluency within service providers. Evaluation sophistication will vary greatly—some organizations may need initial help developing logic models that help them connect program services and anticipated outcomes with underlying theories of change. Others may require help identifying outcomes that are relevant, measurable, and achievable, while balancing the need to streamline the number and breadth of indicators to avoid overwhelming program resources. Ongoing performance measurement should mutually enable funders to assess progress of their portfolio of projects while providing high-utility information to service providers to improve program management and support better outcomes.

Different performance management tools may be appropriate at different stages of funder decision making. As described in Alnoor Ebrahim's *Measuring Social Change: Performance and Accountability in a Complex World*, to assess performance potential, funders and grantees may use theory of change, logic models, or system framing to frame anticipated activities, goals, and outcomes. Chosen outcome measures are relevant and reasonable, and use scientific knowledge, such as scholarly literature or systematic reviews, to identify appropriate measures. This stage of the process can help funders and grantees define what success might look like for a funded project.

To improve performance and identify midcourse changes to improve outcomes, funders may support baseline assessments, workplan targets, and scorecards that communicate real data in a timely way. This process should build in feedback from key stakeholders to assess interim progress toward goals and inform program adjustments.

To assess performance and understand what was achieved, funders may support more rigorous evaluation models, such as experimental or quasi-experimental design, that provide evidence of program impact. They may also support more contribution-based methods that illustrate programs' influence and contribution towards outcomes, such as outcome mapping, qualitative impact assessment, and contribution tracing.

KEY STRATEGIES TO SUCCESS

Three active contract management strategies that dovetail strategically with continuous improvement processes include:[39]

- Frequent reviews of program data to identify real-time service delivery issues and provide feedback loops for providers and program staff to assess and refine service delivery.
- Regular meetings between service providers and funding agencies to troubleshoot problems, chart progress, and identify opportunities for systems change.
- Performance management roadmaps to organize strategic inquiry and service delivery analysis.

Proliferation of outcome measurement across funders can also have its challenges to providers. Different funders may require measurement of different outcomes, or even different indicators for the same outcome measure. Development of common outcomes among service organizations and funders can reduce burden on providers and facilitate shared learning to improve service delivery across the safety net. Rather than using common outcomes primarily to determine who to fund, these data should be used to identify best practices that can be shared among agencies, or to identify opportunities for technical assistance and program adjustments. Since the number of local funders is relatively small in Teton County, there may be opportunity to collaborate, in partnership with human services providers, in developing common outcome measures for key service areas. This would streamline providers' reporting activity while supporting assessment of community-wide progress towards human services goals.

[39] Harvard Kennedy School Government Performance Lab. Active Contract Management: How Governments Can Collaborate More Effectively with Social Service Providers to Achieve Better Results.

CONNECTING TO THE BROADER COMMUNITY

For broader community relevance, agency performance outcome measures should be linked to community level indicators. This connection can improve the ability of human services agencies to recognize leading community indicators that may signal changes to the economic or social environment that will impact program demand or operations.

For most effective community indicator implementation, communities should develop a discrete number of community-level indicators, such as one or more community level indicators for each community human services goal. This provides a straightforward and transparent way to asses impact on or contribution to community goals. Indicators should have clear proxy (does it represent the result?), data (is quality data available on a timely basis?), and communication power (do people understand it?). For example, poverty rate may meet the "power" criteria, but without a substantial investment, factors like the state of the economy and public safety net programs will overwhelm the ability to detect any community-wide impact from a few modestly funded agencies. If the indicators selected are strategic, they can have the effect of focusing the community on addressing a limited number of root causes, versus engaging in a more scattershot approach that is more focused on addressing symptoms.

EXAMPLES FROM THE FIELD

Examples of programs engaged in active contract management and ongoing performance measurement illustrate benefits from well-planned performance evaluation:

- Seattle's Human Services Department (HSD) is using active contract management to help reorient homelessness service contracts to focus on clients' ability to achieve stable housing. HSD staff is collaborating with providers to monitor progress, detect problems, and provide real time resolution. Performance data are reviewed monthly across six key metrics that drive more effective service delivery. Providers use lessons from the data to develop and implement strategies to improve outcomes.
- Rhode Island's Department of Children, Youth, and Families (DCYF) developed a 12-month performance roadmap that identified which analyses would occur during each month of the active contract management meetings. This intentional organization enabled the agency to plan for high-utility analysis such as: family risk factors associated with higher service needs; an assessment of providers' strategies for identifying and matching families to programming; and determining which service components are most critical for safely keeping families together.
- Community funders may also use population level community indicators to help identify potential gaps in service delivery and opportunity for focused funding. Grant County in east central Washington, for example, uses community indicators across 10 key areas to chart community trends in priority areas. Indicators were chosen through eight focus groups comprised of diverse community stakeholders, including government representatives, nonprofit providers, educators, and business representatives. Community indicators are dynamic and may change over time to reflect changes in community preferences. Changes in community trends can help community funder and service providers adjust programming to meet identified needs.

APPENDIX K: Resource Allocation Targets Using 2019/20 Funding Levels

For a point in time reference, Figure K.1 uses 2019/20 funding levels to provide a detailed illustration of how funds would be allocated according to the resource allocation targets. The sub-area allocations are informed by (1) the community-defined priorities based on the tier in which they fall, and (2) the current 2019/20 baseline funding percentage to reduce abrupt disruption in service provision.

Figure K.2 shows the resource allocation targets sorted by human service area and human service sub-area. The allocations are the same for the Town and County.

Figure K.1: Base Resource Allocation Targets by Priority Tier (demonstration based on 2019/20 amount funded)

Town	$ 800,000		$ 1,560,000		$ 2,360,000	
Priority 1	$ 480,000	60%	$ 936,000	60%	$ 1,416,000	60%
Economic Stability: Housing	$ 16,000	2%	$ 31,200	2%	$ 47,200	2%
Education: ECE and Development	$ 112,000	14%	$ 218,400	14%	$ 330,400	14%
Health & Health Care: Mental Health	$ 272,000	34%	$ 530,400	34%	$ 802,400	34%
Health & Health Care: Substance Use Disorder	$ 80,000	10%	$ 156,000	10%	$ 236,000	10%
Priority 2	$ 200,000	25%	$ 390,000	25%	$ 590,000	25%
Economic Stability: Poverty and Low-Income Support	$ 56,000	7%	$ 109,200	7%	$ 165,200	7%
Economic Stability: Food Security	$ 8,000	1%	$ 15,600	1%	$ 23,600	1%
Health & Health Care: Physical Health	$ 24,000	3%	$ 46,800	3%	$ 70,800	3%
Health & Health Care: Abuse and Neglect	$ 112,000	14%	$ 218,400	14%	$ 330,400	14%
Priority 3	$ 40,000	5%	$ 78,000	5%	$ 118,000	5%
Economic Stability: Employment Support	$ 16,000	2%	$ 31,200	2%	$ 47,200	2%
Economic Stability: Legal Services	$ 4,000	0.5%	$ 7,800	0.5%	$ 11,800	0.5%
Education: School-Age Education and Enrichment	$ 12,000	1.5%	$ 23,400	1.5%	$ 35,400	1.5%
Education: Adult Education and Training	$ -	0%	$ -	0%	$ -	0%
Health & Health Care: Oral Health	$ -	0%	$ -	0%	$ -	0%
System Coordination: Outreach, Access, Navigation, and Case Management	$ 8,000	1%	$ 15,600	1%	$ 23,600	1%
Discretionary	$ 80,000	10%	$ 156,000	10%	$ 236,000	

Figure K.2: Base Resource Allocation Targets by Service Area (demonstration based on 2019/20 amount funded)

Town	$ 800,000		$ 1,560,000		$ 2,360,000	
Economic Stability	$ 100,000	13%	$ 195,000	13%	$ 295,000	12.5%
Housing	$ 16,000	2%	$ 31,200	2%	$ 47,200	2%
Poverty and Low-Income Support	$ 56,000	7%	$ 109,200	7%	$ 165,200	7%
Food Security	$ 8,000	1%	$ 15,600	1%	$ 23,600	1%
Employment Support	$ 16,000	2%	$ 31,200	2%	$ 47,200	2%
Legal Services	$ 4,000	0.5%	$ 7,800	1%	$ 11,800	0.5%
Education	$ 124,000	16%	$ 241,800	16%	$ 365,800	15.5%
Early Care & Education and Development	$ 112,000	14%	$ 218,400	14%	$ 330,400	14%
School-Age Education and Enrichment	$ 12,000	2%	$ 23,400	2%	$ 35,400	2%
Adult Education and Training	$ -	1%	$ -	1%	$ -	1%
Health & Health Care	$ 488,000	61%	$ 951,600	61%	$ 1,439,600	61%
Mental Health	$ 272,000	34%	$ 530,400	34%	$ 802,400	34%
Substance Use Disorder	$ 80,000	10%	$ 156,000	10%	$ 236,000	10%
Physical Health	$ 24,000	3%	$ 46,800	3%	$ 70,800	3%
Abuse and Neglect	$ 112,000	14%	$ 218,400	14%	$ 330,400	14%
Oral Health	$ -	0%	$ -	0%	$ -	0%
System Coordination	$ 8,000	1%	$ 15,600	1%	$ 23,600	1.0%
Outreach, Access, Navigation, and Case Management	$ 8,000	1%	$ 15,600	1%	$ 23,600	1%
Discretionary	$ 80,000	10%	$ 156,000	10%	$ 236,000	10%

JOINT INFORMATION PROCEEDINGS
TOWN COUNCIL AND BOARD OF COUNTY COMMISSIONERS MEETING

JULY 6, 2020 **JACKSON, WYOMING**

The Jackson Town Council met in conjunction with the Teton County Commission in a joint information meeting (JIM) located in the County Commissioner's Chambers located at 200 S. Willow St. at 2:30 P.M. Upon roll call the following were present:

COUNTY COMMISSIONERS: *In-person* none. *via Zoom:* Chair Natalia Macker, Vice-Chair Greg Epstein, Mark Barron, Mark Newcomb, and Luther Propst.

TOWN COUNCIL: *In-person*: none. *via Zoom*: Mayor Pete Muldoon, Vice-Mayor Hailey Morton Levinson, Arne Jorgensen, Jim Stanford, and Jonathan Schechter.

STAFF: Alyssa Watkins, April Norton, Brady Hansen Chris Neubecker, Darren Brugmann, John Graham, Kristi Malone Lea Colasuonno, Roxanne Robinson, Stacy Stoker, Tyler Sinclair, Kathy Clay, Maureen Murphy, Paul Anthony, Keith Gingery, and Shelley Fairbanks.

Public Comment. None.

Consent Calendar. On behalf of the County, a motion was made by Commissioner Epstein and seconded by Commissioner Barron to approve the consent calendar items A as presented with the following motion. On behalf of the Town, a motion was made by Councilwoman Morton Levinson and seconded by Councilman Jorgensen to approve the consent calendar items A as presented with the following motion. No public comment was given on the Consent Calendar.

A. Meeting Minutes. To approve the meeting minutes as presented for the June 1, 2020 regular JIM, June 8, 2020 special JIM meeting, and the June 16, 2020 special JIM meeting as presented.

The vote showed all in favor and the motion carried for the County. The vote showed all in favor and the motion carried for the Town.

Consent Items B – Housing Rules and Regulations Annual Clean-Up Update and C – RFQ Award for Employee Generation by Land Use Study were removed from the Consent Calendar and added to the Discussion/Action Items as items D and E respectively.

A. Fire Station One Change Order. Brady Hansen, Fire Chief, made staff comment. Joe Bolton, Construction Manager/Forsgren Associates, made comment. Zia Yasrobi made comment on behalf of Y2 Consultants. Tyler Sinclair, Town of Jackson Community Development Director, made staff comment.

On behalf of the County, a motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to approve the Costs to Finish and Schedule to Finish from Wapiti Corporation for Fire Station 1 construction as presented today in the amount of $4,425,283.74, authorize additional project funding in the amount of $758,903 for owner-direct expenses, and authorize the use of Fund 13 fund balance as presented. Chair Macker called for the vote. The vote showed all in favor and the motion carried for the County.

B. Consideration of START Route Plan for 2020-2025. Darren Brugmann made staff comment. Susan Mick made comment on behalf of the START Board. LSC Consultants Megan McPhilimy and Gordon Shaw presented a review of the Route Plan Study.

Public comment was made by Anna Olson.

On behalf of the County, a motion was made by Commissioner Barron and seconded by Commissioner Newcomb to accept the START 2020-2025 Route Plan as presented by LSC Transportation Consultants, Inc. for START use as its primary guidance in future operational plans. Chair Macker called for the vote. The vote showed all in favor and the motion carried for the County.

On behalf of the Town, a motion was made by Councilman Jorgensen and seconded by Councilwoman Morton Levinson to accept the START 2020-2025 Route Plan as presented

by LSC Transportation Consultants, Inc. for START use as its primary guidance in future operational plans. Mayor Muldoon called for the vote. The vote showed 4-1 in favor with Councilman Stanford opposed and the motion carried for the Town.

The meeting was recessed at 4:25pm and reconvened at 4:31pm.

C. Growth Management Plan – Comprehensive Plan Work Plan. Kristi Malone, Joint Long-Range Planner, presented to the Board and Council the proposed Fiscal Year 2021 Work Plan, make changes or amendments based upon priorities for July 2020 to June 2021, and approve a defined Fiscal Year 2021 Work Plan.

On behalf of the Town, a motion was made by Councilman Jorgensen and seconded by Councilwoman Morton Levinson to approve the proposed FY21 Implementation Work Plan dated June 29, 2020 with the following amendments:

1. To remove the Neighborhood Plans item for now and replace it with a Neighborhood Plan for Northern South Park only, with the details of process, time frame and lead agency(ies) to be decided.
2. Provide an update on the Sign Code amendment item including scope and number of staff hours involved for further direction by Town Council.

Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried for the Town.

On behalf of the County, a motion was made by Commissioner Epstein and seconded by Commissioner Barron to continue item C to a future meeting and to move items D and E to the August JIM. Chair Macker called for the vote. The vote showed all in favor and the motion carried for the County.

On behalf of the Town, a motion was made by Councilman Stanford and seconded by Councilman Jorgensen to continue item C to a future meeting and to move items D and E to the August JIM. Mayor Muldoon called for the vote. The vote showed 4-1 in favor with Councilman Schechter opposed and the motion carried for the Town.

Growth Management Plan – 2012 Comprehensive Plan Update. The purpose of this item is for the Board and Council to review the project status of the Comprehensive Plan Update, provide an opportunity for the Town Council and Board of County Commissioners to review and revise their most recent motions on the project, and discuss joint priorities for moving forward.

D. Housing Rules and Regulations Annual Clean-Up Update. The purpose of this item is for the Board and Council to consider proposed changes to the Jackson/Teton County Housing Department Rules and Regulations and provide direction to staff. These changes include clerical errors, minor clarifications, formatting, and additional definitions. There is one policy change to section 7-2. Multiple Defaults.

E. RFQ Award for Employee Generation by Land Use Study. The purpose of this item is to provide the Board of County Commissioners and Town Council with an opportunity to consider the award of the Housing Nexus Study.

Adjourn. On behalf of the County, a motion was made by Commissioner Barron and seconded by Commissioner Epstein to adjourn. The vote showed all in favor and the motion carried for the County. On behalf of the Town, a motion was made by Councilwoman Morton Levinson and seconded by Councilman Schechter to adjourn executive session to consider matters concerning litigation to which the governing body is a party or proposed litigation to which the governing body may be a party to in accordance with Wyoming Statute 16-4-405(a)(iii). The vote showed all in favor and the motion carried for the Town. The meeting adjourned at 5:06 p.m.
minutes:sdf

TETON COUNTY BOARD OF COUNTY COMMISSIONERS

_____
Natalia D. Macker, Chairwoman

ATTEST:

_____

Maureen E. Murphy, County Clerk

JOINT INFORMATION PROCEEDINGS
TOWN COUNCIL AND BOARD OF COUNTY COMMISSIONERS MEETING

JULY 13, 2020 **JACKSON, WYOMING**

The Jackson Town Council met in conjunction with the Teton County Commission in a special joint information meeting (JIM) located in the Town Council Chambers located at 150 East Pearl Avenue at 6:03 P.M. Upon roll call the following were present:

TOWN COUNCIL: *In-person*: Mayor Pete Muldoon. *via Webex*: Vice-Mayor Hailey Morton Levinson, Arne Jorgensen, Jim Stanford, and Jonathan Schechter.

COUNTY COMMISSIONERS: *via Webex:* Chair Natalia Macker, Luther Propst, Mark Barron, and Greg Epstein. Mark Newcomb joined at 6:07 p.m.

STAFF: Larry Pardee, Roxanne Robinson, Lea Colasuonno, Tyler Sinclair, Paul Anthony, Jason Wright, Alyssa Watkins, Keith Gingery, Chris Neubecker, Kristi Malone, and Sandy Birdyshaw.

Comprehensive Plan. Tyler Sinclair made comment that the purpose of this meeting was to jointly review the status and take next steps on the updates to the 2012 Jackson/Teton County Comprehensive Plan by releasing the edited draft for a public comment period and set hearing dates to consider adoption; the fiscal year 2021 Long-Range Work Plan by refining the Northern South Park Neighborhood Plan task and approving the fiscal year 2021 Work Plan; and review the Northern South Park Neighborhood Plan task and directing staff to prepare draft a Scope of Work and Request for Proposals.

Discussion was held the proposed update for Subarea 5.6 Northern South Park in the Comprehensive Plan. Keith Gingery commented on governing regulations.

On behalf of the County, a motion was made by Mark Newcomb and seconded by Mark Barron to begin the public comment period pursuant to Wyoming Statute §16-3-103 of the Proposed Amendments to the 2012 Jackson/Teton County Comprehensive Plan, to direct staff to advertise in the official newspaper of the county our intent to adopt amendments to the 2012 Jackson/Teton County Comprehensive Plan, to set a hearing date before the Teton County Planning Commission and a hearing date before the Board of County Commissioners with notice as required by Wyoming Statute §18-5-202 with the following changes to the proposed amendments to the 2012 Jackson/Teton County Comprehensive Plan directed at this meeting:

1. Edit the draft to replace Subarea 5.6 with the text provided in the redline included in the May 18, 2020 Staff Report with the following sentence removed: “An exception to the neighborhood plan requirement is the allowance for development when associated with provision of meaningful permanent open space by clustering development into the subarea from a Conservation or Preservation Subarea.” (from 5/26/2020 JIM suggested motion)

2. Edit the draft to split Strategy 3.3.S.5 into two separate Strategies with one on Northern South Park and one on the Fairgrounds site. (from 5/26/2020 JIM suggested motion)

3. Add a Strategy to identify locations in the County that may be appropriate for higher residential density to meet community-wide workforce housing goals. (from 5/26/2020 JIM suggested motion)

4. Remove the following language from Subarea 5.6: “One possible option to be considered is a future east-west connector between South Park Loop Road and Highway 89” and replace with: “The neighborhood plan will include options to improve transportation, circulation and connectivity within and around the Subarea.” (from 6/1/2020 BCC meeting)

5. Change language in Subarea 5.6 to specify that the neighborhood plan will be “completed by the County in consultation with the Town” (from 6/1/2020 BCC meeting)

6. Add a new bullet point to the Neighborhood Plan Strategy 3.3.S.5 stating “referencing Town zoning concepts for guidance and use Town infrastructure standards”

The vote showed all in favor and the motion carried for the County.

On behalf of the Town, a motion was made by Hailey Morton Levinson and seconded by Arne Jorgensen to begin the public comment period of the Proposed Amendments to the 2012 Jackson/Teton County Comprehensive Plan, to direct staff to advertise in the official newspaper of the town our intent to adopt amendments to the 2012 Jackson/Teton County Comprehensive Plan, to set a hearing date before the Jackson Planning Commission and a hearing date before the Town Council with the following changes to the proposed amendments to the 2012 Jackson/Teton County Comprehensive Plan directed at this meeting:

1. Edit the draft to replace Subarea 5.6 with the text provided in the redline included in the May 18, 2020 Staff Report with the following sentence removed: "An exception to the neighborhood plan requirement is the allowance for development when associated with provision of meaningful permanent open space by clustering development into the subarea from a Conservation or Preservation Subarea." (from 5/26/2020 JIM suggested motion)

2. Edit the draft to split Strategy 3.3.S.5 into two separate Strategies with one on Northern South Park and one on the Fairgrounds site. (from 5/26/2020 JIM suggested motion)

3. Add a Strategy to identify locations in the County that may be appropriate for higher residential density to meet community-wide workforce housing goals. (from 5/26/2020 JIM suggested motion)

4. Remove the following language from Subarea 5.6: "One possible option to be considered is a future east-west connector between South Park Loop Road and Highway 89" and replace with: "The neighborhood plan will include options to improve transportation, circulation and connectivity within and around the Subarea." (from 6/1/2020 BCC meeting)

5. Change language in Subarea 5.6 to specify that the neighborhood plan will be "completed by the County in consultation with the Town" (from 6/1/2020 BCC meeting)

6. Add a new bullet point to the Neighborhood Plan Strategy 3.3.S.5 stating "referencing Town zoning concepts for guidance and use Town infrastructure standards"

The vote showed 3-2 in favor with Muldoon and Schechter opposed. The motion carried for the Town.

Comprehensive Plan Work Plan. On behalf of the Town, a motion was made by Hailey Morton Levinson and seconded by Jonathan Schechter to continue this item to a later date, which may be July 27th. The vote showed 4-1in favor, with Stanford opposed. The motion carried for the Town.

On behalf of the County, a motion was made by Mark Barron and seconded by Greg Epstein to continue this item to a later date, which may be July 27th. The vote showed all in favor and the motion carried for the County.

Northern South Park Neighborhood Plan. No action was taken.

Teton County adjourns. Chair Macker adjourned the County Commissioners. The County's meeting adjourned at 8:10 p.m.

Town Resolution 20-22. A motion was made by Arne Jorgensen and seconded by Jonathan Schechter to continue Resolution 20-22 to July 20, 2020. Mayor Muldoon called for the vote. The vote showed 4-1 in favor, with Stanford opposed. The motion carried.

Adjourn. On behalf of the Town, a motion was made by Hailey Morton Levinson and seconded by Jonathan Schechter to adjourn. The vote showed all in favor and the motion carried for the Town. The Town's meeting adjourned at 8:14 p.m. minutes:spb

TOWN OF JACKSON

_____

ATTEST: Pete Muldoon, Mayor

_____

Sandra P. Birdyshaw, Town Clerk
Publish JH News & Guide: July 22, 2020

BOARD OF COUNTY COMMISSIONERS

TOWN COUNCIL

JOINT INFORMATION MEETING

AGENDA DOCUMENTATION

PREPARATION DATE: June 30, 2020
MEETING DATE: July 6, 2020

SUBMITTING DEPARTMENT: Affordable Housing
DEPARTMENT DIRECTOR: April Norton
PRESENTER: April Norton

SUBJECT: Housing Nexus Study Contract Award

STATEMENT/PURPOSE

The purpose of this staff report is to provide the Board of County Commissioners ("Board") and Town Council ("Council") with an opportunity to consider the award of the Housing Nexus Study.

BACKGROUND/ALTERNATIVES

As detailed in the January 28, 2020 staff report and again in the April 6, 2020 staff report, the Town and County were preparing to conduct a new Housing Nexus Study. The purpose of the study was to update the 2013 Housing Nexus Study and provide more accurate data about employee generation in Teton County.

On January 28, 2020, the Board and Council approved the request for qualifications ("RFQ") for a consultant to conduct this study.

Three entities submitted responses to the RFQ: Raftelis, Clarion Associates, and Place Dynamics.

After reviewing the proposals, it became apparent that the Housing Director had a conflict of interest under Teton County policy 2-6-3 because an immediate family member was part of the Raftelis team. As a result, the County Attorney's Office facilitated the stakeholder group evaluation of the RFQ responses. The group voted unanimously to recommend awarding the contract to Raftelis, with conditions.

Since that time, the global COVID-19 pandemic has disrupted the local economy and the study was not funded in the FY-21 budgets for either the Town or County.

Today, staff seeks direction from the Board and Council regarding next steps for the study and provides three options for consideration:

1. Given that the study has not been funded, the Board and Council could reject all responses and delay the study.
2. Consider a phased or reduced scope of work for the study that would result in a lower cost to the community, but would require a budget amendment for FY-21.
3. Some other approach outlined by the Board and Council today.

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

- Responses to the RFQ: Raftelis, Clarion, Place Dynamics
- JIM staff reports: January 28, 2020 and April 6, 2020

FISCAL IMPACT

Raftelis estimated the cost of the nexus study to be $172,986 for 860 hours of work. Typically, the Town and County would split contracts of this nature 50/50. However, neither entity has budgeted for this contract in FY-21, so a budget amendment would be necessary to fund the project.

STAFF IMPACT

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

STAKEHOLDER ANALYSIS

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

LEGAL REVIEW

Ongoing as needed.

RECOMMENDATION

Staff recommends rejecting all responses given that funding for the study was not approved for FY-21.

SUGGESTED MOTION

I move to reject all responses to the Request for Qualifications for the Employee Generation by Land Use Study.

BOARD OF COUNTY COMMISSIONERS

TOWN COUNCIL

JOINT INFORMATION MEETING

AGENDA DOCUMENTATION

PREPARATION DATE: April 2, 2020
MEETING DATE: April 6, 2020

SUBMITTING DEPARTMENT: Affordable Housing
DEPARTMENT DIRECTOR: April Norton
PRESENTER: John Graham, Deputy County Attorney
Tyler Sinclair, Com. Development Director

SUBJECT: Award of Housing Nexus Study Contract

STATEMENT/PURPOSE

To consider approving the award of the Housing Nexus Study.

BACKGROUND/ALTERNATIVES

As detailed in the January 28, 2020 staff report, the Town of Jackson and Teton County are preparing to conduct a new Housing Nexus Study. The purpose of this study is to update the 2013 Housing Nexus Study and provide accurate data about employee generation in Teton County. As discussed at the prior Joint Information Meeting, this study will not mandate specific mitigation rates. Instead, it will provide data about the number of employees generated by new business and residential development, total employment rates by job sector, and outline the maximum, legally defensible limits of any mitigation program. The Teton County Board of County Commissioners and the Jackson Town Council approved a request for qualifications (RFQ) for a consultant to conduct this study at the January 28, 2020 Joint Information Meeting.

Three entities submitted responses: Raftelis, Clarion Associates, and Place Dynamics

After reviewing these three proposals, it became apparent that the Housing Director had a conflict of interest under Teton County policy 2-6-3 because an immediate family member was part of the Raftelis team. As a result, the County Attorney's Office facilitated the stakeholder group evaluation of the RFQ responses.

The stakeholder group included:

- Chris Neubecker, Teton County Planning Director
- Paul Anthony, Town of Jackson Planning Director
- Tyler Sinclair, Town of Jackson Community Development Director
- Anna Olson, Jackson Hole Chamber of Commerce
- Anne Schuler, Town of Jackson Planning Commission
- Elizabeth Hutchings, Housing Advocate
- Eric Steinmann, Statistician
- Glen Esnard, Teton County Planning Commission

- Laura Bonich, Jackson/Teton County Housing Supply Board
- Rob DesLauries, Developer
- Skye Schell, Jackson Hole Conservation Alliance
- Tyler Davis, Jackson Hole Working

The stakeholder group voted unanimously, with the Town and County staff members on the stakeholder group abstaining from voting for either proposal, to recommend awarding the Nexus Study to Raftelis, with the conditions that any final contract 1) provide more details on the methodology that will be used to calculate employee generation, 2) finalize anticipated staffing hours with an emphasis on reducing hours by transferring more hours to consultants that have specific experience with mitigation studies, and 3) provides more detail on how the consultant will engage with the local business community.

Staff concurs with the first two conditions from the stakeholders. Regarding the third condition staff notes that it was anticipated that the stakeholder group would provide public oversight of this largely data driven study with no significant general public engagement occurring during the study itself. Instead general public engagement would largely occur during the policy discussion on potential changes to the overall housing strategy and mitigation rates coming out of the study. Staff is seeking direction on this point as it will affect the scope of work and timing of the study.

Staff has identified the following options for consideration:

1) **Proceed with the recommendation of the Stakeholder group described above.**
2) **Add the Housing Nexus Study to the 2021 Comprehensive Plan Work Plan for consideration.**
   Due to the delay in presenting this report as a result of COVID-19 pandemic, the 2021 Comprehensive Plan Work Plan is scheduled to be presented at the next JIM on May 4, 2020. Staff finds that by adding this project to the Work Plan it could be looked at comprehensively in the context of all other projects identified to be completed, prioritized and funded during the next fiscal year. This could include placing the completion of this study in a future year to address some of the considerations below.
3) **Consider a Phased/Reduced Scope of Work.**
   Due to possible concerns over the estimated budget to complete the overall study and timing of the study at this time staff has discussed considering a phased/reduced scope of work as follows:
   - Phase 1: Reduce the scope to only include data desired to move forward with discussing our housing mitigation program and approach as follows:
     - # of employees generated by bricks and mortar and non-brick and mortar businesses
     - Wages earned by employment type compared to affordability of housing
     - Do not calculate the % of workforce living locally at this time due to uncertainty and changing circumstances related to COVID-19.
   - Phase 2: Complete the necessary additional legal work and data analysis to update the nexus study to serve as the basis for updating the Land Development Regulations to reflect desired amendments to the housing mitigation program determined in phase 1. In addition, calculating and determining a methodology for determining what % of work force is living locally would be completed.

Staff has also considered whether this is the appropriate time to conduct a largely data-based study in this time of uncertainty and offer the following thoughts for consideration:

- The study will allow the community to better understand our housing costs, affordability and economy over the past decade to make data-based decisions going forward; there have been many questions raised regarding job growth and affordability over past Comp Plan indicator reports with little data to support any conclusions
- COVID-19 is not unique to Jackson, it is a global pandemic with global impacts that will be felt locally
- The long-term trends and drivers to be analyzed in the study will not be largely affected
- Setting mitigation rates based upon true costs will largely not be affected by the pace of development

- There may be difficulty discussing long term data trends in a short term environment that looks different
- Overall uncertainty may lead to lack of confidence in the study and direction

ATTACHMENTS

- Raftelis response to the RFQ
- Clarion Associates response to the RFQ
- Place Dynamics response to the RFQ
- JIM staff report dated January 28, 2020

FISCAL IMPACT

- Raftelis has estimated that the cost of the nexus study would be $172,986, for 860 hours of work ($201 an hour).
- Typically, the Town and County split contracts of this nature 50/50
- The Town has not budgeted for this expense in the current fiscal year and thus a budget amendment would be required to fund the project.
- The County has not budgeted for this expense in the current fiscal year and thus a budget amendment would be required to fund the project.

STAFF IMPACT

This project will require significant staff time from multiple departments across the Town and County. While staff anticipated that this project would be managed by the Housing Department, if the Raftelis team is selected, a conflict of interest will require assigning the project to the Board of County Commissioners' Administrator, Alyssa Watkins, on a temporary basis. It is anticipated that the County or Town Planning Director or Town Community Development Director will ultimately need to be the Project Manager.

STAKEHOLDER ANALYSIS

Stakeholders include Town and County taxpayers, local working families, business owners, developers, and visitors. Input has been solicitated through the stakeholder group.

LEGAL REVIEW

Graham

RECOMMENDATION

The Stakeholder group recommends awarding the housing nexus study to Raftelis subject to satisfactory resolution of the three conditions discussed above.

Staff recommend continuing this item to the May 4, 2020 JIM when it can be considered as part of the 2021 Comprehensive Plan Work Plan.

SUGGESTED MOTIONS

Option 1

County

I move to continue the award of the Housing Nexus Study to the May 4, 2020 Joint Information Meeting to be presented along with the 2021 Comprehensive Plan workplan.

Town

I move to continue the award of the Housing Nexus Study to the May 4, 2020 Joint Information Meeting to be presented along with the 2021 Comprehensive Plan workplan.

Option2

County

I move to award the Housing Nexus Study to Raftelis and direct staff to negotiate and draft a contract with Raftelis, with a not to exceed amount incorporating the three conditions of approval of the stakeholder group, and as directed at this meeting for the Teton County Board of County Commissioners, as the contracting entity, to review and consider approval at a later meeting.

Town

I move to award the Housing Nexus Study to Raftelis, provided any final contract includes a not to exceed amount incorporating the three conditions of approval of the stakeholder group and as directed at this meeting and agree to reimburse Teton County 50% of all project costs.

RAFTELIS

ops strategies

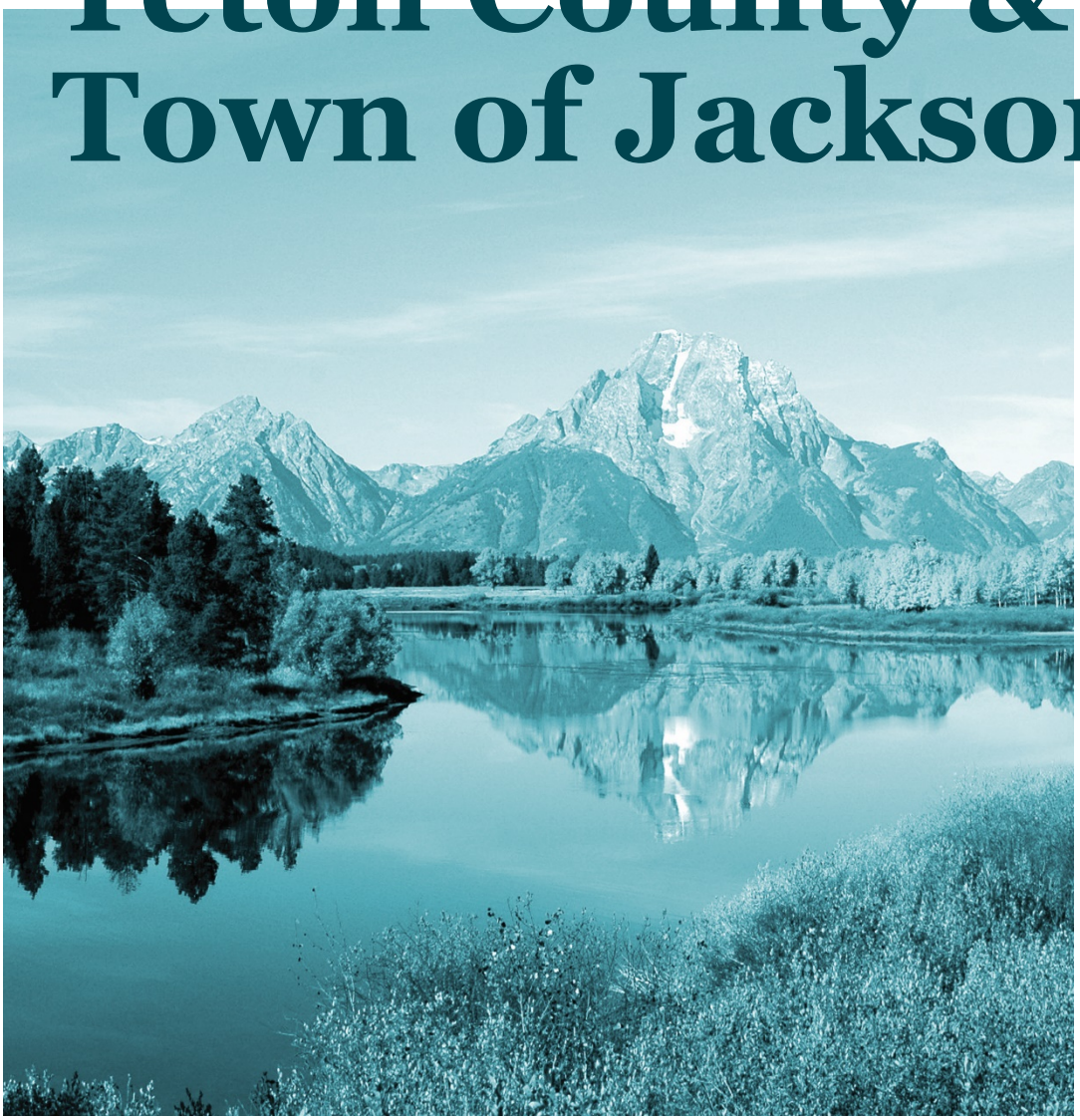
RPI consulting

WHITE & SMITH, LLC
PLANNING AND LAW GROUP

Employee Generation by Land Use Study

STATEMENT OF QUALIFICATIONS / FEBRUARY 27, 2020

Teton County & Town of Jackson



REGISTERED MUNICIPAL ADVISOR

Raftelis is registered with the U.S. Securities and Exchange Commission (SEC) and the Municipal Securities Rulemaking Board (MSRB) as a Municipal Advisor.

Registration as a Municipal Advisor is a requirement under the Dodd-Frank Wall Street Reform and Consumer Protection Act. All firms that provide financial forecasts that include assumptions about the size, timing, and terms for possible future debt issues, as well as debt issuance support services for specific proposed bond issues, including bond feasibility studies and coverage forecasts, must be registered with the SEC and MSRB to legally provide financial opinions and advice. Raftelis' registration as a Municipal Advisor means our clients can be confident that Raftelis is fully qualified and capable of providing financial advice related to all aspects of utility financial planning in compliance with the applicable regulations of the SEC and the MSRB.

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RAFTELIS

February 27, 2020

Ms. April Norton
Director
Town of Jackson/Teton County Housing Department
320 South King Street, Box 575
Jackson, WY 83001

Subject: Proposal for Employee Generation by Land Use Study

Dear Ms. Norton:

As documented in the Town of Jackson (Town) and Teton County's (County) excellent 2019 Annual Indicator Report, the community is experiencing significant development that requires additional affordable housing. Furthermore, the Town/County's Comprehensive Plan establishes the goal of housing to be at least 65% of workforce locally. The Town/County have tracked and evaluated relative housing affordability over the past 20 years, most recently in 2013. External and local forces have continued to increase the gap between incomes and affordably-priced housing options. In 2018, the Town/County modified developer housing requirements to mitigate employment housing for employees who earn less than 200% of the median family income. The Town/County have issued a Request for Qualifications (RFQ) from respondents to provide approaches to update the understanding of this evolving, complex, and challenging issue.

Our consultant team is led by Raftelis and supported by OPS Strategies, RPI Consulting, and White & Smith.

Our team has the technical expertise and people skills to help the community reach a consensus on employee generation by land use. The enclosed details our proposed approach and methodology to address the following key study issues:

- Employee generation from both new development and redevelopment split between commercial and residential land uses
- Relationship between jobs and wages
- Net employee migration inflows into the County
- Updating the gap between income and sustainable housing options
- Employment generation from both "brick and mortar" and location independent businesses
- Housing mitigation strategies that reflect current employee generation

Andrew Rheem will serve as Project Director and will be responsible for quality assurance/control and ensuring the final products exceeds the Town/County's expectations for this study. Andrew has over 16 years of experience assisting local governments in evaluating and addressing development, financial, and economic issues. Andrew is currently the project manager for a comprehensive water and wastewater rate study being completed for the Town during a similar timeframe in 2020. Previously, Andrew assisted the Town in evaluating a contract customer dispute regarding water and wastewater rates and fees. As part of the ongoing comprehensive water and wastewater rate and capacity studies, we are a consulting partner with OPS Strategies.

Dwayne Guthrie will serve as Project Manager, overseeing and coordinating the consultant team. He is an expert in demographic analysis and has provided consulting services to approximately 160 local governments in 27 states, including a 2002 study on transit impact fees for Teton County. For 40 years, Dwayne has collaboratively worked with local government staff, citizens, stakeholders, and government leaders to make wise fiscal choices based on best practices related to nexus studies, infrastructure funding, and smart governance.

Alex Norton (OPS Strategies) will serve as the local liaison between the community and the Raftelis team. Alex will work with the Raftelis team to ensure the data collected is locally relevant and addresses the issues that have been identified through the Housing Action Plan, mitigation requirements update, and Growth Management Plan review. Alex will ensure that the implementation plan and options are locally feasible and drawing on history and local engagement to identify practical paths forward. Alex has extensive experience with local employment data, local housing implementation efforts, and regional housing policy that uniquely positions the Raftelis team to provide innovative and

insightful analysis. Alex will serve as the local point of contact and will organize and facilitate public and stakeholder outreach with the full support of the Raftelis team.

Tyson Smith (White & Smith) is nationally recognized as a planning and legal expert in impact fees and nexus studies with over 20 years of experience. He has worked in over 50 communities on impact fees, exactions, inclusionary housing, fees-in-lieu, and similar nexus studies. Tyson's broad perspective includes both legal and technical expertise. He collaborates with local stakeholders to reach consensus on defensible and effective housing mitigation studies and programs. Tyson also has experience solving housing affordability issues in Aspen, CO and Park City, UT. Tyson and Dwayne have worked together on numerous impact fee studies across the nation.

Gabe Preston (RPI Consulting) is based in Durango, CO and has worked on housing nexus studies for Telluride/San Miguel County and Aspen/Pitkin County. Gabe will augment Alex and Dwayne's planning expertise. Gabe and Dwayne are currently working on transportation impact fee studies for both La Plata and Pitkin County. In unincorporated Pitkin County, we used the assessor's parcel database and local traffic counts to document travel demand by size of residential unit, which is partly due to service sector employees. We used U.S. Census Bureau quarterly workforce data by place of work and assessor data to calibrate the average number of employees per thousand square feet of floor area for three general types of non-residential development.

Our team was comprised to develop innovative ideas to achieve the Town/County's affordable housing goals. We provide a perspective that may provide the foundation of future mitigation policies. The Raftelis team provides the following six advantages to the Town/County:

- **Communicating Recommendations that are Supported:** Whether the goal is to build support for a solution to a difficult challenge or communicating an understanding of technical problems to a non-technical audience, we have been there and done it successfully.
- **Translatable Expertise:** We have provided similar assistance to other resort communities assessing and mitigating this multi-faceted and complex issue.
- **Cross-Functional Team:** We have planning, legal, demographic, financial, economic, and facilitation expertise to efficiently and effectively address the key study issues.
- **Local Understanding:** Our team members familiarity and understanding of the Town/County key issues, history, and specific nuances underlying this study will support innovative and insightful approaches without retreading previous dead ends.
- **Full Suite of Services:** Raftelis subject matter experts are available to assist the Town/County with addressing the anticipated variety of technical, management, and/or communication issues that may be encountered.
- **Proven Experience:** Our team members have a proven track record assisting the Town/County in addressing difficult issues and balancing competing objectives while progressing towards long-term goals.

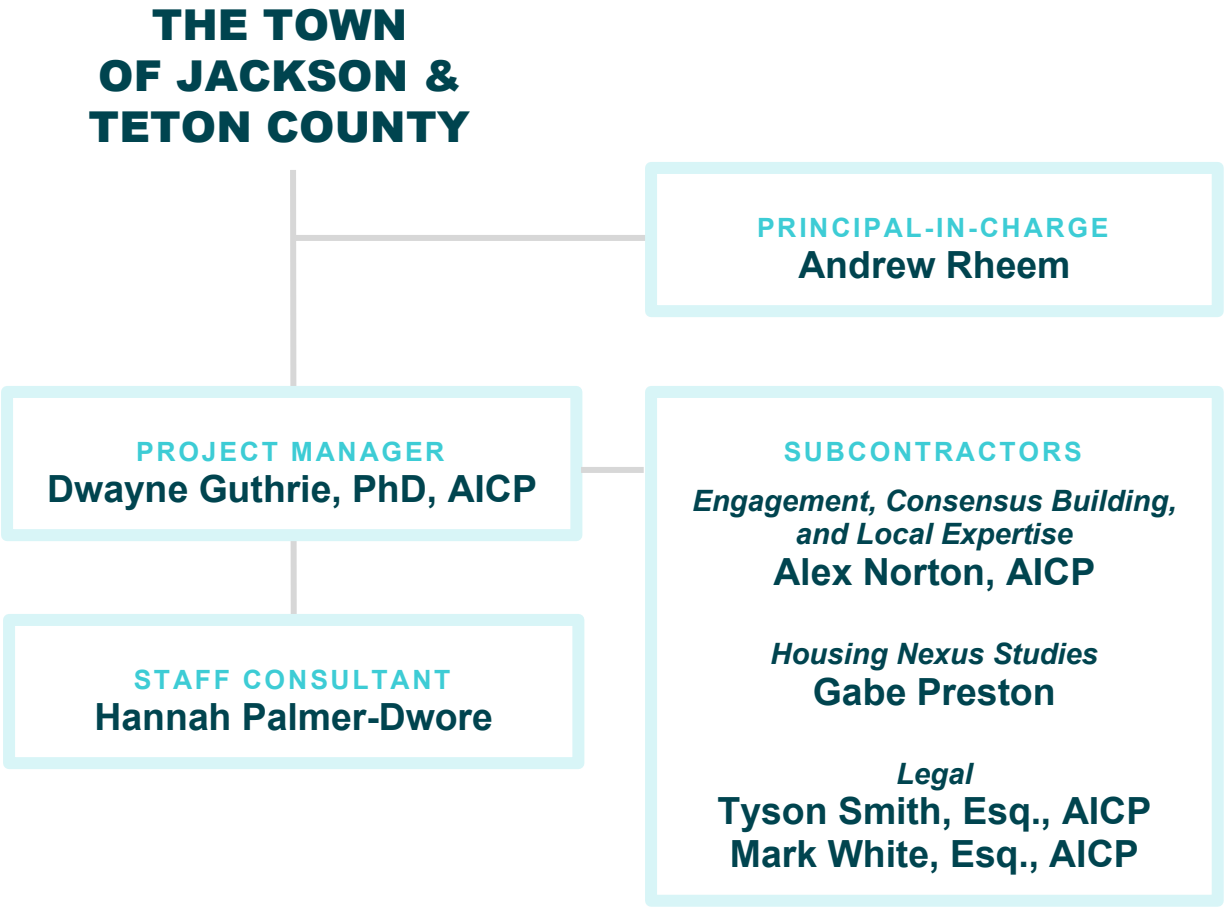
Should you have any questions, please contact Andrew Rheem at 303.305.1137 or arheem@raftelis.com

Sincerely,

Harold Smith
Executive Vice President

Qualifications

This section on our consultant team's qualifications starts with an organizational chart of the Project Team, then a brief description of each person's role, followed by resumes. The qualifications section concludes with firm experience, legal experience and references for Raftelis, OPS Strategies, RPI Consulting, and White & Smith.



TEAM ROLES

Andrew Rheem will be responsible for overall project accountability and will be available to provide quality assurance and control, industry perspective, and insights into the project. Andrew will also attend major project meetings and presentations to the County Commissioners and Town Council as part of the study and serve as the primary contact.

Dwayne Guthrie will manage the day-to-day aspects of the project ensuring it is within budget, on schedule, and effectively meets the Town/County's objectives. He will also lead the consulting staff in conducting analyses and preparing deliverables for the project working closely with County and Town staff.

Hannah Palmer-Dwore will work at the direction of Dwayne in conducting quantitative analyses, preparing deliverables, and providing GIS support for the consultant team.

Alex Norton is a local planner who has experience with employment data, housing implementation efforts, regional housing policy, and community engagement. He will serve as a local liaison, organizing public and stakeholder outreach. Alex will also help the consultant team tailor recommendations to fit the community assisting Dwayne and Gabe in collecting, analyzing and developing study findings and recommendations.

Gabe Preston will provide input and guidance as a Subject Matter Expert for the employee generation and affordable housing nexus study.

Tyson Smith and Mark White will provide input and guidance as a Subject Matter Expert for the legal aspects of this project.

Andrew Rheem

PRINCIPAL-IN-CHARGE

Senior Manager (Raftelis)

PROFILE

Andrew has been providing financial planning, impact fee and rate consulting services to local governments and water, wastewater, reclaimed water, and stormwater utilities and local government for 17 years, including studies for the Town of Jackson and numerous Southwestern U.S. local governments and municipal utilities. He has served as principal-in-charge and/or project manager for multiple long-standing clients providing a range of municipal financial planning, rate and impact fee assistance through multiple engagements. Andrew is a board member of the Growth and Infrastructure Consortium (formerly the impact fee round table) and served as the 2018 conference president held in Scottsdale. Andrew is also a skilled presenter and has presented study findings and recommendations to management and governing bodies. Andrew holds Bachelors in Business Administration, Finance and Accounting from the University of Michigan - Ann Arbor.

KEY PROJECT EXPERIENCE

Town of Jackson (WY)

Mr. Rheem is the Project Manager for an on-going Comprehensive Water and Wastewater Rate and Tap Fee Study initiated in November 2019 and anticipated to be completed in September 2020. As part of the study, Mr. Rheem is helping facilitate five meetings with a Citizen Rate Committee (CRC). The CRC is group of local stakeholders tasked with assisting Raftelis and Town staff develop alternatives for consideration by the Town Council. Separate stakeholder meetings, public hearings and Town Council presentations are anticipated in Summer 2020 to be led by Mr. Rheem.

Mr. Rheem also served as the Project Manager for 2018 project for the Town of Jackson. A contract customer of the Town's water and sewer system had raised questions about user charges and rates for service. Town staff retained Raftelis to review the updated rate calculations and overall rate methodology that served as the basis for the contract customer rates. Raftelis reviewed the rate calculations working closely with Town staff to review the claim as well as to formally respond the contact customers representatives.

Specialties

- Impact fee consulting services for utility & non-utility fee categories including managing studies completed under different legislative guidance in Wyoming, Arizona, Colorado, Utah, & Montana
- Impact fee, financial, rate, fee, & bond feasibility consulting services for local governments and water, sewer, reclaimed, & stormwater utilities

Professional History

- Raftelis: Senior Manager (2019-present); Manager (2014-2018); Senior Consultant (2013)
- Red Oak Consulting: Principal Management & Utility Rate Consultant (2003-2013)

Education

- Bachelors in Business Administration, Finance & Accounting - University of Michigan at Ann Arbor (1999)

Certifications

- Series 50 Municipal Advisor Representative

Professional Memberships

- Growth & Infrastructure Consortium Board of Directors
- AWWA
- WEF

City of Prescott (AZ)

Mr. Rheem served as the Project Manager for a separate water and wastewater rate study and solid waste rate studies completed in 2019. Rate study recommendations were adopted with multi-year rate adjustments in place starting April 1, 2019 and subsequent annual adjustments in place January of each year through 2023. Mr. Rheem presented at multiple City Council meetings and public hearings and helped to facilitate four meetings with a developer stakeholder group assembled to provide advice to City Council regarding the impact fee analyses. Mr. Rheem also served as the Project Manager for a utility development impact fee study completed in 2019 with proposed impact fees implemented effective August 1, 2019.

Mr. Rheem also served as the Project Manager for a 2014 utility and non-utility development impact fee and water and wastewater rate study. We also assisted the City during the public hearing and public notice process as part of the non-

utility and utility development impact fee update adopted in May 2014. Recommendations and findings were summarized in the study report and presented to City Council for adoption and implementation in 2015.

Town of Berthoud (CO)

Mr. Rheem was the Project Manager for a water, wastewater and stormwater financial plan, plant investment fee and rate study for each utility. The study included a financial planning, plant investment fee and 2018 rate review for each utility. Raftelis developed and proposed a stormwater plant investment fee which was adopted and implemented by the Town. Raftelis worked with Town staff and the Town's engineering consultant to review and refine a multi-year capital plans and financial planning models. Following review of multiple scenarios, a multi-year financial plan and annual rate adjustments as well as proposed modification to the water system plant investment fee and creation of a new stormwater plant investment fee were finalized. The study findings and recommendations were documented within a study report and presented to the Town Board and implemented in late 2017.

Mr. Rheem also served as Project Director for study which evaluated establishing a separate fee structure for one-time system development fees assessed to new or increased developments. The Town has a master planned community constructing smaller homes with less outdoor space and Raftelis worked with City staff to review equitable one-time charges for new single-family residential detached homes with smaller finished square feet and lots than more traditional developments. The results of the study were presented to the Town Board and adopted in September 2019. Mr. Rheem is the Project Director of an on-going non-utility development impact fee study being completed for the Town.

El Paso Water Utilities (TX)

Mr. Rheem served as Project Manager for a variety of engagements completed for El Paso Water Utilities since 2003. Mr. Rheem served as project manager for sixteen annual updates of wholesale water and wastewater financial planning and cost-of-service rate models using the base-extra capacity method. Individual wholesale customer reports are issued at the completion of the annual studies. Recent studies include development of excess-strength customer surcharges, retail water rate design, assisting the utility evaluate alternative cost recovery approaches for a master planned community outside the City, replacing utility financial models, and an innovative Growth-Related Infrastructure Surcharge anticipated to be assessed to new development in addition to impact fees to fully recover the cost of expansionary or growth-related infrastructure serving new development. Mr. Rheem is currently leading the annual update of wholesale water and sewer rates.

City of Steamboat Springs (CO)

Mr. Rheem served as Project Manager for comprehensive water and wastewater rate studies for the City of Steamboat Springs completed in 2010, 2016, and 2019. Separate water and wastewater financial planning models were updated as part of each study to evaluate current and potential funding sources to support each utility operation over the next ten years including future adjustments necessary to fund operations and the annual capital project requirements (including regulatory driven and capacity expansion improvements) and maintain a financially viable utility. A cost-of-service evaluation was then completed for each utility. The results of the cost-of-service and financial planning tasks were integrated into developing three water rate structure alternatives and two wastewater rate structure alternatives for full-service City customers and a single alternative for wholesale water and sewer customers as part of the 2016 study. In 2010 and 2019, the City maintained the same structure, but modified rates to maintain customer class cost-of-service by the third year of a three-year rate schedule adopted by City Council. The utility tap fees were also updated as part of the study. The findings and recommendations were presented to City Council and summarized in a report issued at the completion of each study.

Mt. Werner Water and Sanitation District (CO)

Mr. Rheem served as Project Manager for comprehensive water and wastewater rate studies completed in 2016 and 2019 for the Mt. Werner Water and Sanitation District serving Steamboat Ski Resort as well as residential and commercial customers nearby. Separate water and wastewater financial planning models were developed to evaluate current and potential funding sources to support each utility operation over the next ten years including future adjustments necessary to fund operations and the annual capital project requirements and maintain a financially viable utility. A cost-of-service evaluation was then completed for each utility as part of the 2016 study. The results of the cost-of-service and financial

planning tasks were integrated into developing two water rate structure alternatives and two wastewater rate structure alternatives for full service District customers. The utility tap fees were also updated during both studies. The findings and recommendations were presented to the District Board and summarized in a report issued at the completion of each study. Electronic copies of models created as part of the study were delivered to the District for their use. Mr. Rheem also led efforts to assist the District evaluate and implement an Available of Service Fee assessed to undeveloped properties throughout the District to recovery a portion of debt funded pipeline facility capacity and consistent with Colorado Statutes.

City of Boulder (CO)

Mr. Rheem served as the Project Manager for a comprehensive water, wastewater and stormwater rate assessment and to develop rate alternatives for each utility. The study included a detailed review of policies and practices incorporated in separate utility rate models maintained and updated by the City for validation and/or modification as well as a comprehensive review of improvements to the utility rate structures. The City implemented an individualized customer water budget based rate structure in 2007 and this study will include a review of the water rate structure and modifications to improve the effectiveness after ten years informed by City experience and Raftelis experience elsewhere. The City's wastewater utility faces increased capital costs associated with increased regulatory requirements combined with repair and replacement requirements. The City's stormwater collection and drainage systems are faced with equitably recovering increased operating and capital requirements associated with increasing storm drainage service levels following the flooding experienced by the City in the fall of 2013. The alternative rate structures will be completed to the existing rate structure updated for increased utility revenue needs and a January 1, 2018 effective date. Raftelis also reviewed the City's revenue requirement and provided recommendations to the Utility debt service coverage and cash reserve policies.

Throughout the project Raftelis has worked extensively with City staff to review and refine study findings and recommendations. Raftelis and City staff presented interim and will present final study recommendations to the standing Water Resource Advisory Board (WRAB) to provide direction regarding policies, practices and adjustments to the utility rate structure for review and approval by City Council.

City of Peoria (AZ)

Mr. Rheem served as the Project Manager for a water, wastewater and water resource utility expansion (development impact fee) study which is nearing completion. As part of this update, an additional water service area is being established with updates to existing water, wastewater, and water resource service area based development impact fees. Mr. Rheem assisted the City present interim and draft study recommendations as part of two separate development community stakeholder meetings, assisted the City at public hearings and City Council presentations. Mr. Rheem also helped develop development specific credit and reimbursements for major developments which constructed, oversized and dedicated utility facilities that are also recovered through utility development impact fees serving other developments.

PRESENTATIONS

- "Conducting Audit of Infrastructure Improvements Under Arizona Revised Statutes 9-463.05 - Scottsdale Arizona Case study," Growth Infrastructure Consortium Conference, 2016
- "How Lake Havasu City's Pro-Active Wastewater Asset Management Program Makes Every Dollar Count," AZ Water Conference, 2016
- "Expense, Project and Budget Management Tactics to Provide Wastewater Service Delivery Without Increasing Rates," AZ Water Conference, 2016
- "Comparing Utility Rates, Fees and Financial Results," Colorado Special Districts Association Conference, 2016
- "Utility Financial Planning in Advance of Issuing Debt," 2015 Water Bond Workshop, 2015
- "Time for a Change? El Paso Water Utilities Considers a New Rate Structure," Utility Management Conference, 2015
- "CIP Planning - Cradle to Grave," Colorado Government Finance Officers Association Metro Coalition Workshop, 2009
- "Mixed Use Water and Wastewater Rates and Development Fees - City of Longmont Case study," Rocky Mountain Section American Water Works Association/Water Environment Federation, 2006
- "Revenues, Water Rates, and Reserves," Colorado Government Finance Officers Association 3rd Quarter 2007 Educational Seminar, 2007

Dwayne Guthrie, PhD, AICP

PROJECT MANAGER

Manager (Raftelis)

PROFILE

Dwayne is currently a Manager with Raftelis. Prior to joining Raftelis, he served as the Impact Fee Manager for Manatee County, Florida. During 2017, he drafted an extensive revision to the Land Development Code related to impact fees, along with an Impact Fee Procedures Manual. The latter provides clarification of impact fee credits necessary to account for construction of major roads by developers. For a major portion of his career, Dwayne worked as a planning consultant for cities and counties across America. He directly interacted with top administrators and elected officials regarding best practices for impact fees, infrastructure funding, placemaking, and redevelopment strategies. Dwayne primarily assists local governments with the challenges of growth management, infrastructure planning, and funding strategies. He specializes in demographic analysis, development impact fees, capital improvements plans, fiscal evaluations, and consensus building with stakeholders. During the preparation of impact fee programs for approximately 160 local governments in 27 states, Dwayne helped community and government leaders make tough fiscal choices, while successfully managing all aspects of the consulting process. Dwayne's research interests include quantitative methods, spatial thinking, and smart governance (i.e. the interaction of land use, infrastructure, and revenue strategies). His career began as a public sector planner in Florida. Dwayne has 40 years of experience as a professional planner. His career includes 31 years of work as a planning consultant and 9 years of public sector experience.

KEY PROJECT EXPERIENCE

For these projects, professional planners provided comprehensive service from start-up to conclusion, for each client. Typical assignments require three to six months and include staff interviews, data gathering, technical analysis, report writing, stakeholder meetings, and presentations at public forums. The following work products provide a representative sample.

City of Meridian ID

In 2019, Raftelis updated development impact fees for parks/recreation, police and fire facilities. After collaborating with staff and receiving input from the Impact Fee Advisory Committee, Raftelis recommended several changes to improve consistency with Idaho's enabling legislation, including:

- Updated development projections and land use assumptions based on Meridian data
- Documentation of current infrastructure standards and projected need for additional facilities
- Proportionate fees for two types of non-residential development and five size thresholds for residential development

As Project Manager, Dwayne recommended residential fees by dwelling size, based on climate-controlled space. In contrast, the 2013 study used a "one size fits all" approach, whereby all housing units paid the same DIF. The 2019 study also recommended nonresidential fees by two general categories, Commercial and All Other types of nonresidential development. The previous study had a single fee for all types of nonresidential development.

Specialties

- Impact fees
- Infrastructure needs & funding strategies
- Fiscal impact analysis
- Smart governance

Professional History

- Raftelis: Manager (2018-present)
- Manatee County, FL: Impact Fee Manager (2017)
- TischlerBise: Principal (2012-2017); Consultant (1988-2010)
- Catholic University of America in Washington, DC: Associate Professor (2010-2012)
- Engineering Firm in Tampa, FL: Planner (1987-1988)
- Planning Commission in Tampa, FL: Planner (1979-1987)

Education

- Doctor of Planning, Governance, & Globalization - Virginia Tech (2007)
- Master of Arts in Urban & Regional Planning - University of Florida (1979)
- Bachelor of Arts in Education - University of Florida (1977)

Professional Memberships

- American Planning Association
- Arizona Chapter of the American Planning Association
- Institute of Transportation Engineers

Town of Berthoud CO

In 2018, Raftelis helped the Town of Berthoud (Town) analyze the relative impact that smaller housing units (2 bedrooms or less) have on roads, parks, water, wastewater and stormwater facilities. The goal of this study was to see if the Town's impact fees should be adjusted for smaller homes. As Project Manager, Dwayne analyzed Public Use Microdata Survey records from the U.S. Census Bureau to derive custom trip generation rates by dwelling size. We also documented average number of persons per housing unit by dwelling size in the Town of Berthoud. Adjustments to the water impact fee used a combination of indoor water usage per capita and outdoor water usage for smaller lots. The wastewater impact fee was adjusted based on average winter consumption per capita. Raftelis proposed adjustments to the Town's six impact fees to make them proportionate to the infrastructure demand from small houses. We recommended a 38% reduction in impact fees for small houses in Berthoud. In 2019, Dwayne completed a comprehensive update of DIFs for Parks/Recreation, Public Facilities and Transportation. The fee schedule includes proportionate amounts for small, medium, and large dwellings, based on climate-controlled living space.

City of Prescott AZ)

Mr. Guthrie served as the Project Manager for a non-utility development impact fee study completed in 2019. Dwayne presented at multiple City Council meetings and public hearings and helped facilitate four meetings with a developer group assembled to provide advice to City Council regarding the impact fee analysis. As part of this study, the City implemented Street, Fire and Police impact fees. Impact fee schedules differentiate residential dwelling units by size rather than type of structure.

Town of Vail CO

The Town of Vail (Town) is a resort community of approximately 5,000 year-round residents that surges to approximately 40,000-45,000 persons during peak tourism season when employees and visitors are present. Given its location in a mountain valley, the Town has a compact development pattern and a multi-modal transportation system that relies on pedestrian, bicycle, transit, and vehicular travel. Consistent with this setting, the impact fees proposed by Dwayne are being used to fund multi-modal transportation improvements necessary to accommodate projected development within the Town of Vail. Impact fees must increase the carrying capacity of the transportation system. In Vail, capacity improvements include the addition of travel lanes, intersection improvements (i.e., turn lanes, signalization or roundabouts) and "complete street" improvements to provide multimodal infrastructure, such as bus stops, bike lanes and sidewalks. Development of attached housing units and hotels in the core area of Vail facilitate pedestrian, bicycle, and transit use, thus requiring less vehicular travel. In recognition of lower vehicular travel demand in the core area, Dwayne proposed transportation impact fees that are lower in the core area. The transportation impact fee study for Vail uses a plan-based method. The total cost of transportation improvements needed to accommodate new development through 2040 was estimated to be approximately $95 million in current dollars (not inflated over time). Impact fees will fund approximately $20.8 million, which is 28% of systems improvements. Funding from non-impact fee sources, such as the Colorado Department of Transportation (CDOT), Real Estate Transfer Tax (RETT), and the Town of Vail General Fund will cover the remaining cost of system improvements.

Manatee County FL

Dwayne updated impact fees for parks, law enforcement, and public safety; created a new impact fee for libraries; and significantly revised the existing road impact fee. The 2015 multimodal transportation fee includes funding for complete streets (all modes), with unique capital plans and fee schedules by four geographic areas. In addition, Dwayne provided technical memorandums and a staff presentation on infrastructure funding strategies and the importance of transportation and land use interactions in a study titled, "How Will We Grow?"

City of Boulder CO

Due to open space easements surrounding the City of Boulder (City), the City is infilling and redeveloping. Dwayne provided a literature review and best practices summary regarding walkable urbanism and multimodal transportation funding solutions. He also drafted reports on the growth share of transportation capital and operating costs.

State of Delaware

An innovative feature of this transportation impact fee study is the use of GIS analysis to derive transportation fees for policy areas identified in the State Plan. The fees are based on vehicle miles of travel, derived from the long-range transportation model.

SPECIALIZATIONS

Impact Fees

Dwayne has completed fee studies on the following types of public facilities: water and sewer systems, roads, schools, parks, fire-rescue, law enforcement, stormwater management, libraries, general government facilities and electric utility systems. Impact fee assignments for private sector clients include successful challenges of fees on behalf of builder/developer associations. Dwayne continues to improve "best practices" with customized demographic multipliers by type or size of housing, geographic variation in fees to implement planning policies, and consensus building with private sector stakeholders.

Infrastructure Needs and Funding Strategies

Dwayne has prepared infrastructure plans and funding strategies for clients in Maryland, South Carolina, Georgia, Florida, Arizona, Colorado, Utah, Idaho, and Montana. As part of these studies, he documents local level of service standards, capital and operating cost factors, and projected revenue sources to ensure sufficient funding for implementation.

Fiscal Impact Analysis

In contrast to impact fees that only consider infrastructure funding, fiscal studies evaluate cash flow to the public sector for all revenues and costs. Dwayne has conducted fiscal evaluations of specific development proposals, alternative development patterns, and various land-use prototypes.

Smart Governance

Dwayne promotes smart growth using revenue strategies and pricing policies. He has pioneered innovative methods for analyzing census data to support higher fees for larger housing units and reducing fees for infill development located in urban centers. Dwayne helps communities implement marginal cost pricing that varies by geographic area, and charges per acre to encourage efficient land use.

TEACHING AND RESEARCH

Dwayne taught graduate planning courses at Catholic University of America in Washington, DC and at the Alexandria campus of Virginia Tech. His courses include Introduction to Planning Principles, Transportation and Land Use, Planning Techniques, and Growth Management. His doctoral dissertation, titled "Understanding Urban, Metropolitan, and Megaregion Development to Improve Transportation Governance" documents the expected geographic extent of commuter sheds in 2030 for large metropolitan areas within the continental United States. Nine transportation megaregions were identified based on specific criteria, including global gateways that facilitate movement of people and goods, contiguous commuter sheds with urban centers spaced a suitable distance for high-speed rail service, and end-point commuter sheds projected to add at least one million persons and jobs from 2000 to 2030. The dissertation recommends a new paradigm for transportation governance with scale-dependent decision-making and funding strategies.

PUBLICATIONS AND PRESENTATIONS

"Next-Generation Transportation Impact Fees," American Planning Association Planning Advisory Service Memo, 2015
"Introduction to Infrastructure Financing," International City/County Management Association IQ Service Report, 1998
"Alternative Transportation Funding Techniques," Growth & Infrastructure Consortium
"Funding the Infrastructure Gap," American Planning Association National Conference
"Reasonable Impact Fees," National Association of Home Builders Conference
"Do Impact Fees Fit Your Comprehensive Revenue Strategy?," Rocky Mountain Land Use Institute Conference

Hannah Palmer-Dwore

STAFF CONSULTANT

Consultant (Raftelis)

PROFILE

Hannah has a diverse background including natural science, natural resource management, and quantitative analysis. Her expertise includes geospatial analysis and modeling, technical report writing, and data management.

PROJECT EXPERIENCE

Town of Jackson (WY)

Ms. Palmer-Dwore is the lead analyst for an on-going Comprehensive Water and Wastewater Rate and Tap Fee Study initiated in November 2019 and anticipated to be completed in September 2020. Hannah is assisting Mr. Rheem in the development and delivery of study recommendations and findings completing much of the supporting analysis in close coordination with Town staff and consulting partners.

City of Buckeye (AZ)

The City of Buckeye (City) engaged Raftelis to update the Water and Wastewater IIP and DIF. Hannah was responsible for conducting GIS overlay analyses to aggregate areas for public safety, parks, streets, water, and wastewater impact fees. She incorporated state and local policies in her work and used geospatial tools to complete the analysis. Hannah worked with the engineering and planning staff to maintain and update geodatabases of utility and non-utility data. At the City's request, Hannah provided additional GIS support to the City's engineering staff on a per diem basis during a staffing shortage.

City of Thornton (CO)

The City of Thornton (City) sought to tailor single family residential system development charges to lot size in an effort to better reflect the capacity of each user. Hannah conducted an analysis of SFR gross lot sizes and worked closely with City officials to create an equitable fee structure and water allotment schedule for existing and future users.

City of Thornton (CO)

Raftelis was engaged by the City of Thornton (City) to conduct a stormwater utility feasibility study. Using available aerial imagery, Hannah digitized a statistically significant sample of City parcels and conducted a spatial analysis to determine impervious area and parcel statistics for each class of development. This data was used to calculate unit costs of service and rates for each customer class. Hannah also conducted extensive research on stormwater policies along Colorado's Front Range, determining commonly-used rate structures, regulations and ordinances, as well as exploring policies related to credits and refunds.

City of Sheridan (WY)

The City of Sheridan (City) requested a comprehensive water and wastewater rate and plant investment fee analysis. Hannah conducted a comprehensive analysis of the billing data to project revenue as part of the financial planning

Specialties

- Geospatial analysis
- Rate modeling & forecasting
- Water utility financial management & planning
- Statistical analysis & data management
- Technical report writing

Professional History

- Raftelis: Consultant (2019-present); Associate Consultant (2017-2018)
- Colorado Parks & Wildlife: Policy & Planning Assistant (2017)
- National Geographic's Big Cats Initiative: Consulting Intern
- (2015-2017)
- American Rivers: River Restoration Intern (2016)

Education

- Master of Environmental Management, Ecosystem Science & Conservation - Duke University Nicholas School of the Environment (2017)
- Geospatial Analysis Certificate (2017)
- Bachelor of Arts in Organic Chemistry & Theater - Sarah Lawrence College (2009)

Professional Membership

- AWWA
- WEF
- American Planning Association (APA)

process. Hannah assisted with developing plant investment fees for water and sewer, as well as drafting the technical report.

City of Pocatello (ID)

Hannah developed a financial plan, performed a cost-of-service study, and designed rates for the sanitation utility of Pocatello. Concurrently, she performed impact fee studies for the City of Pocatello's water and wastewater utilities.

City of Evans (CO)

The City of Evans (City) is focused on long-term sustainability in both financial and strategic planning. Anticipating large capital expenditures in the next ten years, the City engaged Raftelis to develop a long-range financial plan that sustains the financial health of the storm drainage fund. Hannah worked with City staff to develop a financial plan and planning model to be used by utility staff in future planning. She also performed a cost-of-service study and designed several rate alternatives to ensure equity between customers and adequate rate revenues.

Town of Erie (CO)

Hannah is currently serving as lead consultant on the Town of Erie's (Town) water, wastewater, and drainage rate and connection fee study. The Town engaged Raftelis to conduct this comprehensive study to ensure that rates and connection fees are set according to industry best standards, provide adequate funding for anticipated capital, and remain comparable to utilities along the Front Range in order to encourage growth. Hannah is developing financial plans for each utility and providing support in calculating connection fees. She is also conducting a spatial analysis to determine parcel characteristics for each customer class to inform development of storm drainage rates and fees.

Crestview Water and Sanitation District (CO)

Hannah served as the lead consultant on a water and sewer rate study for the Crestview Water and Sanitation District (District). The District sought to update its comprehensive financial plans as well as analyze the performance of existing rate structures. Hannah prepared financial plans for each utility with a focus on funding capital projects while minimizing revenue increases. She also analyzed historical consumption data to recommend an update to water rates.

City of Golden (CO)

Hannah is currently serving as lead consultant on the City of Golden's (City) water, wastewater, and stormwater comprehensive financial analysis and rate study. The City wished to focus on the rate structures and updates to cost-of-service. To identify rate alternatives, the City convened a Utility Rate Citizens Committee (URCC) to review and provide recommendations on pricing objectives. Hannah prepared financial plans, cost-of-service analysis, and created rate alternatives based on URCC recommendations for each utility. Hannah obtained and analyzed impervious area data for residential and non-residential customers to ensure equitable revenue recovery between classes. This study is ongoing and will be completed in Spring 2020.

City of West Jordan (UT)

Hannah developed financial plans, performed cost-of-service studies, and designed rates for the wastewater and stormwater utilities of West Jordan. As the City of West Jordan required a quick turnaround on this project, Hannah efficiently conducted an accurate analysis and effectively conveyed the rate changes required for each utility.

City of Reno (NV)

The City of Reno (City) engaged Raftelis to study the feasibility of developing a stormwater management fee. Hannah developing data by creating a sample of representative parcels from the Citywide database, digitizing the impervious area for these parcels, and calculating the impervious area to determine the proper unit of charge.

Alex Norton, AICP

ENGAGEMENT/COMMUNICATIONS SUBJECT MATTER EXPERT

Principal (OPS Strategies)

PROFILE

Alex Norton is a strategic thinker with a track record of helping communities, organizations, and landowners identify issues, find solutions, and measure success.

PROJECT EXPERIENCE

Jackson/Teton County, WY Comprehensive Plan Review (2020, ongoing)

- Project: Review the Jackson/Teton County Comprehensive Plan under its "Growth Management Plan" adaptive management framework. Evaluate community trends against community goals and develop corrective actions.
- Role: Subconsultant lead author, responsible for trend and public comment analysis and drafting edits to the Comprehensive Plan.

South Lake Tahoe Region, CA/NV Housing Needs Assessment (2019)

- Project: Analysis of demographic and housing trends to identify the current housing needs in the South Lake Tahoe Region that covers two states and includes the special jurisdiction of the Tahoe Regional Planning Association. The analysis informs a regional housing action plan.
- Role: Subconsultant data analyst, responsible for research and analysis of Federal and State data on population, households, employment, and housing units as well as local survey data.

Cripple Creek/Victor, CO Housing Needs and Opportunities (2019)

- Project: Supply and demand analysis of housing in the small towns of Cripple Creek and Victor, CO, to inform the towns' establishment of policies and strategies around providing housing opportunities for local employees.
- Role: Subconsultant data analyst, responsible for research and analysis of Federal and State data on population, households, employment, and housing units.

Jackson/Teton County, WY Buildout Projections (2009-2020)

- Project: Review existing development against the development allowed throughout the Town of Jackson and Teton County, WY, to determine the amount and spatial distribution of potential growth. Update and apply projections as necessary for use in zoning updates, traffic models, water and sewer capacity analysis, school enrollment planning,

Specialties

- Comprehensive Planning
- Regulation Writing
- Technical Writing/Presentation
- Public Participation Process Design
- Facilitation
- Organizational Structure
- Project Management
- GIS and MappingLand Use Policy
- Affordable Housing Policy
- Transportation Policy
- Conservation Incentives
- Natural Resource Protections
- Success Metrics Identification/ Monitoring
- Trend Analysis and Projections

Credentials

- 2019-present: Principal, OPS Strategies
- 2013-present: American Institute of Certified Planners
- 2012-2018: Long Range Planner, Town of Jackson/Teton County Wyoming
- 2016: Essential Facilitation, Interaction Associates
- 2012: Techniques of Public Participation, International Association of Public Participation
- 2008-2012: Senior Planner, Teton County Wyoming
- 2006-2008: Associate Planner, Teton County Wyoming
- 2006: B.S. Urban and Regional Studies, Cornell University

Community

- 2007-present: Teton County Search and Rescue, volunteer and Planning Advisor
- 2016-2019: Teton Tiny Tots Daycare, Owner
- 2010-2018: Teton County Search and Rescue Foundation, board member then liaison
- 2007-present: Jackson Youth Hockey, coach

affordable housing and exaction requirements, growth management policy, and natural resource protection.
- Role: Project Lead, responsible for developing and documenting methodology, application of zoning allowances in GIS, analysis of Assessor data and development trends, application of various growth trends and scarcity projections, reporting of information in the form of maps, charts, reports, and GIS files.

Engage 2017 (2017-2018)

- Project: Coordinate the public outreach for 5 different projects to increase community engagement in each. Use a variety of tools and media to increase public understanding and participation in updates to parking, zoning, housing, and natural resource regulations and incentives.
- Award: 2019 American Planning Association Silver Award for Best Practice
- Project Website: www.jacksontetonplan.com/149/Engage-2017
- Role: Project Manager responsible for designing the public outreach and coordination process, supporting the individual project managers, and maintaining overall project quality and scope.

Jackson/Teton County, WY Affordable Housing Requirements (2018)

- Project: Update the requirements in the Jackson/Teton County Land Development Regulations regarding the amount of affordable workforce housing required when new development occurs. Design a process that allows the community to understand the technical and policy implications of alternative approaches so that the adoption of the updated requirements has community buy-in.
- Project Website: www.jacksontetonplan.com/161/Housing-Requirements
- Role: Project Manager, responsible for designing the public outreach process, facilitating adoption, and maintaining overall project quality and scope.
- Role: Lead Author responsible for incorporating public, technical, and legal advice into the adopted regulations.

Jackson/Teton County, WY Housing Action Plan (2015)

- Project: Create an implementation plan for meeting the Jackson/Teton County community's housing goals that included a restructuring of the local Housing Authority. Utilize the data in the 8 housing studies completed between 2007 and 2015, but overcome the analysis paralysis to identify an actionable path forward.
- Project Website: www.jacksontetonplan.com/202/Housing-Action-Plan
- Role: Project Manager responsible for managing data analysis, public outreach, copy editing and formatting consultants, policy analysis, and maintaining overall project quality and scope.
- Role: Lead Author responsible for incorporating public, technical, and legal advice into the adopted Plan.

Gabe Preston

AFFORDABLE HOUSING SUBJECT MATTER EXPERT

Owner (RPI Consulting)

PROFILE

With 20 years of experience as an economic analyst and community planner, Gabe has achieved a balance between the information/technical elements of planning and the community outreach side of the job. Gabe has been project lead for more than two hundred technical planning projects including economic analyses, housing needs assessments, fiscal analyses/impact fees, market studies, economic development, pro-forma analyses, and survey research. His analytical projects have included communities throughout the mountain west ranging from resort/amenity-based economies such as Aspen; Steamboat Springs; San Miguel County (Telluride) and Grand County, UT (Moab) to natural resource-based economies such as Douglas, WY; Natrona County, WY; and Rio Blanco County, CO. As the lead consultant on fifteen comprehensive plans for rural counties and small towns, Gabe is an accomplished long-range planner with an inclusive facilitation style that encourages authentic public involvement and builds support for each plan. Mr. Preston's educational background in mathematics (Bachelors, St. John's College) and geography (Masters, University of Colorado) lend to a balance between creative thinking and rigorous analysis.

Professional History

- RPI Consulting: Owner and Project Manager (2001-Present)
- Pitkin County Community Development: Development Review and Long-Range Planner (1997-2001)

Education

- Masters of Arts in Geography - University of Colorado, Boulder (1997)
- Bachelor of Arts in Math and Philosophy - St. Johns College, Santa Fe (1993)

RELEVANT PROFESSIONAL EXPERIENCE

RPI Consulting, Durango, CO (2001-Present) - Owner and Project Manager

- Project Manager responsible for establishing methodology and managing public process for local government economic and planning projects including impact fees, fiscal impact assessments, housing market and affordability analysis, capital facilities planning, impact fees, surveys, market analyses, socio-economic impact studies and economic development planning.
- Conducts geographic and economic modeling using ARC GIS and CommunityViz Geographic Information software to produce growth projections, traffic analysis, peak population dynamics, and other planning related spatial analysis and cartography.
- Facilitates public planning processes and public meetings.

SELECTED PROJECT EXPERIENCE

- Town of Telluride, CO – Support Study for Fee-in-Lieu of Affordable Housing Inclusionary Zoning Requirements
- San Miguel County, CO – Employee Housing Impact Fee Support Study
- La Plata County, CO – Purgatory Ski Resort Employee Housing Fee-in-Lieu Study
- Tlingit Haida Housing Authority, AK – Housing Needs Assessment for Ketchikan area
- Pitkin County, CO — Impact Analysis of High-End Residential Construction on County Landfill and Roads
- Pitkin County, CO — County Airport Master Plan Overnight Visitor and Peak Population Trends and Forecasts
- Teton County, ID – Economic Development Plan
- Teton County, ID – Fiscal Impact Analysis of Residential Development and Automated Fiscal Impact Analysis Model
- Steamboat Springs, CO – Trail Use and Economic Impact Study
- Madison County, MT –Fiscal Impacts of Rural Development Patterns (funded by Futures West)
- City of McCall, ID –Downtown Master Plan, Awarded Best Plan of 2014 by Idaho APA
- City of Douglas, WY – Downtown Master Plan and Land Use Code Re-Write
- Natrona County, WY – Fiscal Impacts of Rural Development Patterns (funded by Sonoran Institute)

E. Tyson Smith, Esq., AICP

LEGAL SUBJECT MATTER EXPERT

Partner (White & Smith)

PROFILE

Tyson has over 27 years of experience as a city and county planner, planning consultant, and attorney, focused entirely on governmental relations and community planning.
Before beginning his consulting career, Tyson was a planner with the Monroe County Division of Growth Management in the Florida Keys. He later served as the Assistant City Planner for the City of Key West, Florida.

Tyson's experience in these roles – both as a certified planner and attorney – has included affordable housing policy analysis, zoning and land use compatibility, subdivision regulations, nonconforming uses and amortization strategies, military coordination, impact fees, general zoning and plan implementation matters, and legal defense.

Tyson also is a certified mediator and expert at public facilitation and mutual problem solving.

SELECTED EXPERIENCE

- Aspen (CO) - Housing Mitigation Program Update
- Islamorada (FL) - Affordable Housing Assessment and Recommendations
- Park City (UT) - Housing Mitigation Requirements
- Monroe County (FL) - Inclusionary Housing Legal Analyses
- Queen Anne's County (MD) - Moderately-Priced Dwelling Unit Ordinance
- City of Key West (FL) - Workforce Housing Task Force
- Charleston County (SC) - Affordable Housing Incentives & Recommendations

Professional History

- Partner, White & Smith | Planning and Law Group (2005-Present)
- Associate, Freilich, Leitner & Carlisle (2000-2005)
- Assistant City Planner, City of Key West (1995-1997)
- Planning Technician, Monroe County, Florida (1992-1993)

Education

- Juris Doctor, University of Florida (2000)
- Master of Arts in Urban and Regional Planning - University of Florida (1995)
- Bachelor of Arts in Economics - University of North Carolina at Chapel Hill (1991)

Professional Affiliations

- Florida Bar
- South Carolina Bar
- American Institute of Certified Planners
- American Planning Association
- Certified Family and Civil Court Mediator (South Carolina)

S. Mark White, Esq., AICP

LEGAL SUBJECT MATTER EXPERT

Partner (White & Smith)

PROFILE

Mark is a planner and attorney recognized as an expert in affordable housing policy, zoning and subdivision law, form-based zoning and New Urbanism, land use and takings litigation, housing, development of comprehensive growth management plans, and implementation systems. He has over 29 years of experience representing clients at every level from city, state, and local governments, as well as major private developers, including multi-family housing projects.

SELECTED EXPERIENCE

- Aspen (CO) - Housing Mitigation Program Update
- Park City (UT) - Housing Mitigation Requirements
- Missouri Commission on Regulatory Barriers to Affordable Housing
- Summit County (UT) - Housing Element
- Chapel Hill (NC) - Inclusionary Housing Task Force
- Boulder (CO) - Development Excise Tax
- Carbondale (CO) - Healthy Mountain Communities
- Collier County (FL) - Impact Fee Deferral Program
- Nashville (TN) - Cumberland Region Tomorrow Plan
- Davidson (NC) - Adequate Public Facilities Ordinance
- Charlotte-Mecklenburg (NC) - Smart Growth Audit

Education

- Juris Doctor - University of North Carolina at Chapel Hill
- Master of Urban & Regional Planning - University of North Carolina at Chapel Hill
- Bachelor of Arts in History/Political Science -- Bethany College (magna cum laude)

Professional Affiliations

- Missouri Bar
- North Carolina Bar (inactive)
- American Institute of
- Certified Planners
- American Planning Association
- International Municipal Lawyer's Association

Firm/Team Experience

RAFTELIS

When Raftelis was founded in 1993, our primary focus was providing financial and rate assistance to the water industry. Over the years, we have listened to our clients and as their needs have changed, so have we. Finance will always be at our core, but we're so much more. Today, we work with utilities and public-sector organizations to help maintain sustainability, ensure affordable services, plan for the future, utilize data wisely, manage change, and engage with the public they serve. We have nearly 120 consultants, with offices across the nation, focused on helping our clients solve their financial, organizational, and technology challenges. The Raftelis professionals that will be working for the Town/County are part of the Denver team and routinely collaborate in assisting our clients.

Utilities and public-sector organizations provide life-sustaining services to maintain a high quality of life for their citizens and to help their communities thrive. We provide trusted expertise, coupled with a focus on innovation, to help our clients function as high-performing, sustainable entities. We primarily focus on water and wastewater rate studies, cost-of-service analysis, financial planning, affordability assessments, strategic planning, performance measurement, stakeholder engagement, and data analytics. Raftelis helps organizations implement positive changes related to:

- Affordability analysis & program development
- Capital improvement planning/prioritization
- Debt issuance support
- Economic and financial evaluations
- Financial planning
- Rate, charge, and fee studies
- Stormwater utility development and support
- Organizational, governance, and operations optimization
- Performance measurement and benchmarking
- Program planning and support
- Communications and public outreach
- Strategic planning
- Billing, permitting, and customer information audits
- Business process development
- Data management, analytics, and visualization
- Software solutions

OPS STRATEGIES

Organize. Plan. Study. OPS Strategies, a single person LLC, is a planning consultancy dedicated to assisting communities, organizations, and landowners with strategic organization, planning, and study. OPS Strategies has worked with counties, towns, school districts, non-profits, and landowners to identify strategic solutions that fit community values, trends, and needs. Principal, Alex Norton, brings award-winning experience in comprehensive planning and public engagement as well as years of experience in affordable housing, growth management, conservation development, small area planning, land development regulation writing, trend analysis, organizational planning, and GIS. Alex has a proven track record of achieving results and building relationships, across even the most controversial of topics, through strategic planning that acknowledges trends, identifies shared goals, and analyzes alternative approaches to achieving the goals. The bulk of the experience OPS Strategies brings to the project is regional, from work on the Teton View Regional Plan to extensive work in Teton County and the Town of Jackson.

RPI CONSULTING

RPI Consulting (RPI) is a strategic planning firm with a 20-year track record of providing solutions to small towns, rural counties, and resort communities in western states. RPI analyzes information and crafts planning tools needed to implement community goals. Since starting business in 2001, economic principles have been at the core of RPI's planning practice. They have provided concise and useful economic analyses, impact fee studies, fee-in-lieu studies, market analyses, feasibility studies, fiscal/budgetary analyses, capital improvement plans, and demographic information for public agency and private-sector projects.

RPI has had the privilege of preparing plans and studies in widely diverse rural counties and small-town environments, ranging from amenity-driven mountain communities like Pitkin County, CO; Teton County, ID; and Moab, UT to natural resource economies such as Douglas, WY and Rangely, CO. For every client, RPI customizes the approach with solid technical skills and a determination to understand then resolve issues. They have worked extensively at both municipal and county levels and are very experienced coordinating between governmental levels.

In San Miguel County, CO, RPI created the employee housing impact fee study, first established in 2002 and updated in 2006. Their contact was Mike Rozycki, the previous County Planning Director, who is now retired. The housing impact fee was based on the number of employees generated by type of development, the housing subsidy needed per employee and a credit for future payments towards employee housing through the Town of Mountain Village and Town of Telluride sales taxes. In 2005, RPI also completed an affordable housing mitigation-in-lieu fee for the Town of Telluride, CO.

WHITE & SMITH

The planners and attorneys at White & Smith Planning and Law Group work on legal, technical, and policy matters related to housing and land use planning nationwide, including production and protection of affordable and workforce housing. Among their projects are those that remove barriers and increase zoning incentives, assess a "fee-in-lieu" of housing, apply "inclusionary" requirements for new development, and reduce/waive fees and encourage affordable housing developments.

Aspen, CO: Housing Mitigation and Fee-In-Lieu Program
Tyson Smith and Mark White have worked long-term with the City of Aspen on a range of housing issues. In 2000, Tyson developed a legal analysis regarding fractional fee ownership and the impacts of this form of housing on Aspen's regulatory scheme. Since that time, Mark has assisted on a host of legal issues related to its Housing Mitigation Strategy and Fee-in-Lieu program, including recent revisions related to the nexus between existing, unmitigated, floor area and the unmet demand for workforce housing when renovations and replacements are proposed.

Park City, UT: Mandatory Housing Requirements
In 2017, Tyson Smith worked with Park City to evaluate alternative avenues for addressing affordable housing shortages, revising the City's mandatory housing requirements, and identifying key legal issues for the City Attorney.

Boulder, CO: Development Excise Tax
Mark White designed a housing excise tax that replaced the City of Boulder's inclusionary zoning program. This involved an analysis of the legal implications of the City's inclusionary housing program, equity issues regarding the distribution of housing mitigation between residential and commercial developers, and an innovative program for affordable housing. Upon adoption, as part of the City's Housing Assistance Program (HAP), the housing excise tax raised approximately $1.5 million per year to provide a flexible revenue source for housing.

Carbondale, CO: Healthy Mountain Communities
The jurisdictions participating in the Healthy Mountain Communities program (Carbondale, Basalt, Glenwood Springs, Garfield, and Eagle County) explored programs designed to provide affordable housing to meet the demands of growth. A task force, representing each jurisdiction, community groups, development interests, State Division of Housing and Department of Local Affairs, considered a variety of housing programs. Mark White assisted with a legal analysis of housing mitigation requirements and model housing mitigation, inclusionary zoning, density bonus, and commercial-industrial-lodging linkage, and mixed-use ordinances.

Legal Experience

Tyson Smith and Mark White are nationally recognized as a planning/legal experts in impact fees and nexus studies. They have worked in over 50 communities on impact fees, exactions, inclusionary housing, fees-in-lieu, and similar nexus studies. White and Smith's broad perspective includes both legal and technical expertise. They collaborate with local stakeholders to reach consensus on defensible and effective housing mitigation studies and programs. Tyson is the former Chairman of the "Growth and Infrastructure Consortium" and has spoken and published widely in the areas of impact fees, exactions, and regulatory takings. Currently, Tyson is working with the City Attorney in Aspen, CO to evaluate and make recommendations for increasing the effectiveness and defensibility of Aspen's housing mitigation and fees-in-lieu program.

White & Smith has published the following materials related to affordable housing.

- *Affordable Housing: Proactive and Reactive Planning Strategies* (American Planning Association, Planning Advisory Service Report no. 441, December 1992)
- "Affordable Housing: Decent Shelter Is a Fundamental Right" (with Jim Hecimovich) in *Planning and Community Equity* (APA's Planners Press October 1994)
- "Development Fees and Exemptions for Affordable Housing: Tailoring Regulations to Achieve Multiple Public Objectives," 6 *Florida State University Journal of Land Use & Environmental Law* 25 (Winter 1990), reprinted in 1992 *Zoning and Planning Law Handbook* 301-338
- "Development Fee Exemptions for Affordable Housing," *Urban Land* (August 1991), at 34
- "Using Fees and Taxes to Promote Affordable Housing," 43 *Land Use Law & Zoning Digest*, No. 9 at 3 (September 1991)
- "The National Affordable Housing Act and Comprehensive Planning: An Overview and Analysis," 1992 *Inst. on Planning, Zoning, and Eminent Domain*, at 4-1 et seq.
- "State and Federal Planning Legislation and Manufactured Housing: New Opportunities for Affordable, Single-Family Shelter, 28 *Urb. Law.* 263 (1996)(this was cited by the Iowa Supreme Court in *Bahl v. City of Asbury*, 56 N.W.2d 336 (Iowa 2002))

References

Below are references for projects like the employee generation by land use study requested by the Town of Jackson and Teton County. Raftelis' projects listed below are described in our team members' resumes. We urge you to contact our team's references to better understand our capabilities and the quality of service that we provide.

RAFTELIS REFERENCES

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Town of Berthoud (CO)
Chris Kirk, Administrator
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E: ckirk@berthoud.org

City of Meridian (ID)
Todd Lavoie, Chief Financial Officer
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OPS REFERENCES

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WHITE & SMITH REFERENCES

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Work Plan

TECHNICAL APPROACH AND METHODOLOGY

Project Understanding

The Town of Jackson/Teton County continues to experience development activity that requires additional affordable housing. Raftelis will work with the Town/County to update development projections, identify affordable housing needed due to growth, and update the 2013 Employee Generation by Land Use Study. Our consultant team's community engagement specialists will be key contributors helping Town/County staff, stakeholders, and elected officials reach a consensus on housing solutions for the community.

Proposed Scope of Work

Task 1: Kick-off Meeting and Project Management

This task will involve working with Town/County staff to establish objectives and project schedule with milestones, data needs, constraints, and opportunities. Responsibilities for data collection, project deliverables, and ongoing communication will be agreed upon as part of this task. Project management includes monthly web meetings with staff to discuss progress and invoices.

Raftelis would like for the Town/County to formalize a "Management Team" to work with us during the nexus study, representing upper management, legal, financial, and planning functions. Also, we need one day-to-day coordinator to be our point of contact for routine coordination and communications. Raftelis would like to schedule regular calls with the day-to-day coordinator to go over specific work items and responsibilities.

Raftelis is excited that the Town/County have already established a Stakeholder Committee to provide input and local review throughout the next study process. The Stakeholder Committee will meet periodically to provide input regarding the nexus study and make recommendations on administrative procedures to implement affordable housing solutions.

Raftelis will go over all the deliverables with the Management Team, then with the Stakeholder Committee, allowing adequate time for participants to review materials prior to meetings. After the internal review, we will schedule time to make modifications to draft materials prior to releasing supporting documentation for public meetings.

Milestone/Deliverable

- Kick-off meeting presentation and initial interviews
- Follow-up memo on project management and data needs

Task 2: Communications and Engagement Plan

A thoughtfully developed Communications and Engagement Plan will enhance community acceptance and understanding of potential affordable housing solutions by seeking input at appropriate junctures in the nexus study process. As shown in our proposed project schedule, our preliminary recommendation is to develop the communications/engagement plan in the first month and hold the first stakeholder meeting at end of the second month. Our consultant team will hold seven on-site meetings during the study, which is expected to last eight months.

Milestone/Deliverable

- Meetings: Seven on-site meetings and nine web meetings with staff to review draft work products as included in various tasks.
- Deliverables: Communications and Engagement Plan

Task 3: Identify, Collect, and Analyze Data

This task includes an evaluation of current demographics as well as a projection of residential and non-residential development within the Town/County. The consultant team will review population projections and other service area demographic sources (e.g., Comprehensive Plan, Woods & Poole Economics and State of Wyoming, and U.S. Census Bureau's American Community Survey and OnTheMap web application for place of work employment and commuting patterns). An example of the latter is the Work Area Profile map indicating the concentration of jobs within the Town/County. We will collaborate with staff to clarify the research questions listed in the RFQ and propose the best means to collect and analyze data specific to the Town/County.

Milestone/Deliverable

- Spatial analysis using Policy Map and Community Analyst
- Demographic analysis using local, state, and federal sources
- Unique approaches to be identified

Task 4: Presentation on Demographics, Projections, and Unique Approaches

Raftelis recommends an initial community engagement meeting to present demographic information on the Town/County and development projections. Current best practices will be evaluated, and the pros vs. cons of unique approaches will be presented

Milestone/Deliverable

- One web meeting to discuss best practice recommendations, demographic analysis, and development projections with staff and then an on-site meeting to present the revised materials to stakeholders.
- Deliverables: Demographics analysis, development projections, and initial discussion of unique approaches

Task 5: Collaboration with Staff on Methods and Preliminary Results

The consultant team will prepare a presentation with draft tables for review/input by staff. We will work with staff to evaluate a range of alternatives and potential solutions for the Town/County's affordable housing problem.

Milestone/Deliverable

- Presentation slides and web meetings with staff to review/discuss tables and graphics

Task 6: Presentations to Stakeholders on Methods and Preliminary Results

Raftelis will conduct a second stakeholder engagement meeting to go over methods and preliminary results.

Milestone/Deliverable

- Presentation slides and web meeting with staff to go over updated employee generation by land use for up to two separate presentations. Raftelis will revise slides and then present materials during two separate on-site meetings with stakeholders.

Task 7: Draft Report

Raftelis will produce a draft employee generation by land use study for staff review. The draft reports will include: 1) an executive summary; 2) projected growth in jobs and residential and non-residential development; 3) description of methodologies, supporting data, and cost factors; and 4) a menu of implementation policy options with legal limits for individual and cumulative implementation of the options.

Milestone/Deliverable

- Excel models with all calculations
- Draft report as a PDF file for review and comment

Task 8: Elected Officials Work Session on Draft Report

Raftelis will present the draft report at a work session with elected officials.

Milestone/Deliverable

- Presentation on draft study findings and recommendations

Task 9: Final Report

After making changes based upon questions from elected officials, Raftelis will review the final report with staff then discuss draft slides that will be presented to elected officials.

Milestone/Deliverable

- A final report will be prepared in electronic format and distributed for public review.

Task 10: Elected Officials Hearing/Adoption

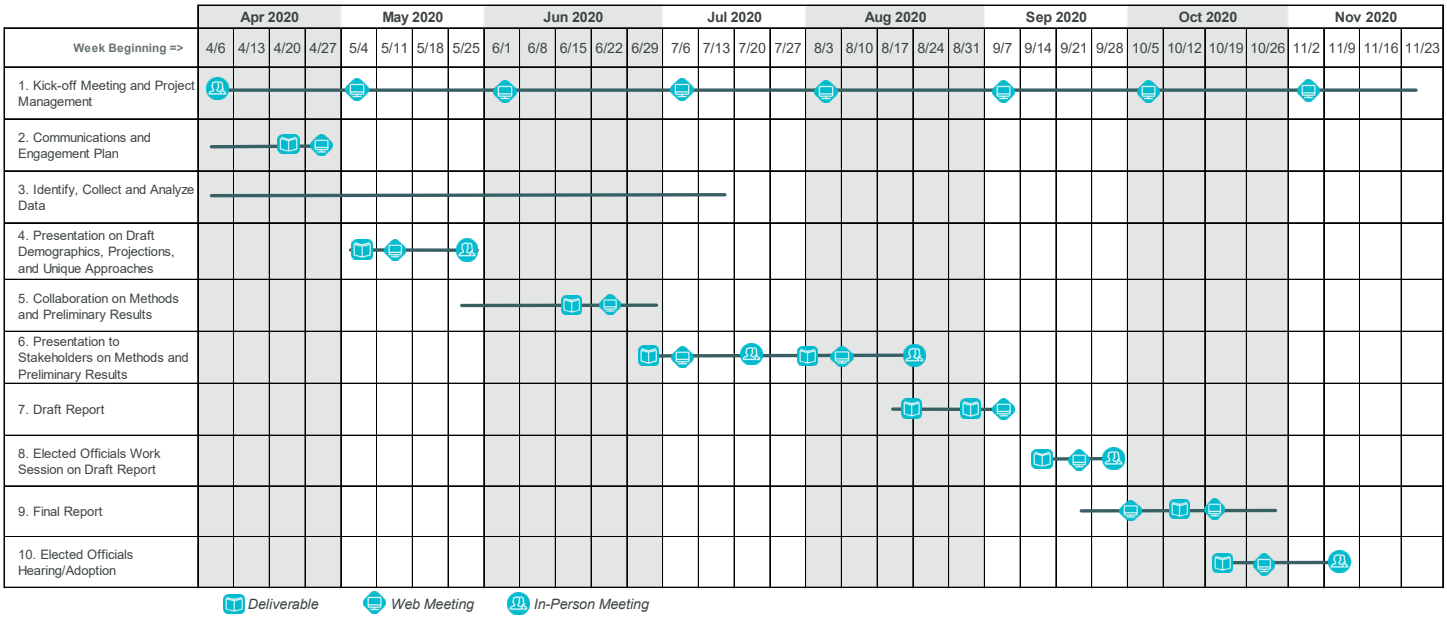
Raftelis will attend a public meeting with elected officials to present the nexus study findings and recommendations.

Milestone/Deliverable

- A slide presentation will be provided to summarize the results and recommendations, which will also be distributed for public review.

SCHEDULE

Raftelis will complete the scope of services within the timeframe shown in the schedule below, which is consistent with the RFQ. Kick-off will be in April 2020, and project completion will be November 2020. We will adjust the draft schedule with staff during contract negotiation.



UNIQUE APPROACH/TECHNOLOGY

We have included unique approaches in the Responses to the Key Issues section of this proposal.

TOWN/COUNTY STAFF SUPPORT

The consultant team only expects staff to contribute their knowledge of the Town/County in a spirit of collaboration for the common good of the community. We do not expect data collection or analysis by staff. If necessary, we may need staff to provide electronic files, such as the assessor's parcel database and building permit records.

Responses to the Key Issues

RESEARCH QUESTIONS

The consultant team will collaborate with staff to revise and clarify research questions to be answered during the study. The following questions from the RFQ will be addresses by in the updated nexus study. It is premature for the consultant team to give definitive answers in our proposal, but we offer some brief initial thoughts on each question.

1. ***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.***
   In a fiscal shortfall evaluation that Raftelis is currently conducting in Buckeye AZ, we discovered that construction sales tax revenue and construction jobs are stable from year to year, if the amount of development per is relatively constant. In other words, construction workers move from one job site to the next so the need for construction workers is not cumulative. In Colorado, RPI was able to get business level QCEW data that allowed for the spatial location of jobs. In Pitkin County, Raftelis and RPI also used traffic data in combination with employment data to determine the number residential service employees maintaining and operating residential units by unit type and unit size.

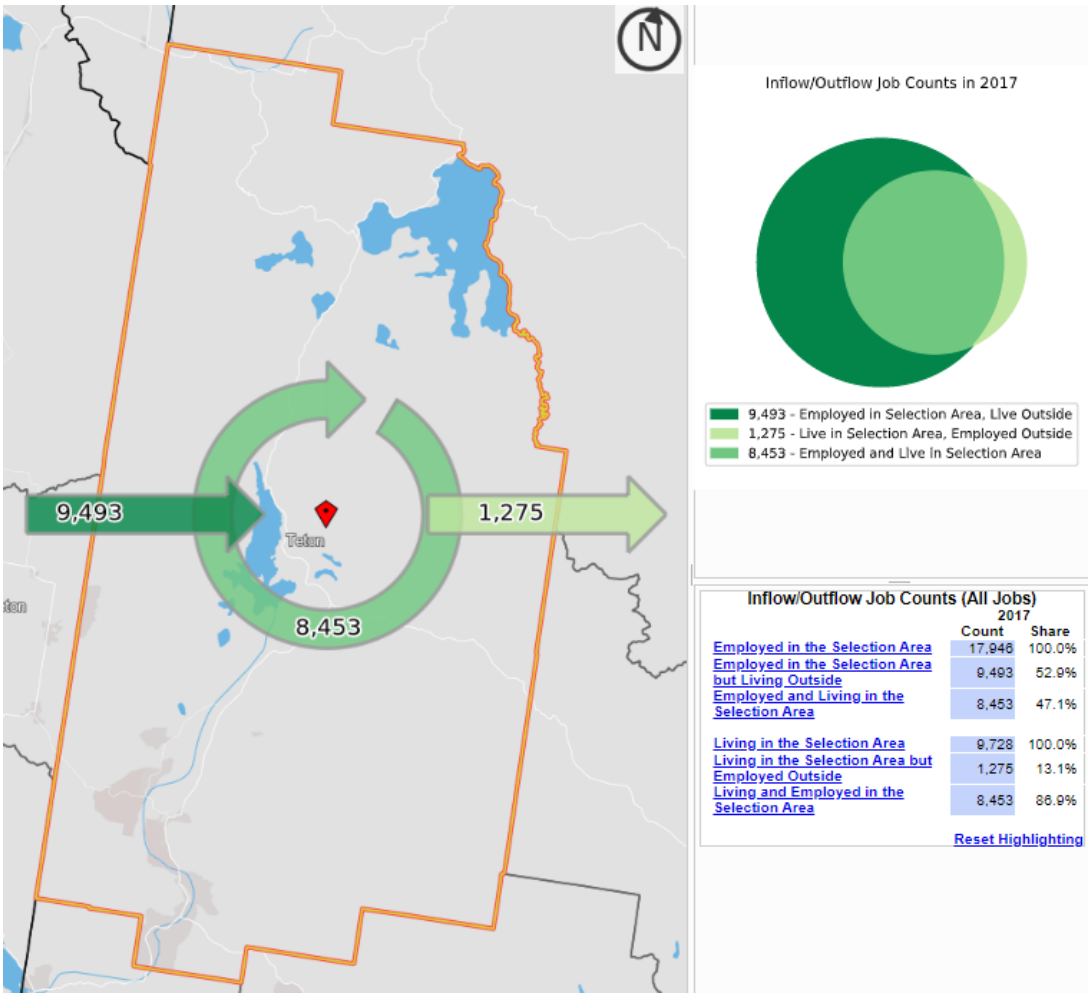
2. ***What are the types of jobs that exist today and what are the wages being earned?***
   The work area profile, shown below in the Methodology and Technology section, is one data source that we can use. Data is also available for the Town of Jackson. At the county level, we also like to use past and projected employment, earnings and household income data from Woods & Poole Economics.

3. ***What is the percentage of the workforce living locally (within Teton County)?***
   Teton County commuting patterns (inflow, outflow, and resident workers) are shown below in the section on Methodology and Technology. This information is also available for the Town of Jackson. Another source is the Wyoming Department of Workforce Services quarterly Inter-County Commuting Reports also provide county scale data covering the number of locally employed residents, the number commuters to and from each county within the state and the number of commuters to and from outside the state. Multiple jobs holding data will allow consultants to convert from workers to the number of jobs held. County-level proprietor employment is available from BEA. The key is to find answers that fit all data sources and local experience.

4. ***What is the gap between income and housing costs?***
   From a mitigation standpoint, we can focus on the gap between what worker households can afford to pay and what it costs to build suitable and affordable housing unit (sale or rent). The gap between market housing prices and local earning power is so wide, it is less relevant than the difference between cost to build and ability to pay. Another perspective is available using affordability metrics readily available using Policy Map (see https://www.policymap.com/). For example, they have GIS data on home values, rents, cost burdens, location affordability (combines housing and transportation costs), and loan-to-income leverage ratios.

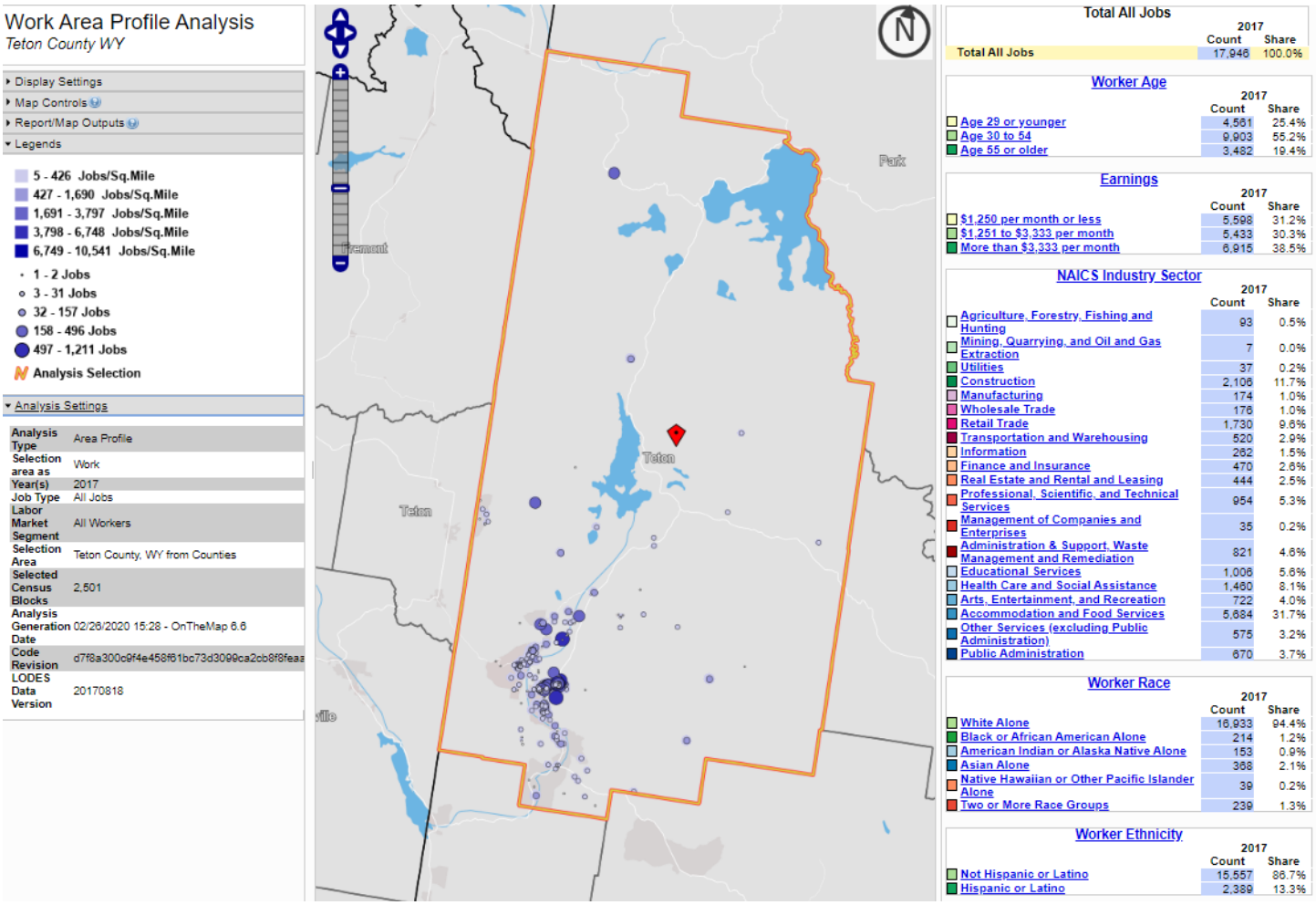
5. ***How many jobs are being created by non-brick-and-mortar businesses, what are the wages being earned by these employees, and where are the jobs located? Can these businesses be required to mitigate for their impacts through housing requirements? If not, what are other ways they can be required to mitigate for their impacts?***
   If a business is located/based in the county and has one or more employees, QCEW and other state employment data will include it. County-level proprietor employment is available from BEA. Wyoming Secretary of State tracks business entities in the state by name and address, providing an additional source for identifying less visible businesses. Federal and State data can also be referenced against business license data. Jobs without brick-and-mortar floor area can be attributed to the residential or lodging space they are serving, or through other types of licensing fees and taxes.

METHODOLOGY AND TECHNOLOGY



Raftelis has a diverse professional staff, including information technology experts that can assist with unique approaches to document employee generation by type of land use. For example, it might be possible to use cell phone data or license plate readers to collect and analyze journey-to-work data. We can also use information on commuting patterns and jobs by place of work that is available from the U.S. Census Bureau's web application known as OnTheMap. According to this source, approximately 53% of Teton County workers are inflow commuters that live outside the County, although OnTheMap methodology often overestimates commuters in seasonal economies. A similar methodology from the Wyoming Department of Workforce Services estimates that only 40% of wage jobs are held by commuters. Raftelis has the expertise and staff to create a clear picture out of the palette of data available.

The Census Bureau also published data on jobs by place of work, by two-digit NAICS industry code, and maps jobs locations as shown in the Work Area Profile below.



COMMUNICATIONS

The second task in our work scope is the development of a communications and engagement plan. Our approach is summarized below.

Tell Your Story to Build Understanding

Today, we can engineer and finance solutions for the ongoing needs of our community, yet success often relies on public trust and support for our efforts. People know that infrastructure investment is important—but they often don't understand how impactful and costly it is and what that will mean to them personally. Strategic communication and stakeholder engagement are the tools we use to build an informed, supportive community, making your efforts to accomplish your objectives more effective and efficient.

Use Best Practices and Innovative Tools

There are endless choices when it comes to developing a strategic communication plan for your organization or project. How do you know which social media strategy or public participation technique is the best and will get the results you want? Raftelis designs the right communication solution for your unique needs, ensuring that the strategy and tactics match your organization's goals and your ability to implement the plan. Traditional public outreach approaches can easily be combined with innovative online stakeholder engagement efforts to tailor a solution that is cost-effective and manageable for staff.

Enhanced by Design
In the age of endless distractions and information overload, people want information in a visual format that is quickly and easily understood. While detailed, 100-page reports may provide great detail into a topic, this is typically not the most effective way to communicate with your stakeholders. Raftelis' team of in-house graphic designers and communications experts utilize the art of design and visualization to develop concise, visually pleasing, and easily digestible materials and content to effectively communicate your message.

Communicating from Experience
Raftelis has the proven ability to successfully communicate and build consensus on large, complex, and often controversial projects, and we've walked in your shoes, working directly with customers, stakeholders, elected officials, the media, and environmental organizations to engage and collaborate with them. Whether your goal is to build support for a water rate structure change or analyze public perceptions to effectively neutralize opposition to an infrastructure project or new program, we've been there and done it successfully.

FACILITATION

Team member Tyson Smith is a certified and experience mediator and has been facilitating public discourse and decision-making surrounding housing fees, exactions, and impact fees for 20 years. Tyson's approach to conflict resolution in the land use context draws upon his experience as a planner, mediator, and attorney. The consultant team does not bring to this project any "ownership" of the outcome. The people of the Town/County own the outcome. As facilitators, we will help the community explore all lawful and effective options before elected officials decide which direction to go. There will be dissent among parties, but small group sessions will facilitate discussion and understanding so that further conversations are about the best route forward, not the legitimacy of any of the options. We also help the community avoid options that do not have support from multiple angles. We seek a "durable" solution to land use challenges that will reasonably address affordable housing challenges.

In Aspen, Tyson worked with local developers, staff, and elected officials in focus groups, one-on-one sessions, and workshops. He began the process by giving stakeholders the chance to provide input and discuss their points of view. Participants confronted unreasonable or uninformed assumptions to narrow the range of potential alternatives and broaden support for acceptable solutions.

UNIQUE APPROACHES

The Town/County has worked on housing affordability issues for many years. The consultant team will interview staff and stakeholders to discover what refinements are needed. Our consultant team's broad range of national experience might offer a fresh perspective on unique approaches to consider, such as additional supply-side solutions, tax policies that provide incentives for infill and redevelopment, and a comprehensive revenue strategy to support affordable housing solutions.

Budget

The following table provides a breakdown of our proposed fee for this project for a not-to-exceed fee of $173,000. This table includes the estimated level of effort required for completing each task and the hourly billing rates for our project team members. Expenses include costs associated with travel and a $10 per hour technology charge (applied to just Raftelis staff) covering computers, networks, telephones, postage, etc.

Employee Generation by Land Use Study for Jackson/Teton County, WY

Tasks	Web Meetings	On-Site Meetings	Hours AR	DG	HPD	Graphic Designer	OPS	RPI	W&S	Total Hours	Total Labor	Total Expenses	Total Labor & Expenses
1. Kick-off Meeting and Project Management	7	1	12	12	4	-	24	8	8	68	$13,060	$5,684	**$18,744**
2. Communications and Engagement Plan	1	0	4	8	-	-	40	2	2	56	$8,830	$180	**$9,010**
3. Identify, Collect and Analyze Data	0	0	2	24	16	-	60	40	2	144	$23,360	$480	**$23,840**
4. Presentation on Draft Demographics, Projections, and Unique Approaches	1	1	4	12	12	2	32	24	8	94	$15,990	$1,696	**$17,686**
5. Collaboration on Methods and Preliminary Results	1	0	4	8	4	-	28	28	8	80	$13,380	$220	**$13,600**
6. Presentation to Stakeholders on Methods and Preliminary Results	2	2	12	16	4	4	40	28	10	114	$20,010	$3,152	**$23,162**
7. Draft Report	1	0	8	12	12	2	24	24	16	98	$17,970	$340	**$18,310**
8. Elected Officials Work Session on Draft Report	1	1	8	16	8	4	8	4	10	58	$12,050	$3,092	**$15,142**
9. Final Report	2	0	4	12	8	4	12	8	20	68	$13,420	$280	**$13,700**
10. Elected Officials Hearing/Adoption	1	1	12	16	4	4	16	4	24	80	$16,700	$3,092	**$19,792**
Total Meetings/Hours	**17**	**6**	**70**	**136**	**72**	**20**	**284**	**170**	**108**	**860**			
2020 Hourly Billing Rate			$275	$245	$185	$125	$125	$150	$235				
TOTAL			$19,250	$33,320	$13,320	$2,500	$35,500	$25,500	$25,380		$154,770	$18,216	**$172,986**

AR - Andrew Rheem (Principal-in-Charge)
HPD - Hannah Palmer-Dwore (Consultant)
OPS - Alex Norton
W&S - White & Smith
DG - Dwayne Guthrie (Project Manager)
Graphic Designer (Raftelis)
RPI - Gabe Preston

Avg Labor Rate **$180**

Employee Generation by Land Use Study RFQ

Teton County & the Town of Jackson, Wyoming

Response prepared by:

CLARION RRC ASSOCIATES Dr. James C. Nicholas

Clarion Associates, LLC
101 Market Street, Suite D
Chapel Hill, North Carolina 27516
919.967.9188
919.967.9077 fax

Community Planning
Zoning/Design Standards
Impact Fees
Growth Management
Sustainability

CLARION

VIA FEDERAL EXPRESS

February 26, 2020

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

RE: Response to RFQ to Prepare New Employee Generation by Land Use Study

Dear Ms. Norton,

We are pleased to submit this response to the Jackson/ Teton County Affordable Housing Department's request for qualifications (RFQ) to retain a consulting firm to prepare a new Employee Generation by Land Use Study.

Clarion Associates is a national planning and zoning consulting firm with offices in Denver and Chapel Hill, and affiliate offices in Cincinnati and Philadelphia. Firm principals have substantial experience in assisting local government clients in resort destination communities like Jackson, design, draft, and defend in court mandatory workforce/affordable housing studies and legislation. We led the preparation of both the *2013 Employee Generation by Land Use Study* for the Teton County Housing Authority (TCHA), *the Affordable Housing Support Study* prepared for Teton County in 2006, and worked with County and Town staff in the preparation of the Town and County *Housing Requirements* adopted in 2018.

If our team is selected for this project, we would be assisted by **Dr. James C. Nicholas** and **RRC Associates.**

Dr. Nicholas is one of the preeminent experts nationally on nexus, exaction, and impact fee methods and the concept of proportionate share. He has extensive experience in the design of affordable workforce housing mitigation programs and general exaction programs. He has testified in court on behalf of local governments in the successful defense of exaction and impact fee programs. He has published extensively on the issue of proportionate share methods for exaction and affordable housing programs (e.g., *A Rational Nexus Approach to Workforce Housing Development Conditions,* the John Marshall Law Review, forthcoming spring 2020; "Workforce and Affordable Housing: Local Government Inclusionary Housing Programs and the Courts," *Planning & Environmental Law*, 2011; A *Guide to Impact Fees and Housing Affordability*, Island Press, 2008.) He worked with Clarion in the design and preparation of the *2013 Employee Generation by Land Use Study,* the *2006 Affordable Housing Support Study*, and the Town and County *Housing Requirements* adopted in 2018. Dr. Nicholas would serve as the economist and methodologist for the effort.

RRC Associates offers services in market research and strategic analysis, economic and feasibility planning, survey research, and policy formulation, for both public and private sector clients. They conducted the survey research for both the *2013 Employee Generation by Land Use Study* and the *Affordable Housing Support Study* prepared for Teton County in 2006, and have worked with Clarion and Dr. Nicholas on a number of other affordable workforce housing nexus studies. **RRC** would conduct the survey research for this effort.

We believe our team is uniquely suited to assist in the preparation of a new Employee Generation by Land Use Study for the following reasons:

We know and understand the current LDRs, Housing Requirements, and Current Nexus Studies. Firm principals know and understand the current Town and County LDRs and housing requirements – and have substantial experience working with these regulations over the years. We served as the principal consultant in designing and preparing the original affordable workforce housing support study for the community in the 1990s, as well as the implementing legislation. We also led the preparation of both the *2013 Employee Generation by Land Use Study* for the Teton County Housing Authority (TCHA), the *Affordable Housing Support Study* prepared for Teton County in 2006, and worked with County and Town staff in the preparation of the 2018 *Town and County Housing Requirements*.

We know nexus studies. Team members have substantial experience in the design and preparation of workforce/affordable housing nexus studies. As noted above, Clarion, in association with Dr. James Nicholas and RRC, have not only worked in Jackson/Teton County on affordable workforce housing mitigation issues, but have designed and prepared nexus studies for a number of other Colorado and south Florida communities.

We know housing law. We are experts on the legal issues related to the implementation of mandatory affordable mitigation and served as special counsel in the successful defense to several legal challenges to the County's mandatory affordable housing mitigation regulations.

We are skilled facilitators. We are experienced in working with citizens, staff, and elected officials to gain consensus on difficult issues like affordable workforce housing issues and are available to assist in the facilitation with the technical stakeholder group, other stakeholders, and elected officials.

We are excited about the prospect of working with the Jackson/ Teton County Housing Department, the Town, and the County on this effort, and would welcome an opportunity to discuss our qualifications with you in person. Please contact me at 919-967-9188 or at crichardson@clarionassociates.com if you have questions or need additional information to evaluate our submittal.

Very truly yours,

Craig Richardson
Director

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B. Qualifications

A. Proposed Project Team

If the Clarion team is selected for the project, **Clarion Associates** would serve as the prime contractor for the project. We would be assisted by **Dr James C. Nicholas** and **RRC Associates (RRC)**. **Dr Nicholas** would serve the principle economist and methodologist. **RRC** would provide survey research assistance.

A short summary of the firms and professionals on the Clarion team is outlined below. This is followed by a more specific summary of the team organization (including a graphic description of the team organization). This is followed by a description of the professionals who would be involved in the effort and their professional qualifications.

THE FIRMS

Clarion Associates

Clarion Associates, LLC, a limited liability company organized under the laws of the state of Colorado, has offices in Chapel Hill and Denver, and affiliate offices in Cincinnati and Philadelphia. The firm has been in business for 28 years, and consists of city planners, landscape architects, attorneys, and graphic designers. No firm in the country matches the combination of land use and zoning, urban design, community development, and planning experience of Clarion's firm principals. Clarion is particularly known for its expertise in:

- Development code updates;
- Design standards and incorporating form controls into development regulations;
- Regulations that protect a community's character;
- Affordable workforce housing support studies and mandatory affordable housing regulations;
- Incorporating green building and resiliency concepts in development codes;
- Zoning best practices;
- Regulations to protect environmentally sensitive lands;
- Community and neighborhood planning; and
- Land use and planning law.

FIRM NAME:
Clarion Associates

ADDRESS:
101 Market Street
Suite D
Chapel Hill, NC 27516
919.967.9188
919.967.9077 (fax)

YEAR ESTABLISHED:
1992

TYPE OF OWNERSHIP:
Limited Liability Company

PRIMARY CONTACT PERSON:
Craig Richardson, Director

E-MAIL ADDRESS:
crichardson@clarionassociates.com

Dr. James C. Nicholas

Dr. James C. Nicholas is one of the preeminent experts nationally on nexus, exaction, and impact fee methods, and the concept of proportionate share. He has extensive experience in the design of affordable workforce housing mitigation programs and general exaction programs for hundreds of local government clients across the country. He has consulted with Teton County WY, Pitkin County CO, the Village of Islamorada, FL; Collier County, FL, Lee County FL, Monroe County FL, Palm Beach County, FL, Marathon FL, Sanibel FL, and Key West FL, in the design and implementation of affordable workforce housing mitigation and inclusionary housing programs. He has testified in court on behalf of local governments in the successful defense of impact fee and other exaction programs. He has published extensively on the issue of proportionate share methods for exaction programs (e.g., "Workforce and Affordable Housing: Local Government Inclusionary Housing Programs and the Courts," *Planning and Environmental Law*, 2011; *A Guide to Impact fees and Housing Affordability*, Island Press, 2008; *Calculating Proportionate Share Impact Fees Under the Rational Nexus Test*, Chicago: American Planning Association, 1988; and *A Practitioner's Guide to Development Impact Fees*, Chicago: American Planning Association, 1991.)

RRC Associates

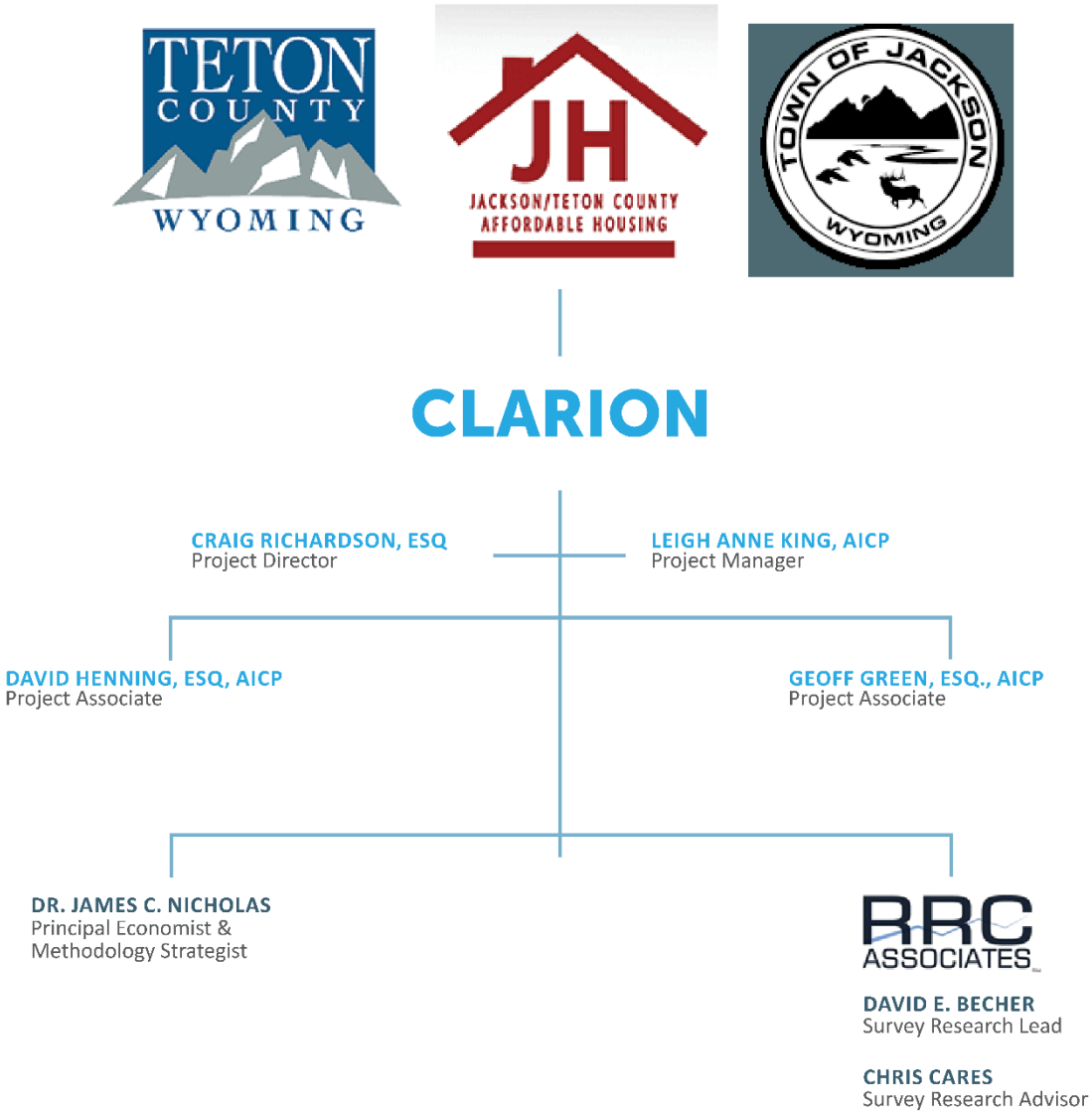
RRC Associates offers services in market research, survey research, strategic analysis, economic and feasibility planning, and policy formulation to local governments and public agencies as well as private businesses. The company is composed of professionals with extensive experience and qualifications in addressing the needs and challenges of communities. In addition, the firm also serves ski area and resort operators, trade associations, tourist organizations, and others interested in the recreation and tourism industries. The motivation of our principals and staff, and their active involvement in professional organizations at the state and national level, insure a high degree of professional skill and creativity.

TEAM ORGANIZATION

As outlined above, if the Clarion team is selected, **Clarion Associates** would serve as the prime contractor for the project. Clarion would be responsible for project management, all drafting, facilitation, and serve as the day-to-day contact with the Jackson/ Teton County Affordable Housing Department's project manager.

Craig Richardson, Esq. would serve as Project Director. He would be assisted by **Leigh Anne King, AICP LEED**, who would serve as Project Manager, and **David Henning, Esq., AICP**, and **Geoff Greene, Esq., AICP**, who would assist in data analysis, drafting, and facilitation. **Dr. Nicholas** would serve as the principal economist and methodologist and would work on data analysis for the support study. **RRC Associates (RRC)** would provide assistance in survey research and policy formulation. RRC's work would be led by **David E. Becher**. He would be advised by **Chris Cares**.

A graphic description of the team organization is shown below. Summaries of the professional qualifications of team members who would be involved in the project are included on the following pages.


TETON COUNTY WYOMING
JH JACKSON/TETON COUNTY AFFORDABLE HOUSING
TOWN OF JACKSON WYOMING
CLARION
CRAIG RICHARDSON, ESQ
Project Director
LEIGH ANNE KING, AICP
Project Manager
DAVID HENNING, ESQ, AICP
Project Associate
GEOFF GREEN, ESQ., AICP
Project Associate
DR. JAMES C. NICHOLAS
Principal Economist &
Methodology Strategist
RRC ASSOCIATES
DAVID E. BECHER
Survey Research Lead
CHRIS CARES
Survey Research Advisor

Clarion Associates

Craig Richardson, Esq. | Director

Craig is a Director of Clarion Associates. He is a planner/lawyer with over 35 years of practice experience, primarily representing local government clients on a variety of planning and zoning matters, including comprehensive development code updates, form-based regulations, affordable workforce housing mitigation studies and legislation,, sustainable development practices, resource protection, character-based regulations, and infrastructure funding mechanisms like impact fees. He has served as a principal in the design of "first-time" exaction initiatives in two states where development exactions at the time of implementation were untested in the courts (Reno, Nevada (roads) and Teton County, Wyoming (affordable workforce housing)). Each program was successfully implemented. He has worked on the design and implementation of more than 100 exaction regulations across the country, and served as a principal in the design and implementation of affordable workforce housing mitigation programs and studies in Teton County/Jackson WY, Pitkin County CO, Islamorada, FL, Marathon, FL, Palm Beach County and Monroe County, FL. He served as counsel of record in several landmark exaction cases, as well as special counsel to the Teton County Attorney's office in their defense of the County housing requirements. He served on the faculty for APA's national Zoning Clinic, speaks regularly at planning conferences on code implementation issues, and worked on the USEPA Sustainable Code Building Blocks project.

Leigh Anne King, AICP, LEED® AP | Project Manager

Leigh Anne King is a Director of Clarion Associates. She has nearly 20 years of experience working with local governments on planning initiatives including sustainable community land use plans, strategic growth plans, affordable workforce housing programs, growth management and open space protection strategies, and development ordinances and design guidelines. Most recently, Ms. King worked with the Jackson/Teton County Housing Department to update its affordable workforce housing guidelines, assisted with the update to the Teton County/Jackson's *2013 Employee Generation by Land Use Study;* the Monroe County, Florida Housing Nexus Study; and the Islamorada, Florida Housing Nexus Study. She is the lead author of seven award winning plans. She is a frequent speaker at national and state-level conferences on a variety of planning topics including workforce housing and housing diversity, local food planning, and comprehensive planning. Leigh Anne received her Master of City and Regional Planning degree from the University of North Carolina, Chapel Hill, where she served as a research assistant, and was named the outstanding student in her graduating class.

Geoff Green, Esq., AICP | Associate

Geoff's practice focuses on zoning and plan implementation. At Clarion, he has worked on and taken an active role in the drafting of the Kannapolis, NC, Richland County, SC, Maitland and Estero, FL, and Colorado Springs, CO code update projects. Geoff recently joined Clarion after several years in the public sector working as a planner for a regional public transit agency. There he focused on land entitlement for a proposed multi-billion-dollar light-rail project that traversed Durham and Chapel Hill, which included participating in a Transit-Oriented Development study that evaluated development scenarios and recommended changes to land-use regulations to maximize development opportunity around 19 proposed light-rail

stations. Geoff received his undergraduate degree from Duke University, his Master of City and regional planning degree from the University of North Carolina, Chapel Hill, where he was named outstanding student in his graduating class; and a law degree from New York University (NYU) where he was a member of the Order of the Coif and graduated Magna Cum Laude.

David Henning, Esq., AICP | Associate

David is a planner and lawyer in Clarion's Chapel Hill office. His work for Clarion has also included drafting and analyzing comprehensive plan updates (Cary, Mooresville, and Greenville NC; and Portsmouth, VA), strategic plans (James City County, VA), land development code updates (Apopka and Estero, FL; Richland County, SC; Prince George's County, MD; and Decatur, AL) and affordable housing studies (Monroe County, FL). Prior to his planning work, David performed agency monitoring for an environmental law firm in his home state of Florida. He has presented at state and national planning conferences on dark skies and design of planning documents. He received his B.S. in civil engineering from Northwestern University; a Master of City planning from Harvard University; and a law degree (with honors) from Florida State University.

Dr. James Nicholas

Dr. James C. Nicholas is one of the preeminent national experts on nexus, exaction, and impact fee methods, and the concept of proportionate share. He has extensive experience in the design of affordable workforce housing mitigation programs and general exaction programs. He has consulted with Teton County WY, Pitkin County CO, the Village of Islamorada, FL; Collier County, FL, Lee County FL, Monroe County FL, Palm Beach County, FL, Marathon FL, Sanibel FL, and Key West FL, in the design and implementation of affordable housing mitigation and inclusionary housing programs. He has testified in court on behalf of local governments in the successful defense of impact fee and other exaction programs. He has published extensively on the issue of proportionate share methods for exaction programs (e.g., "A Rational Nexus Approach to Workforce Housing Development Conditions", the *John Marshall Law Review*, forthcoming spring 2020; "Workforce and Affordable Housing: Local Government Inclusionary Housing Programs and the Courts," *Planning and Environmental Law*, 2011; *A Guide to Impact fees and Housing Affordability*, Island Press, 2008; *Calculating Proportionate Share Impact Fees Under the Rational Nexus Test*, Chicago: American Planning Association, 1988; and *A Practitioner's Guide to Development Impact Fees*, Chicago: American Planning Association, 1991.)

RRC Associates

David E. Becher | RRC

David has diverse experience managing and conducting many types of market research and planning projects for public and private sector clients in his more than 25 years at RRC. With an educational background in urban and regional planning, public administration, and business administration, David works extensively in the areas of survey research, economic and demographic research, community planning, and affordable housing. He has conducted the survey research for the workforce housing support/nexus studies prepared by Clarion for Teton County/Jackson, Islamorada, Marathon, Palm Beach County, and Monroe County.

Chris Cares | RRC

Chris possesses a diverse background in public and private planning. A founding partner of RRC Associates, he specializes in practical applications of research techniques including survey and qualitative research, modeling, and applied analysis to solve problems in city planning, administration, and business applications. Chris has extensive experience in moderating focus group discussions and other types of public meetings. His research and recommendations have helped to shape the design and marketing strategies of major resorts and other developer clients, and he has coordinated the planning and public processing of numerous large resorts and mixed-use projects. His work has also involved numerous public sector clients. Housing needs assessments and parks and recreation needs assessments are particular areas of his specialization. Chris assisted in conducting the survey research for the workforce housing support/nexus studies prepared by Clarion for Teton County, WY and Islamorada, Marathon, Palm Beach County, and Monroe County FL.

B. Firm/ Team Experience

Clarion

The professionals who will assist in this project have substantial experience drafting mandatory affordable workforce housing requirements and preparing nexus studies to support those efforts. This section includes summaries of some of our relevant projects, as well as examples of Dr. Nicholas' and RRC's relevant project experience.

Town of Jackson/Teton County, WY | Affordable Housing Support Study and Implementation Legislation, 1994 and 2003 | Litigation 2004-2006

Bill Collins — Former Teton County Planning Director
307.690.4436 — collinsplanning@onewest.net

The Honorable James Radda — Circuit Court Judge
307.733.7713 — jlr@courts.state.wy.us

Clarion, in conjunction with Dr. James Nicholas, served as legal counsel and economist/methodologist, respectively, in the design of the initial support study and inclusionary housing regulations for Jackson / Teton County in the mid-1990s. This effort, a first in Wyoming, required legal analysis, the piecing together of a nexus between the increases in land/housing values and the housing market in Teton County, establishment of moderate and low income levels, and the development of an affordable housing needs analysis and an in-lieu fee based upon proportionate share principles.

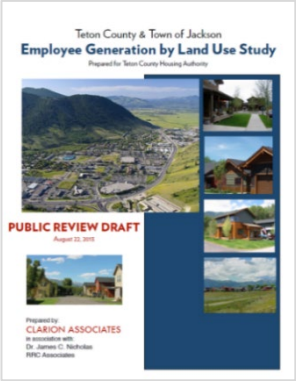
In 2002-2003, Clarion and Dr. Nicholas worked in conjunction with the Teton County Planning Department in developing the necessary support documents to update the Affordable Housing Support Study, and Mr. Richardson drafted the revised legislation.

Between 2004-2006, Mr. Richardson served as special legal counsel to the Teton County Attorney in successfully defending several legal challenges to the inclusionary housing requirements adopted by Teton County, in state court. One of the challenges went before and was successfully defended in the Wyoming Supreme Court.

Teton County, WY | Affordable Housing Guidelines| 2006

The Honorable James Radda — Circuit Court Judge
307.733.7713 — jlr@courts.state.wy.us

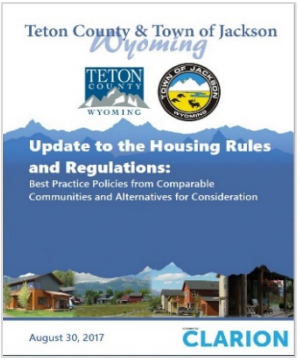
In 2006, Clarion assisted the Teton County Housing Authority (TCHA) in revising its Affordable Housing Guidelines. The guidelines dealt with both administrative and procedural issues related to the affordable housing mitigation program, as well as the interpretation and administration of proportionate share issues.



Town of Jackson/Teton County, WY | Employee Generation by Land Use Study| 2013

Christine Walker — Former TCHA Director
307.690.4487 — christine@navigatejh.com

In 2012-2013, Clarion Associates, in association with Dr. James Nicholas and RRC Associates, prepared 2013 Employee Generation by Land Use Study for the Teton County Housing Authority (TCHA). The purpose of the study was to develop a legally supportable methodology to assess the impacts of both residential and non-residential development on the need for affordable workforce housing in Teton County and the Town of Jackson, determine the need for affordable workforce housing created by development, and then identify strategies that could be used to mitigate those impacts. The study was used to support an update to the Town and County housing requirements.

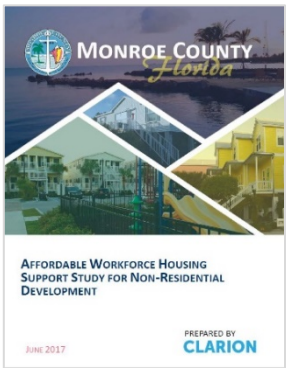


Town of Jackson/Teton County, WY | 2018 Housing Requirements| 2018

Tyler Sinclair — Community Development Director
307-733-0440, ext. 1301 — tsinclair@ci.jackson.wy.us

April Norton — Jackson/ Teton County Housing Department Director
307-732-0867 — ahnorton@tetoncountywy.gov

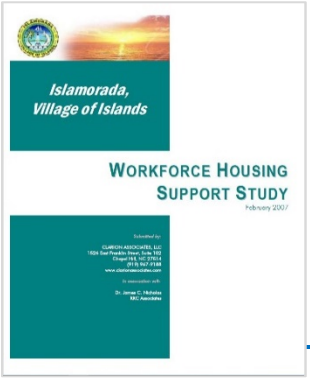
In 2017-2018, Clarion Associates, in association with Dr. James Nicholas, assisted the Town of Jackson and Teton County in restructuring the affordable workforce Housing Requirements. The effort culminated in the Town's and County's adoption of the updated Housing Requirements in June 2018 and included an update to the *2013 Employee Generation by Land Use Study*, specifically updating residential sales data, the calculation of affordability, and finally the need (by unit and in-lieu assistance) generated by residential and nonresidential development.



Monroe County, FL | Affordable Housing Study for Nonresidential Development| 2016-2018

Mayte Santamaria — Senior Director, Planning and Environmental Resources
305.393-5556 — Santamaria-mayte@monroecounty-fl.gov

The workforce housing problem in Monroe County (the Florida Keys) has reached a critical point. In late 2016, the County retained Clarion Associates, along with RRC and Dr. James Nicholas, to develop a legally supportable methodology to assess the impacts of non-residential development on workforce housing, and then evaluate the need for workforce/affordable housing created by non-residential development. The nexus study was completed and accepted by the Monroe County Board of County Commissioners in 2018.



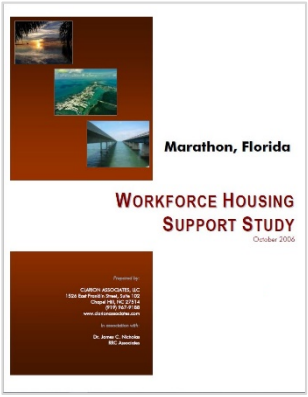
Village of Islamorada, FL | Mandatory Workforce Housing Regulation and Support Study| 2007

Ed Koconis — Former Village Manager, current Director of Building
305.453.8727 — koconis-ed@monroecounty-fl.gov

Faced with rapidly increasing housing sales prices, the Village of Islamorada in the Florida Keys sought solutions to create affordable workforce housing requirements for their workforce population. Clarion Associates, in association with Dr. James Nicholas and RRC, was hired by the Village to develop a legally supportable methodology to assess the impacts of development on workforce housing and a

strategy for mitigating these impacts. The Clarion team worked to diagnose the local workforce housing problem using an evaluation of the community-wide economic impacts created by new residential and non-residential development. The team then prepared implementation legislation for a workforce housing mitigation program to implement the methodology, which was adopted by the Village in 2007.

Marathon, FL | Affordable Workforce Housing Methodology | 2013



Gail Kenson	Planning Director
305.289.4111	planning@ci.marathon.fl.us

Clarion Associates, in association with Dr. James Nicholas, developed a legally supportable methodology and nexus study that assessed the impacts of residential development on affordable workforce housing in the city. As part of the effort, Clarion and Dr. Nicholas worked to diagnose the local affordable workforce housing problem based on an evaluation of the community-wide economic impacts created by new residential development. Following the evaluation, Clarion developed a formal methodology for assessing the extent of impacts that new residential development will have on local demand for affordable workforce housing, and created implementing legislation for the mitigation program.

Palm Beach, FL | Workforce Housing Methodology | 2006-2008

Verdenia Baker	Former Asst County Administrator, current County Administrator
561.355.6726	public@co.palm-beach.fl.us

Like many communities in South Florida, Palm Beach County's real estate prices in 2006-2008 became out of reach for a majority of the community. Seeking solutions to this problem, Palm Beach County contracted with Clarion Associates, Dr. James Nicholas, and RRC to develop a legally supportable methodology to assess the impacts of development on workforce housing and to develop implementation legislation for a workforce housing mitigation program for Palm Beach County. The Clarion team diagnosed the local workforce housing problem based on an evaluation of the community-wide economic impacts created by new residential and non-residential development. Following the evaluation, Clarion developed a formal methodology for assessing the extent of impacts that new development had on local demand for workforce housing. This project was placed on hold due to the economic downturn that began in 2008.

Pitkin County, CO | Affordable Housing Support Study & Implementation Legislation | 2006

John Ely	Pitkin County Attorney
970.920.5190	attorney@pitkincounty.com

Clarion Associates, in association with Dr. James Nicholas, assisted Pitkin County, Colorado (which surrounds Aspen and nearby ski- and resort-based communities) in the preparation of a new system of exactions that was designed to ensure new development adequately compensates the county for demands placed on local infrastructure and services. In addition to updating the county's existing exactions for parks, open space, and agricultural preservation, the Clarion team also developed exactions for affordable workforce housing and for health and human services and facilities. The Clarion team first prepared a policy memorandum discussing the legal, policy, data, and feasibility issues involved, as well as recommended approaches to each exaction. Following workshops with County staff and officials, the team then developed support studies to provide the foundation for each exaction, as well as implementing legislation.

Dr. James Nicholas

Dr. Nicholas has extensive experience consulting with communities in the design and implementation of affordable workforce housing mitigation and inclusionary housing programs. Dr. Nicholas has advised the following communities in these efforts:

- Teton County, Wyoming
- Town of Jackson, Wyoming
- Pitkin County, Colorado
- Collier County, Florida
- Lee County, Florida
- Monroe County, Florida
- Palm Beach County, Florida
- Village of Islamorada, Florida
- Marathon, Florida
- Sanibel, Florida
- Key West, Florida

RRC

Housing Needs Assesments/ Housing Studies

Needs assessments comprehensively examine market conditions and quantify housing problems and opportunities faced by communities or regions. While each is customized to address our client's unique needs, they typically consider housing costs relative to income, housing problems including overcrowding and substandard conditions, the relationship between jobs and workforce housing, existing rental and ownership market conditions, demographics, special needs populations and the impacts of commuting and regional influences on housing demand. Our reports identify opportunities and provide the framework for developing solutions to address quantified needs. In addition, we have worked with many clients to develop strategic housing plans which are tailored to the specific needs of the community or region.

In the past two decades RRC, often in collaboration with Clarion Associates, EPS, Rees Consulting or various other researchers, has completed needs assessments, nexus studies, and/or other specialized housing evaluations for numerous clients (a sample is shown below); many of them have utilized our services multiple times to assess needs and potential solutions as they have changed over the years.

Colorado Mountains and Rural Areas

Aspen and Pitkin County, Roaring Fork Regional Housing Research studies

Eagle County and Vail, Avon, Edwards, Eagle, Basalt and Gypsum

Summit County and Breckenridge, Silverthorne, Keystone, Copper

Gunnison County with Crested Butte, Mt. Crested Butte and Gunnison

Clear Creek County with Georgetown and Idaho Springs

Grand County with Winter Park, Tabernash, Granby and Grand Lake

Garfield County and Glenwood Springs

San Miguel County with Telluride and Mountain Village

Routt County with Steamboat Springs, Hayden and Oak Creek

Teller County and Cripple Creek, Victor and Woodland Park

Lake, Custer and Fremont Counties

Colorado Urban Areas

City of Boulder

Boulder County and Broomfield region with cities of Boulder,

Louisville, Longmont, Lafayette, Erie and Superior

City Lakewood

Jefferson County

Park County

City of Longmont

City of Durango

City of Westminster

City of Broomfield

Western States

Santa Fe County and City of Santa Fe, New Mexico

Hobbs, New Mexico

Central Oregon Region covering counties of Deschutes, Crook and Jefferson

Blaine County, Idaho

Eastern Sierra Region covering Mono and Inyo Counties and cities

of Mammoth Lakes and Bishop, California

Teton County and Jackson, Wyoming

C. Legal Experience

The Clarion team has substantial legal experience in addressing affordable workforce housing and exaction issues. Mr. Richardson has served as a principal in the design of "first-time" exaction initiatives in two states where development exactions at the time of implementation were untested in the courts (Reno, Nevada (roads) and Teton County, Wyoming (affordable workforce housing)). Each program was successfully implemented. He served as counsel of record in several landmark exaction cases, as well as special counsel to the Teton County Attorney's office in their successful defense of the County housing requirements in state court in 2004-2007. Dr Nicholas has testified numerous times in the successful defense of exaction programs in a number of states. The team's recent workforce housing requirements work in Jackson/Teton County is being held up as a model example of how to design an affordable workforce housing mitigation program in a recent law review article. See "A Rational Nexus Approach to Workforce Housing Development Conditions," *The John Marshall Review* (forthcoming spring 2020). David Henning and Geoff Greene, Clarion team members, are also attorneys who will assist Mr. Richardson in addressing legal issues during the update.

D. References

The RFQ asks for three references from similar relevant projects. We have included references for each project we described in the summary of relevant projects. Below we identify six references from the summary of relevant projects, from recently completed, or on-going code projects.

The Honorable James L. Radda, Judge (Clarion work in defending affordable workforce housing mitigation issues, and related land use issues)

Circuit Court of the 9th Judicial Circuit, Teton County, WY

307.733.7713

jlr@courts.state.wy.us

Tyler Sinclair (2019 Housing Requirements)

Community Development Director, Town of Jackson, WY

307-733-0440, ext. 1301

tsinclair@ci.jackson.wy.us

April Norton (2019 Housing Requirements and Affordable Workforce Housing Guidelines)

Director, Jackson/ Teton County Housing Department

307-732-0867

ahnorton@tetoncountywy.gov

Bill Collins, Former Planning Director (The 2006 Teton County Affordable Housing Nexus Study)

Teton County, WY

307. 690.4436

collinsplanning@onewest.com

Mayte Santamaria, Former Monroe County Director of Planning and Environmental Resources, (Monroe County Affordable Housing Study for Nonresidential Development, 2018)

Monroe County (Florida Keys), Florida – Senior Planning Policy Advisor to Monroe County Board of County Commissioners

305.393.5556

Santamaria-mayte@monroecounty-fl.gov

Ed Koconis, Current Monroe County Permit Manager (Islamorada Support Study and Mandatory Affordable Workforce Housing Ordinance)

Former Islamorada Village Manager, FL

305.453.8727

koconis-ed@monroecounty-fl.gov

C. Work Plan

A. Project Understanding

There is a serious housing affordability problem in the Town of Jackson and Teton County. This is so because the price of housing has significantly increased since the early 1990s, while incomes and wages in the community have only increased modestly. The result is that today almost all members of the community's workforce are priced out of the housing market, and the problem continues to worsen.

As discussed in the RFQ, the Jackson/Teton County Comprehensive Plan recognizes this problem and sets out a goal to provide affordable housing to 65 percent of the local workforce. This goal is to be implemented through several policies, including mandatory mitigation on new residential, commercial, and other non-residential developments (Housing Requirements) to offset the affordable workforce housing demand their developments create. Both the County and Town updated their Housing Requirements in 2018. The June 2018 Housing Requirements are supported by the *2013 Employee Generation by Land Use Study* (the *2013 Study*), with targeted updates completed during the Update to the Housing Requirements.

The Town and County, working through the Jackson/ Teton County Housing Department, are seeking consultant assistance to update the *2013 Study* that currently supports both the Town's and County's Housing Requirements. As expressed in the RFQ, the general purpose of the update to the *2013 Study* is to bring current the …"links between the construction of new commercial and residential development and the employees generated by the development." The RFQ further states:

> "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 motor businesses including the employees generated and wages earned. The study may also provide information about how to require non-brick and mortar businesses to mitigate their impacts."

The work plan outlined below provides an explanation of the approach the Clarion team would take for completing the study within the timeframe requested in the RFQ. It also incorporates responses to the "key issues" set out in the RFQ. A schedule is included for each task in the section following the work plan.

Prior to setting out our proposed approach and methodology to the study update, we believe it important to raise one issue about the study and its methodology. The legal parameters controlling the design of a mandatory affordable workforce housing mitigation program are dynamic, and potentially subject to change. For example, just this term, after much consideration, the U.S. Supreme Court denied *certiorari*, deciding not to consider a case involving the standard of review that should be applied to mandatory affordable housing mitigation regulations (*Cherk v. Marin County, No. A153579, 2018 WL 6583442 (Cal. Ct. App. Dec. 14, 2018), review denied by California Supreme Court, No. S253558, March 13, 2019*). Many legal scholars and practicing attorneys, however, prognosticate there is a fairly high likelihood (especially given the recent changes in the court), that the Supreme Court will address the issue soon, and changes might be forthcoming. Making the legal environment even more problematic is the fact that different Federal Circuit Court of Appeals have been applying different standards of review to mandatory affordable workforce

hosing programs. For these reasons, it is important to note that the methodology and approach we propose for the update study accounts for these considerations, with the understanding that there might be a need for some adjustments to address recent court decisions, once the project has started.

Finally, in reviewing the work plan, please keep in mind that it is based on our review of the RFQ, our understanding of the goals for the project, our experience in designing and drafting nexus studies and mandatory workforce/affordable housing mitigation programs, and the current state of the law. It, however, has not been developed with the benefit of detailed discussions with Jackson/ Teton County Housing Department/County/Town staff; consequently, it is also important that we emphasize that we are flexible and open to revisions to the work plan after further discussions with staff.

The proposed work plan includes seven tasks.

B. Technical Approach and Methodology

Task 1: Project Initiation and Scoping

In Task 1, the Clarion team shall provide a list of data request(s) to the Jackson/ Teton County Housing Department staff and then determine in consultation with staff what relevant data is readily accessible for staff to compile and deliver to Clarion in a timely manner. This data will focus on local housing data, employment data, real estate data, codes, ordinances, regulations, and any plans relevant to the workforce housing affordability issue in the Town/County. Housing Department staff will then provide Clarion the data and studies.

After reviewing all relevant local housing data, employment data, real estate data, codes, ordinances, plans, and other documents provided by Housing Department staff, Clarion shall meet with staff and officials, as appropriate, to discuss overall project goals and discuss data deficiencies by means of an in-person meeting during a two day trip to Jackson.

During the Task 1 two-day trip, the Clarion team will also conduct a meeting with the Technical Stakeholder Group and a joint meeting of the Town Council and Board of County Commissioners. The meeting with the Technical Stakeholder Group shall be a kick-off meeting and involve an initial discussion of project goals and other issues related to affordable workforce housing and the study. These discussions will provide the Clarion team with a better understanding of project goals, existing data, and other related issues.

The purpose of the joint kick-off meeting with the Teton County Board of County Commissioners (hereinafter "BOCC") and the Town of Jackson Council will be to inform the public and Town/County elected officials about the project, its schedule, get input on general goals, and to receive input and feedback about the project generally.

Finally, and if appropriate, the Clarion team will visit (in coordination and consultation with Housing Department staff), different affordable workforce housing units and developments constructed under the current affordable workforce housing program.

TASK 1: PROJECT INITIATION AND SCOPING– RESPONSIBILITIES AND DELIVERABLES

CLARION TEAM

- Provide list of data requests
- Review all relevant data, studies, plans, regulations, reports, and related documents provided by staff
- Meet with staff to discuss overall project goals and any data deficiencies
- Conduct kick-off meeting with Technical Stakeholder Group
- Conduct kick-off meeting at joint meeting of Town Council/ BOCC
- If appropriate, visit different affordable units with staff

HOUSING DEPT. STAFF

- Review data requests; send copies of all relevant data to Clarion team
- Meet with Clarion team to discuss overall project goals and any data deficiencies
- Handle logistics for kick-off meetings with Technical Stakeholder Group and Council/BOCC
- If appropriate, visit different affordable units with consultants

TRIPS

One, two-day trip to Jackson

SCHEDULE

Completed: End of April 2020

TASK 2: CONFIRM STUDY METHODOLOGY– RESPONSIBILITIES AND DELIVERABLES

CLARION TEAM

- Prepare summary of proposed methodology to be used for Study; conference call(s) with staff to discuss methodology
- Make changes mutually agreed to

HOUSING DEPT. STAFF

- Review proposed methodology
- Conference call(s) with Clarion team to discuss methodology and reach agreement on any changes.

TRIPS

None

SCHEDULE

Completed: End of April 2020

Task 2: Confirm Study Methodology

In Task 2 the Clarion team shall develop the proposed methodology to be used in the updated Study. The proposed methodology shall be set down in writing and forwarded to Housing Department staff for review and comment.

After the Housing Department staff review, the Clarion team will conduct conference call(s) with Housing Department staff to discuss the proposed methodology, answer any questions and respond to comments. Clarion shall then make modifications to the proposed methodology that are mutually agreed-upon by both Clarion and Housing Department staff. This shall be the methodology that shall be used to conduct the nexus study update.

Task 3: Survey on Employment Patterns and Nonresidential Building Space

As part of the development of the Support Study a survey will be conducted in Jackson and the County that include four subtasks. The survey will be used to measure the employment patterns and the building space used for nonresidential development.[1]

Subtask 3.1 involves the Clarion team conducting a conference call with staff to confirm the parameters of the employment patterns and non-residential building space survey.

Based on the direction agreed to in the conference call, in Subtask 3.2, the Clarion team shall develop a survey to collect data on employment patterns and utilization of non-residential building space in the Town and County. The purpose of the survey is to capture local source data for the purposes of calculating employment generation rates per unit of building space for different industry sectors and/or types of space. The Clarion team will develop an initial survey draft and work with Housing Department staff to refine and finalize the survey instrument. It is anticipated that the survey will be no more than two 8.5”x11” page sides in length (relatively brief to encourage response). The Clarion team, working with staff, would also prepare a cover letter to accompany the survey, which can be signed by one or more selected Town and/or County officials.

In Subtask 3.3, the Clarion team will address two interrelated issues: (1) developing a survey sampling strategy, including employer list source(s) and volume of target contacts, and (2) developing survey fielding techniques (e.g., mailback, online, etc.). The Clarion team will present choices to Housing Department staff and collectively, the Clarion team and staff will identify optimal choices related to employer list sources, employer outreach resources, and survey objectives. We would initially anticipate the following parameters for the employer survey:

- **Survey distribution**: The Clarion team will contact a stratified random sample of approximately 1,500 employers in the Town and County to participate in a mailback survey, with the option for employers to complete the survey online.[2] The sampling will be designed to ensure complete

[1] Separately, employment and building space data for the community as a whole will also be collected from governmental data sources and analyzed in a separate phase of the study.

[2] For reference, that the Town of Jackson business license list currently identifies approximately 1,974 businesses with a Teton County mailing address. Separately, the US BLS QCEW database shows approximately 2,482 covered employers as of second quarter 2019.

coverage of the area's larger employers (who are less numerous, but have important employment impacts), and a random sample of smaller, more numerous employers. A reminder postcard will also be sent to encourage survey responses.

- **List source(s)**: It is anticipated that the Clarion team will purchase an employer mailing list from a commercial list vendor, utilize the Town of Jackson business license list, and/or will purchase an employer address list from the Wyoming Department of Labor and Employment. The team, however, is open to using other list sources requested by staff.
- **Supporting publicity**: The Clarion team will work with staff to implement a supporting publicity effort to encourage awareness and response to the survey, such as a press release and announcement of the survey in newsletters. The press releases, newsletters, and announcements would be made by Housing Department staff.

In Subtask 3.4, the Clarion team will prepare a brief summary report on the survey(s) findings, with accompanying charts and tables. The Clarion team also will prepare a database of raw survey data, particularly regarding employment levels, building space measures, industry sectors, and related data, to facilitate an analysis of employment generation rates associated with particular types of businesses or space users.

Non-brick-and-mortar businesses: As the RFP makes clear, one of the goals of this study is to evaluate the employment impacts of non-brick-and-mortar businesses and explore whether and how their employment impacts might be mitigated. To approach this, we would first clarify with the Town, County, and Housing Department which businesses are considered to fall into this category (e.g. businesses operated out of a home; businesses with a minimal or idiosyncratic commercial space footprint relative to their employee base, e.g. outdoor recreational providers; short-term rental owners; etc.). We would then check to ensure that these businesses are specifically addressed in the study. Depending on the nature of the businesses at issue, they might be contacted via the employer survey, and/or evaluated via other means (e.g. government and private sector data sources).

Task 4: Residential Employment Generation – Homeowner Survey

The objective of Task 4 is to measure the employment generated from the operations and maintenance of residences in the Town and County. We anticipate the approach to Task 4, like the approach to Task 3, to largely mirror the methodologies we employed in the 2013 Teton County Employment Generation Study. Additionally, we envision that Tasks 3 and 4 would proceed on concurrent tracks and would involve a similar set of four subtasks.

The first subtask (4.1) involves the Clarion team conducting a conference call with staff to confirm the parameters of the residential employment generation survey.

Based on the direction agreed to in the conference call, in Subtask 4.2, the Clarion team shall develop a survey to collect data on employment associated with the operations and maintenance of homes in the Town and County. The purpose of the survey is to capture local source data for the purposes of calculating employment generation rates per unit of space for different types and occupancies of homes. The Clarion team will update the 2013 survey and work with Housing Department staff to

TASK 3: SURVEY ON EMPLOYMENT PATTERNS AND NONRESIDENTIAL BUILDING SPACE – RESPONSIBILITIES AND DELIVERABLES

CLARION TEAM

- Confirm parameters with staff
- Design survey questionnaire and cover letter
- Develop survey sampling and survey fielding strategies
- Conduct survey
- Report survey results

HOUSING DEPT. STAFF

- Confirm parameters with Clarion
- Review survey questionnaire and cover letter, and provide written comments
- Review survey sampling and survey fielding strategies, and provide written comments
- Assist Clarion with logistics of survey consistent with scope
- Review Report and provide written comments

TRIPS

None

SCHEDULE

Completed: End of June 2020

TASK 4: SURVEY ON RESIDENTIAL OPERATIONS AND EMPLOYMENT – RESPONSIBILITIES AND DELIVERABLES

CLARION TEAM

- Confirm parameters with staff
- Design survey questionnaire and cover letter
- Develop survey sampling and survey fielding strategies
- Conduct survey
- Report survey results

HOUSING DEPT. STAFF

- Confirm parameters with Clarion
- Review survey questionnaire and cover letter, and provide written comments
- Review survey sampling and survey fielding strategies, and provide written comments
- Assist Clarion with logistics of survey consistent with scope
- Review Report and provide written comments

TRIPS

None

SCHEDULE

Completed: End of June 2020

refine and finalize the survey. It is anticipated that the survey instrument would be no more than three 8.5"x11" page sides in length. The Clarion team, working with staff, will also prepare a cover letter to accompany the survey, which can be signed by one or more selected Town and/or County officials.

In Subtask 4.3, the Clarion team will address two interrelated issues: (1) developing a survey sampling strategy, including homeowner and homeowners' associations list source(s) and volume of target contacts, and (2) developing survey fielding techniques (e.g., mailback, online, etc.). The Clarion team will present choices to Housing Department staff and collectively, the Clarion team and staff will identify optimal choices for survey implementation. We would initially anticipate the following parameters for the residential survey:

- **Survey distribution**: The Clarion team will contact a stratified random sample of approximately 3,000 homeowners in the Town and County to participate in a mailback survey with the option to complete the survey online.[3] The mailing list will oversample owners of large units, in an effort to ensure that adequacy of results for units of all sizes (including very large units, which are comparatively few in number). A reminder postcard will also be sent to encourage survey responses.
- **List source - Homeowners**: It is anticipated that the Clarion team will utilize the Teton County Assessor database as it is likely the only source that contains a complete listing of residential owners along with residential unit characteristics.
- **List source – Homeowner associations and businesses**: It is anticipated that the Clarion team will utilize an employer mailing list from a commercial list vendor, utilize the Town of Jackson business license list, and/or will purchase an employer address list from the Wyoming Department of Labor and Employment. The team, however, is open to using other list sources requested by staff.
- **Supporting publicity**: The Clarion team will work with staff to implement a supporting publicity effort to encourage awareness and response to the survey, such as a press release and announcement of the survey in newsletters. The press releases, newsletters, and announcements would be made by Housing Department staff.

In Subtask 4.4, the Clarion team will prepare a brief summary report on the survey(s) findings, with accompanying charts and tables. The Clarion team also will prepare a database of raw survey data, particularly regarding employment levels, building space measures, occupancy characteristics, and related data, to facilitate an analysis of employment generation rates associated with particular types and occupancies of homes.

Task 5: Preparation of Prototypical Affordable Workforce Housing Unit

In Task 5, the Clarion team will prepare, in consultation with Housing Department staff, the prototypical affordable workforce housing unit that is consistent with the Town and County affordable workforce housing goals. The prototype will be designed to address the size ranges of dwelling units (by square feet and number of bedroom(s)), the typical number of occupants in a unit, and the general types of building materials that will be used. In addition, the costs of construction (per square

[3] For reference, the U.S. Census estimates that there were approximately 14,034 housing units in Teton County as of 7/1/2018.

foot) and land costs will be estimated using available data on costs to construct local affordable workforce housing projects and recent real estate sales for land. The Clarion team will work with Housing Department staff to identify the data needs for this analysis.

Once the analysis is completed, a draft of the prototypical unit will be placed in memo form by the Clarion team and sent to County staff for review and comment. Housing Department staff will review the draft and provide the Clarion team a set of consolidated written comments. Subsequently, the Clarion team will conduct a conference call with staff to discuss the comments and reach consensus about revisions, if any. The Clarion team will then make the mutually agreed to changes and submit the memo to Housing Department staff. The prototypical unit will be included and used in the analysis conducted in the Study.

Task 6: Prepare *2020 Employee Generation by Land Use Study*

In Task 6, and based on the analyses in the previous tasks, the Clarion team will prepare the *2020 Employee Generation by Land Use Study*. The study can be used to provide the technical support for the Town and County's Housing requirements for residential and nonresidential development. It will use the methodology developed in Task 2 to determine the need for affordable workforce housing created by residential and nonresidential development and redevelopment, calculate appropriate mitigation, and if appropriate, discuss mitigation options.

More specifically, the analysis conducted in the Study shall include the following components:

- A summary demonstrating the severity of the affordable workforce housing problem in the Town and County today, and over the last 26 years;
- The establishment of a level of service standard that is consistent with the housing goal in the comprehensive plan. It will identify the amount and number of employees that will need to be provided housing based on the standard, and the quality of affordable workforce housing that will need to be provided;
- An inventory of affordable workforce housing, to assist in evaluating current conditions;
- A needs analysis, demonstrating the need for affordable workforce housing created by different types of residential and nonresidential development and redevelopment in the Town and County (including non-brick and mortar businesses and persons working out of their homes), consistent with the established goals. This part of the analysis will specifically identify:
    - The number and type of employees that work at and support each different type of development (land use) in the community (including employees of non-brick and mortar jobs and employees that work out of their home);
    - Employee wages (earned incomes), both individually as well as their household earned income;
    - Whether they live locally or commute (on average);

TASK 5: PREPARATION OF PROTOTYPICAL AFFORDABLE WORKFORCE HOUSING UNIT – RESPONSIBILITIES AND DELIVERABLES

CLARION TEAM

- Prepare analysis and memo of prototypical affordable workforce housing unit
- Conduct tel. conference with Housing Department staff to discuss staff comments
- Revise memo based on mutually agreed changes

HOUSING DEPT. STAFF

- Review and provide consolidated written comments on memo
- Conduct conference call with Clarion team to discuss memo, and reach mutual agreement on changes

TRIPS

None

SCHEDULE

Completed: June 2020

TASK 6: PREPARE 2020 EMPLOYEE GENERATION BY LAND USE STUDY– RESPONSIBILITIES AND DELIVERABLES

CLARION TEAM

- Prepare draft *2020 Employee Generation by Land Use* Study in accordance with scope
- Conduct tel. conference with Housing Department staff to discuss comments on Study
- Revise Study in accordance with scope

HOUSING DEPT. STAFF

- Review and provide consolidated written comments on Study
- Conduct conference call with Clarion to discuss memo, and reach mutual agreement on changes
- Distribute Public Review Draft of Study

TRIPS

None

SCHEDULE

Completed: End of October 2020

- The typical cost of providing housing for these employees/households (rental or owner), based on the housing costs for the prototypical unit prepared in Task 5

It is this section that will demonstrate the nexus or linkages between residential and nonresidential development/redevelopment (by type of development (land use)), the need for affordable workforce housing it creates, and the amount of housing that needs to be subsidized to make the housing affordable; and

- If appropriate, a section outlining mitigation that could occur under the program different from what now exists in the Housing Requirements (including discussion of the options the Town and County have to require mitigation by non-brick and mortar businesses, as well as home based businesses).

After completion of the draft Study, it will be submitted to Housing Department staff by Clarion for review and comment. Housing Department staff will review the draft Study and provide Clarion with a set of consolidated written comments on the draft. Subsequently, Clarion will conduct conference call(s) with staff to discuss the comments and reach consensus regarding revisions to the draft Study. Clarion shall then make mutually agreed-upon revisions and submit a Public Review Draft of *2020 Employee Generation by Land Use Study* Housing Department staff who will make it available to the Technical Stakeholder Group and public.

Task 7: Meetings on *2020 Employee Generation by Land Use Study*

After the Public Review Draft of *2020 Employee Generation by Land Use Study* is released for public review, the Clarion team shall conduct a three-day trip to Jackson to conduct meetings on the Study with the Technical Stakeholder Group and a joint meeting of the Town Council/Board of County Commissioners.

At the meeting with the Technical Stakeholder Group, the Clarion team shall overview the Study, answer questions, and receive input and comments from members of the stakeholder group.

The joint meeting of the Town Council/Board of County Commissioners shall be similar. The Clarion team will overview the Study, answer questions, and receive input and comments from the elected officials.

After these two presentations, Housing Department staff shall provide Clarion written comments/revisions to the Public Review Draft of the Study based on direction from the Town Council/Board of County Commissioners. Clarion shall then conduct conference call(s) about the comments and revisions and commit $2,700 of professional time to make the revisions. After making the revisions consistent with this commitment, Clarion shall then provide Housing Department staff a final version of *2020 Employee Generation by Land Use Study*.

TASK 7: MEETINGS ON 2020 EMPLOYEE GENERATION BY LAND USE STUDY– RESPONSIBILITIES AND DELIVERABLES

CLARION TEAM

- Conduct meeting with Technical Stakeholder Group on *2020 Employee Generation by Land Use Study* in accordance with scope
- Conduct joint meeting with Town Council and BOCC on *2020 Employee Generation by Land Use Study* in accordance with scope
- Revise Study in accordance with scope

HOUSING DEPT. STAFF

- Handle logistics for Technical Stakeholder Group meeting, and joint meeting of Town Council and BOCC
- Review and provide consolidated written comments on memo
- Conduct conference call with Clarion team to discuss memo, and reach mutual agreement on changes
- Provide Clarion written comments on revisions that need to be made to Study in accordance with scope

TRIPS

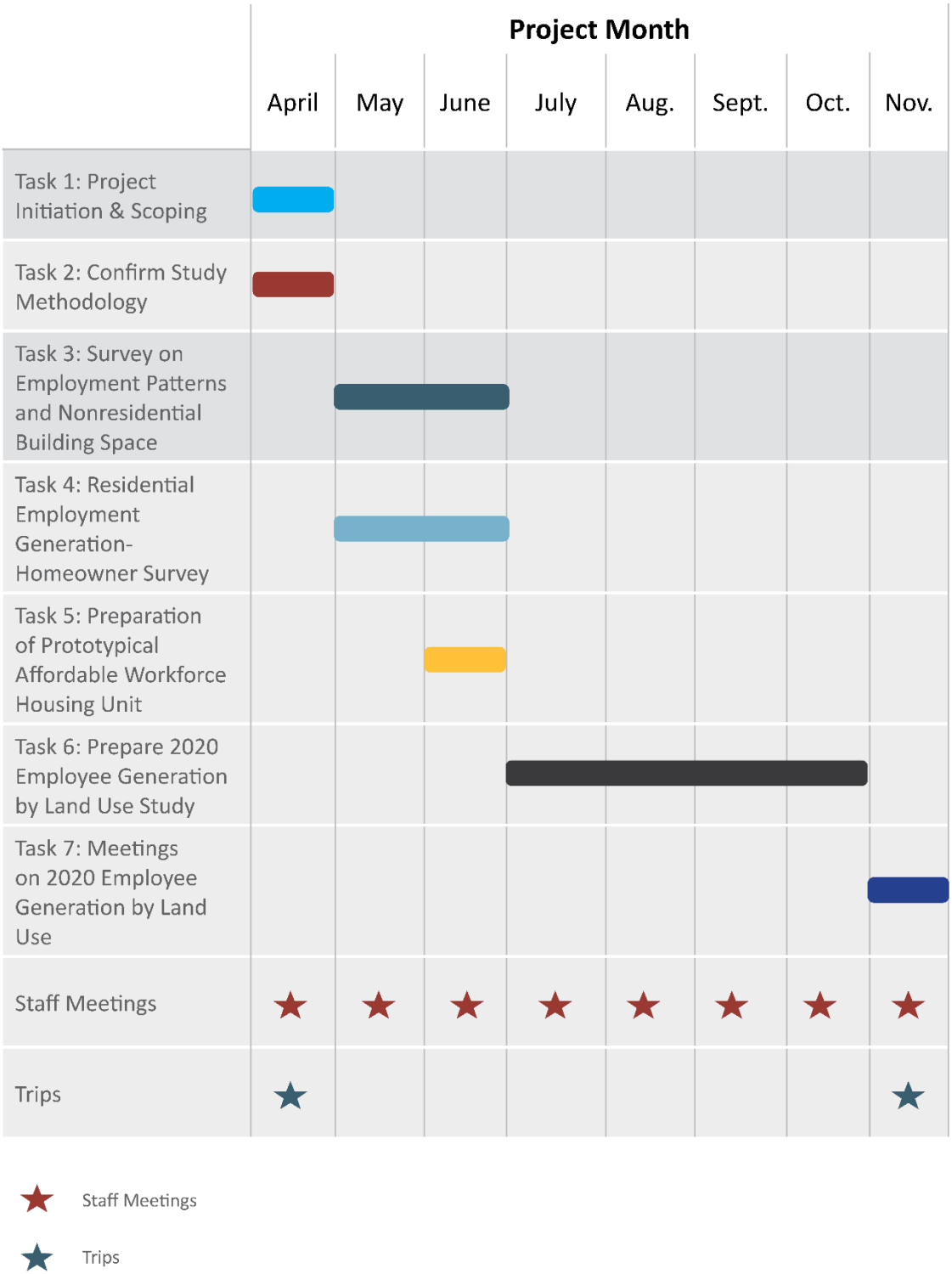
Three-day trip to Jackson

SCHEDULE

Completed: November 30, 2020

C. Schedule

The specific schedule and timeline for each task is specifically set down in each individual task in the work plan. Below we provide a graphic depiction of the schedule, by task, demonstrating how the project will be completed on a timely basis.



D. Unique Approach/ Technology

The Clarion Team's unique approach and technology used to support the approach are listed in the next section D.B: Methodology and Technology Proposed for the study.

E. Town/ County Staff Support

The specific responsibilities we expect of staff are identified in Tasks 1-7 of the work plan.

D. Responses to the Key Issues

A. Key Questions to be Addressed Through the Nexus Study

The response to D) a. about the study questions that are to be answered in *2020 Employee Generation by Land Use* are included in Task 6 (along with other key issues that we suggest need to be answered).

B. Methodology and Technology Proposed for the Study

The methodology used for the update will generally follow the methodology used for the 2013 Study. It will be used because it directly links the need for affordable workforce housing to the employee demand (with wage differentials) created by the different types of development (land uses) in the community. It has been based on many years of practice experience and thought by Dr. Nicholas (and also by Mr. Richardson and Ms. King), in their work in designing exaction programs generally, and mandatory affordable housing programs specifically. Since the *Nollan v California Coastal Commission*, 483 U.S. 825 (1987), and *Dolan v City of Tigard*, 512 U.S. 374 (1994) decisions, there has been much debate amongst the planning and legal community about the best methodology to use to ensure mandatory affordable housing requirements comply with relevant legal principles. A law review article by Julian Juergensmeyer[4] and Dr. Nicholas that will be published in the *John Marshall Law Review* (See "A Rational Nexus Approach to Workforce Housing Development Conditions," (forthcoming spring 2020)) summarizes and specifically identifies the approach used in the recently adopted Town and County Housing Requirements (and 2013 Study) as the best and most legally defensible approach. Importantly, it has been outlined and discussed at conferences, and generally embraced by the legal scholars who have rejected most if not all other methodologies. For these reasons, this is the methodology we propose to use and build on. It is a methodology that is appropriate for all geographic regions of the country.

The technology that will be used in the analysis will include use of the principals of rational nexus in establishing the empirical relationships between development and the need for workforce housing. The rational nexus approach proposed herein is built on a statistical demonstration of the need for and cost of workforce housing in Jackson/Teton County. Such an approach requires the use of local data that reflect the situation of Jackson/Teton County. The data that are the bases of this analyses are local employment and earnings together with local real estate sales. The demonstration will be done utilizing the results of the Jackson/Teton County employer and homeowner surveys to establish the number and earnings of employee households by type of development and the need for housing in Jackson/Teton County. These results will be incorporated into a broader view of the Jackson/Teton County housing market and the extent to which the private Jackson/Teton County real estate market can meet some or all the projected need for workforce housing. Any resulting unmet need could be the bases for mitigation requirements.

[4] Dr. Juergensmeyer is a preeminent legal scholar who has written extension on exaction issues. He is the author of *Urban Land Use Planning*, the hornbook used in law schools on land use law.

C. Ability to Replicate Proposed Methodology for Calculating Resident Workforce

There is no question that the methodology we propose is complex. However, the software used (Excel) is generally available and does not require specialized training. The written reports provide a complete description of the data and statistical methods utilized so that City/County staff could update the data and results when substantial changes have occurred, or when sufficient time has elapsed that updating is warranted. Excel spreadsheets have been and will continue to be provided to staff for their review and thus provide a basis for future updating of revisions when deemed necessary.

D. Experience and Approach for Engagement

We have been practicing in the profession for over 30 years, and have had the privilege and opportunity to assist communities address a variety of challenging and controversial issues like mandatory affordable workforce housing mitigation, open space and rural protection, wildlife habitat and environmental protection, downzoning, and development form and community character issues. Depending on the community and project, we have worked closely with elected officials and technical working groups in bringing projects to a successful conclusion. Because of this experience, we are skilled at working with citizens, staff, and elected officials to gain consensus on difficult issues like affordable workforce housing mitigation. We find that in working on complex issues, it is best to try and accurately summarize and simplify work to its most important core elements. In order for any regulatory program to be acceptable to the community it must be understood. Community understanding, in turn, requires an accurate and complete explanation of the background and data that are the bases of the program and how the results are responsive to recognized needs of the community. This effort will accomplish these goals through detailed reports and presentations that provide feedback loops to the elected officials, staff, the Technical Stakeholder Group, and the public.

E. Facilitation Approach

The primary purpose of engaging community leaders and community members within a planning process is to facilitate informed decision-making that will guide the process. Our approach to facilitation of project meetings is focused on having a clear target for the outcome of the meetings and using facilitation tools that will help participants make informed choices by translating complex topics into easy to understand terms and asking clear and discrete questions that participants feel informed to answer.

Our facilitation approach will begin before our first meeting with the Technical Stakeholder Group and the elected officials. We will conduct a videoconference with the staff's project management team to determine the critical meeting components:

- Project date, time, and location;
- Meeting objective(s) and critical questions to be answered by group;
- Approach for educating the group to help them make an informed decision;
- Approach for engaging the group in decision-making will be tailored to the questions being posed. Clarion has experience using a variety of tools and techniques to match facilitation needs;

- Assignment of “homework” that group members should complete prior to the meeting.

Meeting objectives will be stated clearly on the meeting agenda document that will be distributed prior to the meeting date, will be presented at the start of the meeting, and will be addressed at the end of the meeting to make sure that all participants agree that the objectives have been clearly met.

There will be a strong focus on using simple language and graphics to illustrate complex topics and calculations. These simplified and graphic terms will be used to educate participants about the fundamental concepts being evaluated in the Study and any decisions the community must make regarding the Study. At the end of the meetings, the facilitators will reflect on the meeting objectives and discuss with the participants and outstanding issues and the approach for resolving those issues.

The first set of kickoff meetings will be focused on the project process and methodology for developing the Study. This meeting will likely be more informative in nature, however, there may be key decisions that require feedback from the elected officials or the Technical Stakeholder Group.

The second set of meetings where the Study will be presented will focus on translating the steps in the process using user-friendly language and graphical depictions of key calculations. Elected officials and the Technical Stakeholder Group could be asked to provide feedback on the level of mitigation requirements or other policy-related questions.

E. Budget

As requested in the RFQ, we provide on the next page a proposed project budget that includes the number of hours for each task, team members responsible for the work, and hourly rates. Based on our approach, the not-to-exceed cost for the project is $105,830.

As with the work plan, we emphasize this is a proposed budget, and we are more than willing to work with the Housing Department to align the work plan with the financial resources available for the project.

Proposed Budget: Jackson/Teton County Employee Generation by Land Use Study

Task	Clarion				JCN	RRC		Total
Team Member	Richardson	King	Green	Sherman	Nicholas	Becher	Cares	
Billable Rate $/Hour	$225	$150	$85	$75	$200	$150	$150	
Task 1: Project Initiation and Scoping								
1.1 Data and report collection			4					4
1.2 Review of data and reports	4	4	4		4			16
1.3 Project team conference call to discuss kickoff trip	1	1	1					3
1.4 Preparation for kickoff meetings (staff, TSG, Elected officials) - agendas and ppts	2	2	8	4				16
1.5 Kickoff trip (including travel)		24	24					48
Task 1: Total Hours	***7***	***31***	***41***	***4***	***4***	***0***	***0***	***87***
Task 1: Total Labor	***$1,575***	***$4,650***	***$3,485***	***$300***	***$800***	***$0***	***$0***	***$10,810***
Person trips		1	1					***2***
Task 1: Total Travel		$1,730	$1,510					***$3,240***
Task 1: TOTAL	***$1,575***	***$6,380***	***$4,995***	***$300***	***$800***	***$0***	***$0***	***$14,050***
Task 2: Confirm Study Methodology								
2.1 Draft study methodology memorandum	4	2	1		4			11
2.2 Project team conference call to discuss memorandum	1	1	1		2			5
2.3 Final edits to memorandum	1	1	1		2			5
Task 2: Total Hours	***6***	***4***	***3***	***0***	***8***	***0***	***0***	***21***
Task 2: Total Labor	***$1,350***	***$600***	***$255***	***$0***	***$1,600***	***$0***	***$0***	***$3,805***
Person trips								***0***
Task 2: Total Travel								***$0***
Task 2: TOTAL	***$1,350***	***$600***	***$255***	***$0***	***$1,600***	***$0***	***$0***	***$3,805***
Task 3: Survey on Employment Patterns and Nonresidential Building Space								
Task 3: Total Hours	***4***	***4***	***4***	***0***	***8***	***92***	***8***	***120***
Task 3: Total Labor	***$900***	***$600***	***$340***	***$0***	***$1,600***	***$13,800***	***$1,200***	***$18,440***
Person trips								***0***
Task 3: Total Travel								***$0***
Task 3:TOTAL	***$900***	***$600***	***$340***	***$0***	***$1,600***	***$13,800***	***$1,200***	***$18,440***
Task 4: Residential Employment Generation - Homeowner Survey								
Task 4: Total Hours	***4***	***4***	***4***	***0***	***8***	***100***	***26***	***146***
Task 4: Total Labor	***$900***	***$600***	***$340***	***$0***	***$1,600***	***$15,000***	***$3,900***	***$22,340***
Person trips								***0***
Task 4: Total Travel								***$0***
Task 4: Total	***$900***	***$600***	***$340***	***$0***	***$1,600***	***$15,000***	***$3,900***	***$22,340***
Task 5: Preparation of Prototypical Workforce Housing Unit								
5.1 Conference calls to discuss prototypical unit approach/data	2	2	2		1			7
5.2: Preparation of prototypical unit memo and call with staff	4	6	8		2			20
5.3: Final adjustments to prototypical unit memo	1	1	2		1			5
Task 5: Total Hours	***7***	***9***	***12***	***0***	***4***	***0***	***0***	***32***
Task 5: Total Labor	***$1,575***	***$1,350***	***$1,020***	***$0***	***$800***	***$0***	***$0***	***$4,745***
Person trips								***0***
Task 5: Total Travel								***$0***
Task 5: Total	***$1,575***	***$1,350***	***$1,020***	***$0***	***$800***	***$0***	***$0***	***$4,745***
Task 6: Prepare 2020 Employee Generation by Land Use Study								
6.1 Prepare Staff Review Draft of Study	4	30	80	8	28			150
6.2: Project team calls to discuss	2	2	2		2			8
6.3: Prepare Staff Edits - Draft Public Review Draft of Study	4	16	40		12			72
Task 6: Total Hours	***10***	***48***	***122***	***8***	***42***	***0***	***0***	***230***
Task 6: Total Labor	***$2,250***	***$7,200***	***$10,370***	***$600***	***$8,400***	***$0***	***$0***	***$28,820***
Person trips								***0***
Task 6: Total Travel								***$0***
Task 6: Total	***$2,250***	***$7,200***	***$10,370***	***$600***	***$8,400***	***$0***	***$0***	***$28,820***
Task 7: Meetings on 2020 Employee Generation by Land Use Study								
7.1 Project team conference call to discuss study presentation trip	1	1	1					3
7.2 Preparation for meetings (staff, TSG, Elected officials) - agendas and ppts	2		2	4				8
7.3 Study presentation trip (including travel)	16	24						40
7.4 Final edits to study	2	6	16					24
Task 7: Total Hours	***21***	***25***	***19***	***4***	***0***	***0***	***0***	***69***
Task 7: Total Labor	***$4,725***	***$3,750***	***$1,615***	***$300***	***$0***	***$0***	***$0***	***$10,390***
Person trips	1	1						***2***
Task 7: Total Travel	$1,730	$1,510						***$3,240***
Task 7: Total	***$6,455***	***$5,260***	***$1,615***	***$300***	***$0***	***$0***	***$0***	***$13,630***
Project Total Hours	**59**	**125**	**205**	**16**	**74**	**192**	**34**	***705***
Project Total Labor	**$13,275**	**$18,750**	**$17,425**	**$1,200**	**$14,800**	**$28,800**	**$5,100**	***$99,350***
Travel Expenses	**$1,730**	**$3,240**	**$1,510**	**$0**	**$0**	**$0**	**$0**	***$6,480***
Total Fees: Labor and Expenses	**$15,005**	**$21,990**	**$18,935**	**$1,200**	**$14,800**	**$28,800**	**$5,100**	***$105,830***

CLARION

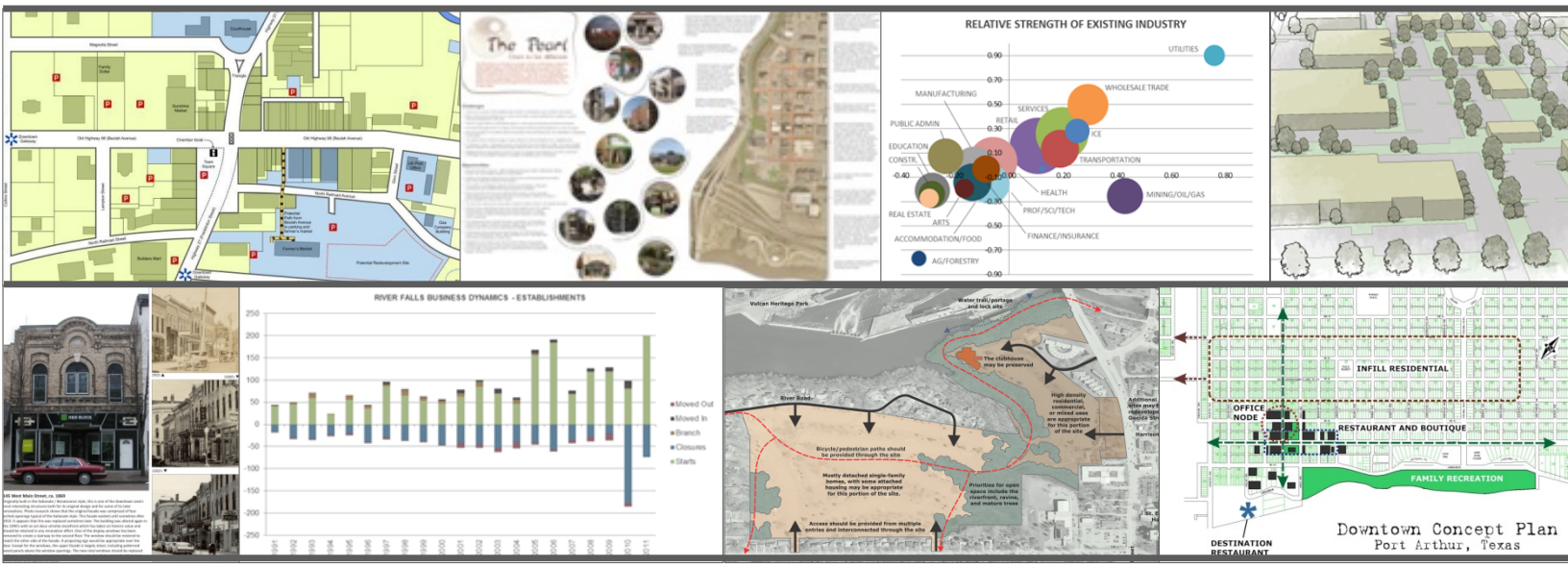
Planning | Zoning & Land Use | Real Estate | Sustainability & Resiliency

PROPOSAL

EMPLOYEE GENERATION BY LAND USE STUDY

Teton County, Wyoming & Town of Jackson, Wyoming

27 February 2020



PLACE DYNAMICS LLC
3090 South Country Lane
New Berlin ▪ Wisconsin ▪ 53146
www.placedynamics.com

Contact: Michael Stumpf, AICP, CEcD
Phone ▪ (262) 510-2131
Email ▪ michael.stumpf@placedynamics.com

PLACE DYNAMICS LLC
3090 S. Country Lane ▪ New Berlin ▪ Wisconsin ▪ 53146 ▪ Ph. (262) 510-2131 ▪ www.placedynamics.com

27 February 2020

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

RE: Proposal for Employee Generation by Land Use Study (Housing Nexus Study)

Thank you for the opportunity to submit this proposal to assist the Town of Jackson and Teton County in conducting an Employee Generation by Land Use Study. Place Dynamics has extensive experience analyzing housing markets across the United States, grounded in a very strong analytical approach to developing and applying customized economic models.

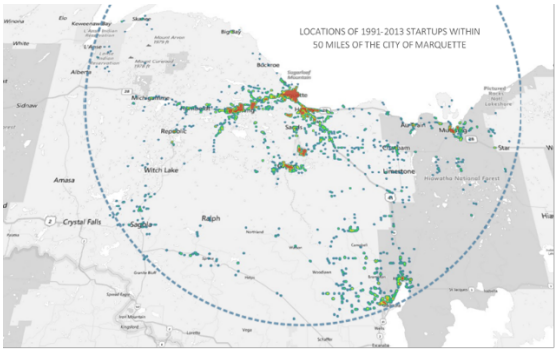


Figure 1 Place Dynamics has pioneered the use of NETS data to map out and better understand local economic conditions using large data sets which identify new business formation across the U.S.

Members of our team have travelled to Jackson, WY twice over the past three months, and have seen first-hand the consequences of a severely constrained housing market. In fact, one of our team member's kids is currently working at the Jackson Hole Mountain Ski resort while paying $800/month for a shared bedroom in Jackson. A college friend recently secured housing in one of the Housing Department's townhomes in Teton Village. Another friend is living outside Victor, joining thousands of others commuting over the pass on a daily basis.

Figure 2 The Homesteads at Teton Village. Source: www.buckrail.com.

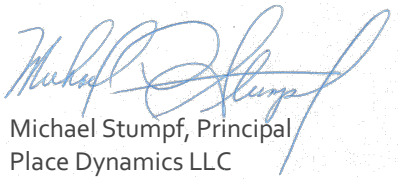
To address growth management and quality of life concerns, the County's Comprehensive Plan aims to "**Ensure we house over 65% of the workforce locally" and to "Mitigate impacts from new development and address loss of existing workforce housing stock."** While the County faces enormous challenges meeting these goals, there are signs of success. As noted in the draft 2020-2025 Housing Supply Plan, the *decline* in percent of workers living locally has tapered off. Furthermore, there are 747 affordable housing units in the development pipeline, including 277 deed restricted units.

The Housing Nexus Study will replace the existing 2013 study, and will provide the objective data needed to make informed policy decisions that will help preserve existing affordable housing and stimulate new affordable housing. The study will carefully map out and quantify the relationship between new commercial and residential development and the employees needed to support those

types of development, including non-brick-and-mortar businesses. In addition, the study shall examine and document existing job growth, job distribution, and workforce characteristics in order to better understand to the gaps between incomes and housing costs.

While this proposal lays out our recommended approach and qualifications, I would encourage you to visit our website (http://www.placedynamics.com) to learn more about our work and capabilities. I can answer any questions you may have concerning our proposal. I may be reached directly at (262) 510-2131, or via email michael.stumpf@placedynamics.com. I will look forward to your decision.

Sincerely,



Michael Stumpf, Principal
Place Dynamics LLC

QUALIFICATIONS

Place Dynamics was established in 2005 to provide insight and strategy for community and economic development. We practice in the three core areas of economic development strategy, market and economic analysis, and business district vitality. Our work includes approximately 200 assignments across most of the United States and Canada.

The following is a summary of our qualifications for this project as requested in the RFQ.

A. PROPOSED PROJECT TEAM

Place Dynamics has assigned two of our most experienced staff to this project. Resumes are provided on the following pages.

- **Michael Stumpf.** Michael will be the Principal in Charge. His role will be to lead the analysis and to participate in the technical stakeholder group. He will be the lead author for the report. Michael has spent 30 years in market research and economic development in the private sector, in local government, and as a consultant. He has been at the forefront of introducing new data sources and techniques in the field, resulting in greater accuracy and more descriptive information from which to make decisions.
- **Andrew Dane.** Andrew will be the Project Manager. His role will be coordinating communications with the client Project Manager. He will assist with the analysis and report writing, and serve as the lead facilitator for the technical stakeholder group. Andrew has 23 years of experience in planning and economic development, including extensive housing related experience as an investor, community development director, and consultant for both municipalities and developers.

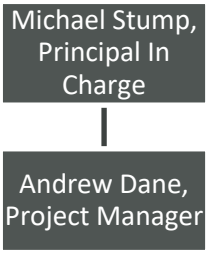


Figure 3 Organizational Chart

MICHAEL STUMPF

Principal

Education

MS Urban/Economic Geography

BS Public Administration

Northern Illinois University

Certifications

American Institute of Certified Planners (AICP) – #019408

Certified Economic Developer (CEcD) – #1782

Professional

American Planning Association

International Economic Development Council

Mid-America Economic Development Council (Board)

National Trust for Historic Preservation

Wisconsin Downtown Action Council (Board, President)

Wisconsin Economic Development Association

Michael Stumpf is a community strategist with more than thirty years of experience in government and as a private consultant. Michael is an expert in applying market intelligence to craft effective community and economic development strategies.

After beginning his career in retail development, Michael spent 15 years as an economic development director for communities in Illinois, Wisconsin, and Colorado. In 2005 he left his position as the economic development director for the City of Boulder, Colorado, to form Place Dynamics.

Through more than 140 projects in 27 states and provinces, Michael has gained extensive knowledge of the alternative approaches employed in various regions of the country, and in differing types of urban and rural communities. His work in economic development and downtown revitalization has received several professional awards.

As an economic development director, Michael was instrumental in implementing business district strategies in both downtowns and emerging commercial areas. He has continued to make revitalization a large part of his consulting practice, incorporating his background in market analysis and knowledge of development. Michael has been on the board of the Wisconsin Downtown Action Council since 1996.

Michael has expertise in business location decision-making in both the retail and primary industry sectors. He has authored numerous articles on industrial site selection and retail markets. Michael applies this knowledge in helping communities to site and plan successful commercial business districts and employment centers. His retail work encompasses all types of commercial areas, mixed-use neighborhoods, and shopping centers. He has conducted the market feasibility, site selection, and development planning for business or industrial parks with public and private investment approaching $1 billion.

Michael's work in community planning has tended to focus on market-driven approaches and small area development or redevelopment plans. These have included neighborhoods, development sites, parks, and waterfronts, in addition to comprehensive planning and related activities such as impact fees, economic impact analysis, and demographic or economic studies.

Experience

BUSINESS DISTRICTS AND REDEVELOPMENT

- 124th St and Lisbon Rd Redevelopment Plan, Brookfield, WI
- Allen Creek / Union St. Redevelopment Plan, Evansville, WI
- Commercial Corridor Plans, Appleton, Wisconsin
- Commercial Corridors Study, Rochester, New York
- Downtown Concept Plan, Port Arthur, Texas
- Downtown Plan, Appleton, Wisconsin
- Downtown Plan, Belvidere, Illinois
- Downtown Plan, Boulder, Colorado
- Downtown Plan, Clintonville, Wisconsin
- Downtown Plan, Elm Grove, Wisconsin
- Downtown Plan, Marshfield, Wisconsin
- Downtown Plan, Mazomanie, Wisconsin
- Downtown Plan, Menasha, Wisconsin
- Downtown Plan, Whitewater, Wisconsin
- Downtown Redevelopment Sites, Janesville, Wisconsin
- Downtown Strategic Assessment, Sioux City, Iowa
- Fox River Corridor Redevelopment Plan, Appleton, WI
- Hawthorn Mellody Redevelopment, Whitewater, WI
- Hilltop Small Business Study, Columbus, Ohio
- International Marketplace, Indianapolis, Indiana
- Interstate 94 Corridor Plan, Raymond, Wisconsin
- James Street Redevelopment Plan, Whitewater, WI
- Jefferson Street Redevelopment Plan, Whitewater, WI
- Layton Boulevard Strategy, Milwaukee, WI
- Near West Side Strategy, Milwaukee, Wisconsin
- Oneida Street Corridor Plan, Appleton, Wisconsin
- Redevelopment Area Plan, Wausau, Wisconsin
- Richmond Street Corridor Plan, Appleton, Wisconsin
- Superior Trade Zone Strategy, Michigan
- Town Center Plan, Ledgeview, Wisconsin
- Town Center Plan, Raymond, Wisconsin
- Town Center Plan, Tylertown, Mississippi
- Washington Av Redevelopment Workshop, Madison, WI
- Water Street Redevelopment Plan, Menasha, Wisconsin
- Whitewater Hotel Redevelopment, Whitewater, WI
- Wisconsin Avenue Corridor Plan, Appleton, Wisconsin

ECONOMIC DEVELOPMENT

- Business Climate Study, Webster County, Iowa
- Business Development Toolkit, Moffat County, Colorado
- Business Incubator Feasibility Study, Farmington Hills, MI
- Business Incubator Feasibility Study, La Crosse, Wisconsin
- Business Incubator Feasibility Study, River Falls, Wisconsin
- Business Incubator Feasibility Study, Woodinville, Wash.
- Commercial Development Program, Boone County, Illinois
- Coworking and Entrepreneurship Study, Idaho Falls, Idaho
- Coworking and Entrepreneurship Study, Southeastern WI
- Coworking Feasibility Study, Orlando, Florida
- Destination Development Plan, Pagosa Springs, Colorado
- Disaster Recovery Strategy, Schoharie County, NY
- Downtown Redevelopment Practices Analysis, Wisconsin
- Economic Benchmark Analysis, Santa Fe, New Mexico
- Economic Cluster Analysis, 7-County Region, Iowa
- Economic Development Assessment, Escambia Co., FL
- Economic Development Analysis, East Stroudsburg, Penn.
- Economic Development Organizational Study, SW Colorado
- Economic Development Assessment, Pleasantville, NJ
- Economic Development Marketing, Sun Prairie, Wisconsin
- Economic Development Plan, Marquette, Michigan
- Economic Development Plan, Mazomanie, Wisconsin
- Economic Development Plan, Vernon County, Wisconsin
- Economic Development Strategy, Whitewater, Wisconsin
- Economic Recovery Planning, Bay St. Louis, Mississippi
- Economic Recovery Planning, Minot, North Dakota
- Enterprise Zone Marketing Strategy, Belvidere, Illinois
- Entrepreneurial Development Strategy, Gilbert, Arizona
- Food Innovation Center Feasibility Study, Eureka, CA
- Incentives Study, Spruce Grove, Alberta, Canada
- Industry Analysis and Marketing, Ogdensburg, NY
- Industry Target and Marketing Plan, Coos County, NH
- Industry Target and Marketing Plan, Spruce Grove, AB
- Industry Target and Marketing Plan, Stony Plain, AB
- Industry Target Study, Webster County, Iowa
- Manufacturing Jobs and Port Study, Eureka, California
- Manufacturing Relocation Study, Chicago Region, IL
- Natural / Organic Food Industry Initiative, Boulder, CO
- Retail Development Workshop, Kansas
- Retail Development Workshop, South Dakota
- Retail Trade Study, Lake County, Ohio
- Rural Tourism Asset Map, Rock/Henry/Mercer Cos., IL
- Targeted Industry Market Development, Rockford, IL
- Tourism Development Plan, Whitewater, Wisconsin
- Tourism Strategy, Okeechobee County, Florida

MARKET ANALYSIS AND DEVELOPMENT STRATEGIES

The projects listed below are representative of Michael extensive experience. He has conducted the market research, site selection, and feasibility analysis for more than 80 public or private commercial development projects across the nation.

- 28th and Jay Development Impact Analysis, Boulder, CO
- Banquet and Lodging Analysis, Lake Mills, Wisconsin
- Best Use Analysis, Little Chute, Wisconsin
- Cottage Grove Road Analysis and Strategy, Madison, WI
- Development Opportunities Analysis, Blair, Wisconsin
- Development Opportunities Analysis, Holmen, Wisconsin
- Development Opportunities Analysis, Hudson, Wisconsin
- Development Opportunities Analysis, Oakdale, Wisconsin
- Downtown Market Analysis and Strategy, Ripon, WI
- Economic Benchmark Application, Santa Fe, New Mexico
- Economic Impact Analysis, Monroe, Wisconsin
- Economic Impact Analysis, Stoughton, Wisconsin
- Grocery Development Study, Madison, Wisconsin
- Hotel & Conference Center Analysis, Kingman County, KS
- Hotel Development Analysis, Ripon, Wisconsin
- Hotel Feasibility Analysis, Cheraw, South Carolina
- Hotel Feasibility Analysis, New Roads, Louisiana
- Hotel Feasibility Analysis, St. Francisville, Louisiana
- Housing Development Site Analysis, Munising, Michigan
- Housing Needs Analysis, Whitewater, Wisconsin
- Housing Development Site Analysis, Woodstock, Illinois
- Impact Fee Review, Oak Grove, Wisconsin
- Impact Fee Review, Somerset, Wisconsin
- Impact Fee Review, St. Joseph, Wisconsin
- Keweenaw Mountain Lodge Analysis, Copper Harbor, MI
- Market Analysis & Recruitment Plan, Bay St. Louis, MS
- Market Analysis, Belvidere, Illinois
- Market Analysis and Strategy, Alamogordo, New Mexico
- Market Analysis and Strategy, Gallup, New Mexico
- Market Analysis and Strategy, Jamestown, North Dakota
- Market Analysis and Strategy, Mazomanie, Wisconsin
- Market Analysis and Strategy, Oakdale, Wisconsin
- Market Analysis and Strategy, Trinidad, Colorado
- Market Analysis and Strategy, Whitewater, Wisconsin
- Meeting and Hospitality Analysis, Lake Mills, Wisconsin
- Near West Side Market Analysis, Milwaukee, Wisconsin
- Northside Market Analysis, Madison, Wisconsin
- Pharmacy Study, Red Cliff Band of Chippewa, Wisconsin
- Retail Market Study and Strategy, Tulsa, Oklahoma
- Retail Trade Study, Lake County, Ohio
- Sales and Economic Impact Analysis, Murrysville, PA

OFFICE/INDUSTRIAL PARK DEVELOPMENT

- Bluff Road Commercial Corridor, Whitewater, Wisconsin
- Enterprise Business Center, Racine County, Wisconsin
- Highway 14 Industrial Park, Mazomanie, Wisconsin
- Northcentral Iowa Ag-Industrial Center, Fort Dodge, IA
- Williams Value-Added Agricultural Park, Williams, Iowa
- Whitewater Business Park, Whitewater, Wisconsin

URBAN PLANNING

Michael has led or participated in many planning projects including visioning exercises and interactive workshops, comprehensive plans, neighborhood plans, and park plans.

Place Dynamics

ANDREW DANE

Education

MS Urban/Regional Planning

University of Arizona

BS Conservation Biology

University of Wisconsin-Madison

Certifications

American Institute of Certified Planners (AICP) – #025561

LEED AP Neighborhood Development (LEED AP ND), U.S. Green Building Council

ENVISION Sustainability Professional (ENV SP), Institute for Sustainable Infrastructure

Professional

American Planning Association

Wisconsin Downtown Action Council

US Green Building Council

Andrew Dane is an urban planner with over twenty years of experience assisting both rural and urban communities as well as private industry. Andrew is a highly skilled and confident group process leader and facilitator, with extensive experience designing and leading public participation and community engagement processes. He specializes in project planning, feasibility and implementation of complex projects including downtown and neighborhood revitalization; land use planning; and economic development. Andrew has successfully secured more than $100M in tax credits and grants for his clients.

After launching a successful landscaping company after college, Andrew spent 10 years as an economic development director for the City of South Tucson and as a Community Economic Development Educator for University of Wisconsin-Extension. Prior to joining Place Dynamics Andrew was Senior Community Development Specialist with Short Elliott Hendrickson Inc - a regional planning and engineering firm - where he provided community, economic development, and urban planning services for clients throughout the Midwest.

Andrew is actively engaged in his neighborhood and community, founding the Lawrence City Park Neighborhood Association and co-founding Neighborhood Investments, LLC, a small real estate management firm rehabilitating blighted residential and commercial properties.

Andrew contributes his expertise to Place Dynamics as a contract employee on a project basis. He and Michael have developed a strong work synergy having completed over one dozen projects together.

Experience

BUSINESS DISTRICTS AND REDEVELOPMENT

- Towers Area Market Study, Wausau, Wisconsin
- South Riverfront Master Plan, Wausau, Wisconsin
- Downtown Plan, Appleton, Wisconsin
- Downtown Plan, Clintonville, Wisconsin
- Downtown Plan, Marshfield, Wisconsin
- Downtown Plan, Menasha, Wisconsin
- Strategic Plan, Chippewa Falls Main Street
- Downtown Plan, Porter, IN
- Downtown Revitalization Plan, Gering, IN
- Downtown Plan, Sherwood, WI
- Downtown Plan, Elm Grove, WI
- Downtown Corridor Plan, E. Stroudsburg, PA

ECONOMIC DEVELOPMENT

- Opportunity Zone Marketing, Menasha, WI
- Riverside North Master Development Team, La Crosse, WI
- Pocket Neighborhood Development, Eau Claire, WI
- Community Housing Plan, City of South Tucson, AZ
- Economic Development Plan, Vernon County, Wisconsin
- Economic Impact and Tourism Study, N. WI State Fair
- Cost of Community Services, Cleveland Township, WI
- Strategic Business Plan, West WI Rail Transit Authority
- Brownfields Historic Fill Permit, Neenah, WI
- Water System Capacity Study, Eau Claire, WI
- Business Park Feasibility Study, Eau Claire, WI
- IMPLAN Impact Studies, Barron County, WI
- IMPLAN Impact Studies, Chippewa County, WI

MARKET ANALYSIS AND FEASIBILITY STUDIES

- Retail District Market Analysis, Tulsa, OK
- Retail Market Analysis and Small Business Opportunity Study, Columbus, OH
- Biomass Feasibility Study, Bad River Tribe, WI
- Business Retention/Expansion Study, NW WI
- Economic Impact of Crafts/Arts, NW WI
- Marketing Co-op Feasibility Study, Six Rivers Co-Op, WI
- Value-Added Wood Product Study, MRRPC, WI

- Biomass Feasibility Study, Boise Forte Tribe, MN
- Recycling Feasibility Study, Chippewa County, WI
- Solid Waste/Recycling Plan, La Crosse, WI
- Solid Waste/Recycling Plan, Fond Du Lac Tribe, WI
- Downtown Market Analysis, Sherwood, WI
- Energy Conservation Plan, Chippewa County, WI
- Visitor Survey, Pagosa Springs, CO
- Bioefuls Feasibility Study, MRRPC, WI
- Biofuels Feasibility Study, Thilmany Papers, WI
- Biofuels Due Diligence Study, Xcel Energy, WI
- Ethanol Expansion Feasibility Study, ACE Ethanol, LLC
- Energy Conservation Plan, Oneida Tribe, WI
- Strategic Plan, Chippewa County, WI

LAND USE AND TRANSPORTATION PLANNING

- Trail Master Plan, Appleton, WI
- Bicycling and Pedestrian Plan, Fish Creek, Wisconsin
- Bicycling and Pedestrian Wayfinding Plan, ECWRPC
- Transportation Plan, Sherwood, WI
- 54th Street Preliminary Design, Edina, MN
- Miller's Bay Neighborhood Streetscape Design Plan, Oshkosh, WI
- Planning Services, Newburg, WI
- Comprehensive Plan, Whitehall, WI
- Downtown Parking Study, Fish Creek, WI
- River Management Plan, Kiel, WI
- Master Land Use Plan Update, La Crosse County, WI
- Waterfront Master Plan, Fish Creek, WI
- Comprehensive Plan Workshop, Marshfield, WI
- Comprehensive Plan, Stevens Point, WI
- Comprehensive Plan, Appleton, WI
- Kinnickinnick River Corridor Plan, River Falls, WI
- Comprehensive Outdoor Recreation Plan, Suring, WI
- Comprehensive Plan, Barron County, WI
- Arrowhead Park Master Plan, Neenah, WI
- Flood Management Plan, Milwaukee, WI
- Wayfinding and Streetscape Design Plan, Fish Creek, WI
- Parking Study, Egg Harbor, WI

PROJECT FUNDING

- $500K EDA Grant Application, Eureka, CA
- $500K REAP Grant Application, ACE Ethanol, LLC
- $500K REAP Grant Application, Fox River Energy, LLC
- $250K CDIG Grant Application, Eau Claire, WI
- $500K TAP Grant Application, Waupaca, WI
- $75K Fund for Lake Michigan Application, Fish Creek, WI
- $25K CDBG Planning Grant, Clintonville, WI
- $25K CDBG Planning Grant, Port Washington, WI
- $300K CDBG Infrastructure Grant, Lowell, WI
- 500K Infrastructure Grant, Tigerton WI
- $7.4M USDA RD Grant/Loan, Birnamwood, WI
- $100M Empowerment Zone Tax Credits, S. Tucson, AZ
- $500K HOME Grant Funds, S. Tucons, AZ
- $400K CDBG Grant Application. S. Tucson, AZ
- $250K USDA RD Housing Grant, S. Tucson, AZ
- $250K USDA Energy Grant, Thilmany Papers, WI
- $1M Historic Tax Credit Application, Private Developer
- Tax Increment Financing Sherwood, WI
- Roadway Special Assessments, Sherwood, WI

B. FIRM/TEAM EXPERIENCE

Housing is often a critical issue in planning, as well as a focus of government action in its own right. Place Dynamics has a long history of supporting housing development through housing market research, neighborhood or comprehensive planning, and housing strategies. The following are examples of this work.

HOUSING MARKET RESEARCH AND STRATEGIES

- Housing Impact Fee Reviews, Somerset, St. Joseph, Oak Grove, Wisconsin
- South Riverfront Market Study, Wausau, Wisconsin
- Towers Area Market Study, Wausau, Wisconsin
- Best Use Analysis, Little Chute, Wisconsin
- Hilltop Neighborhood Market Analysis and Strategy, Columbus, Ohio
- Housing Development Site Market Analysis, Munising, Michigan
- Housing Program / GDBG Program, Whitewater, Wisconsin
- Housing Recovery Planning, Minot, North Dakota
- Housing Redevelopment Site Review, Milwaukee, Wisconsin
- Market Analysis and Strategy, East Stroudsburg, Pennsylvania
- Near West Side Analysis and Strategy, Milwaukee, Wisconsin
- Seven Bridges Development, Holmen, Wisconsin
- Comprehensive Plan, Appleton, Wisconsin
- Comprehensive Plan, Blair, Wisconsin
- Comprehensive Plan, Clintonville, Wisconsin
- Comprehensive Plan, Menomonee Falls, Wisconsin
- Comprehensive Plan , Oakdale, Wisconsin
- Comprehensive Plan, West Milwaukee, Wisconsin
- Downtown Plan, Elm Grove, Wisconsin
- Downtown Plan, Menasha, Wisconsin
- Downtown Plan, Marshfield, Wisconsin
- Downtown Riverfront, Janesville, Wisconsin
- East Site Neighborhood Plan, McFarland, Wisconsin
- International Marketplace Strategy, Indianapolis, Indiana
- New Town Center Analysis and Strategy, Ledgeview, Wisconsin
- Redevelopment Project Analysis, Ripon, Wisconsin

C. LEGAL EXPERIENCE

None

D. REFERENCES

The following individuals may be used as references.

Kim Mitchell, Director of Community Relations and Programs
Town of Lyons
PO Box 49
Lyons, CO 80540
(303) 823-6622 (ext. 35)

- Town of Lyons Hotel Feasibility Study

Dustin J. Wolff, AICP, Senior Planner
Mead & Hunt
10700 West Research Drive, Suite 155
Wauwatosa, WI 53226
(414) 935-4240
dustin.wolff@meadhunt.com

- Ledgeview Town Center Analysis and Strategy
- Dining/Banquet/Lodging Study for Sandy Beach

Peter Kelly, Business Development Coordinator
(Formerly with Town of Gallup, NM)
Town of West Chicago
475 Main Street
West Chicago, IL 60185
pkelly@westchicago.org

- Retail/Dining/Lodging Market Analysis

Daniel Shea, Community Development Director
(Formerly with Kingman County EDC)
Town of Abilene
419 N. Broadway St.
P.O. Box 519
Abilene, KS 67410
(785) 263-2355
development@abileneTownhall.com

- Kingman Conference Center/Hotel Study

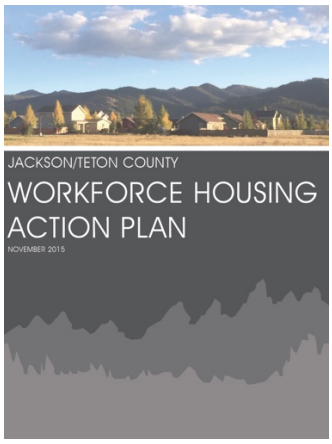


Figure 4 The Housing Action Plan maps a new community-driven course for the future of housing production, preservation, and management. Based on policy directives from the Jackson/Teton County Comprehensive Plan and informed by eight housing studies prepared since 2007.

WORK PLAN

A. TECHNICAL APPROACH AND METHODOLOGY

Place Dynamics will utilize the industry standard for developing housing nexus studies. This methodology includes the following steps:

1. Identify the number and price points of new housing units induced and commercial development.
2. Estimate the minimum income associated with new resident households based on affordability criteria.
3. Identify the impacts of new household spending on local job growth.
4. Estimate the number of worker households by income level, and quantify their associated housing demand.
5. Calculate appropriate fees based on workforce housing unit demand per new market rate unit and commercial development.

B. SCHEDULE

The following detailed project schedule to complete the feasibility study is based on an initiation date of April 6, 2020. We can work with the Town to determine a final schedule that meets its specific needs.

Task 1..... April 6

Stakeholder Interviews .....Week of April 30

Finalize methodology based on stakeholder input..... May 1

Task 2 ..... May 15

Task 3..... July 15

Task 4 .....Aug 15

Task 5..... Oct 1

Draft report.....Oct 15

Task 6..... Nov 1

C. UNIQUE APPROACH/TECHNOLOGY

Place Dynamics has pioneered the use of NETS (National Establishment Time Series) data to analyze and understand local economies. To develop a better understanding of the impact of business growth on local workforce demand we will review commercial records and match them with NETS data, providing a more accurate estimate of local market growth. We will also use GIS to identify home based businesses which have been created in the region but which are not showing up in local permit records. This will provide a more robust and comprehensive picture of the impact of nontraditional business growth on the local economy, including the associated increased demand for workforce housing.

D. TOWN/COUNTY STAFF SUPPORT

We will need Town/County staff support to help arrange stakeholder meetings, and to provide access to building permit data when not publicly available on the internet.

RESPONSES TO THE KEY QUESTIONS

Our team is known for its exceptional public participation skills and insightful presentations. If we are selected for this assignment we will modify the approach below to meet the needs of the Town.

A. KEY QUESTIONS

i. How many employees are generated by the construction of new commercial and residential development broken out by type of new development/redevelopment and job sector.

ii. What types of existing jobs are there, and what are their associated wages?

iii. What is the percent of workforce living locally (within Teton County).

iv. How many jobs are being created by non-brick and mortar businesses? What are the associated wages nad where are the jobs located? Can these businesses be required to mitigate for their impacts through housing requirements or other methods?

B. METHODOLOGY AND TECHNOLOGY

Task 1: Background analysis and kick off meeting

1.1 We will review all of the previously completed studies and prepare a set of questions for the kick off meeting.

1.2 At the kick off meeting we will review and discuss the proposed methodology.

Task 2: Estimate the affordability gap

2.1 For this task we will review and update as necessary the results of prior studies.

Task 3: Housing nexus study

3.1 Residential and commercial market baseline. We will use data provided by the Town and County to quantify and describe the types and price points of new residential and commercial development.

3.2 Nexus analysis. To estimate maximum impact fees which can be charged we will follow these steps:

- Identify historical sales prices and annual gross rents for hew housing units over the past 5-year period.
- Calculate household income distribution for new buyers and renters of 5-year period.
- Calculate total consumer expenditures of all new household types using IMPLAN.
- Estimate the number of new employees needed to serve the increased economic activity estimated using IMPLAN.
- Modify employment growth using 65% target figure from the Comprehensive Plan.
- Identify number of new households generated by new employees based on average number of wage earners per household as determined by the census.
- Estimate employee incomes by using the average wage by occupation for industry sectors analyzed.
- Convert employee incomes to household incomes.
- Use prior study benchmarks to estimate number of new employee households based on AMI thresholds.
- Multiply the affordability gap by the number of households requiring workforce housing and divide by the number of units in each prototype to establish a maximum housing impact fee per unit.

Task 4: Commercial nexus study

The commercial nexus study will estimate the increase in demand associated with new commercial development and redevelopment with the following steps:

- Identify commercial prototypes and sizes for desired categories (office, retail, hospitality, etc.)
- Establish SF/worker benchmarks for each prototype and associated number of employees.
- Adjust anticipated number of new employees required using 65% live/work target used in housing nexus study.
- Calculate number of households associated with new employees.
- Estimate employee incomes using average occupational wages associated with new commercial space using regional labor market figures.
- Convert employee incomes to household incomes.
- Use prior study benchmarks to estimate number of new employee households based on AMI thresholds.

- Multiply the affordability gap by the number of households requiring workforce housing and divide by the number of units in each commercial prototype to establish a maximum housing impact fee per unit.

Task 5: Strategic Planning

5.1 We will prepare a benchmark study to document what fee levels have been adopted by jurisdictions with similar programs.

5.2 We will facilitate a series of meetings with the stakeholder team and local developers over a one-week period to review and discuss the results of the previous tasks. Key questions to address will include:

- What will be the impact of altering the existing fee schedule?
- What levels of impact would substantially impact the local market?
- How would new fee structures impact use of alternative mitigation requirements?
- What exclusions or exemptions should be considered, if any?

Task 6: Draft and final reports

6.1 Based on results of prior tasks we will recommend a new fee schedule and prepare draft and final reports.

C. REPLICATION METHOD

We recommend the Town/County staff replicate the resident workforce percentage by benchmarking current estimates with Average Annual Daily Traffic Counts (AADTs) and then modifying the figure based on traffic changes. This can be done in a manner that adjusts for leisure travel.

D. EXPERIENCE AND APPROACH TO PRESENTING, FACILITATING, AND COMMUNICATING

Place Dynamics has expertise in facilitating small and large groups using a diverse set of tools. We are trained in best practices and follow the International Association for Public Participation (IAPP) methodology which begins with an assessment defining overall goals, the types of appropriate tools to use and when, as well as an explicit acknowledgement of how the information gathered will be used.

E. FACILITATION APPROACH

For this project we would prepare a Stakeholder Engagement Plan with the client prior to project initiation. We have found that nominal group meeting techniques work well for complex projects such as these, however we also anticipate focus groups and key informant interviews.

BUDGET

Place Dynamics will complete the Housing Nexus Study for a flat not to exceed fee of $104,900. This is inclusive of the cost of data, materials, and travel to complete the project as described in the proposal.

		Dane		Stumpf		
HOURLY RATE		100		125		
TASK NO. AND DESCRIPTION		HRS.	COST	HRS.	COST	SUBTOTAL
1	Background Analysis & Kick Off	40	4000	40	5000	$9,000
2	Estimate affordability gap	24	$2,400	16	$2,000	$4,400
3	Housing nexus study	200	$20,000	40	$5,000	$25,000
4	Commercial nexus study	180	$18,000	40	$5,000	$23,000
5	Strategic planning	60	$6,000	40	$5,000	$11,000
6	Draft and final reports	100	$10,000	60	$7,500	$17,500
TRAVEL						$10,000
DATA						$5,000
TOTALS		604	$60,400	236	$29,500	**$104,900**

Place Dynamics typically bills on a monthly cycle for costs incurred during the prior period. Payment is due within 30 days of the invoice date.

Place Dynamics maintains general liability ($2 million), professional liability ($1 million), business auto ($1 million) and workers compensation policies and can provide documentation upon request. We are registered in the State of Wisconsin as a limited liability company. Place Dynamics is recognized as a service-disabled veteran-owned business (SDVOB).

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

BOARD OF COUNTY COMMISSIONERS

TOWN COUNCIL

JOINT INFORMATION MEETING
AGENDA DOCUMENTATION

SUBMITTING DEPARTMENT: Joint Housing **PRESENTER**: Stacy Stoker

MEETING DATE: July 6, 2020

SUBJECT: **Housing Rules and Regulations Clean Up**

STATEMENT/PURPOSE

The Board and Council will consider proposed changes to the Jackson/Teton County Housing Department Rules and Regulations and provide direction to staff. These changes include clerical errors, minor clarifications, formatting, and additional definitions. There is one policy change to section 7-2. Multiple Defaults.

BACKGROUND/ALTERNATIVES

In June of 2018, the Jackson Town Council ("Council") and Teton County Board of County Commissioners ("Board") adopted the Jackson/Teton County Housing Department Rules and Regulations ("Rules and Regulations"). Staff has identified several changes needed to correct typos and formatting, clarify policy, and add definitions. Attached is a list of all the changes made as well as a redlined version of the document.

Staff is requesting that the Council and Board direct staff to make the changes and release the document for the mandated 45-day comment period (County) and prepare an ordinance for adoption (Town).

The first and second ordinance readings can occur during the 45-day comment period; the final ordinance reading should occur once the 45-day comment period is complete. The Council and Board should adopt the same set of Rules and Regulations. If material changes are made to the Rules and Regulations after the 45-day comment period is complete, then the Town must revise its ordinance accordingly and the ordinance process would restart at first reading.

Key Changes:

Section 3-2: Reasonable Accommodation. This is language from Fair Housing that explains Reasonable Accommodation and ADA allowed reasons for denying reasonable accommodation requests. This information is being added to the Rules and Regulations.

Section 4-2: Town and County Options. These come into play when the Town or the County provides funding or land for restricted housing in exchange for their employees to have the first option to purchase or rent a restricted unit. This information is being added to the Rules and Regulations

Section 6.3.B.3: Rental Rates. This is a change from using Fair Market Rents as the maximum rent rate to 30% of the low end of the income range for owners who request to rent their restricted homes when they are approved for a leave of absence. This change is in line with requirements already approved for Affordable Rental units and was overlooked at last year's Rules and Regulations clean up.

Section 7-2: Multiple Defaults. In the case where the same homeowner has been in default three times, upon the fourth default they are not given the opportunity to cure and must sell their home. An owner has 30 days to cure when found in default. Once they cure, and staff finds them in default again, they have another 30 days to cure. This change eliminates the possibility of an owner continually defaulting and curing. While this has happened, it is rare. An example of this is a homeowner who is not occupying their home a minimum of 10 months per year. Staff finds them in default

and the owner cures the default by moving back into their home. Staff learns that they are in default again for the same reason, and it continues to happen again and again with no remedy.

COMPREHENSIVE PLAN ALIGNMENT

Common value 3, Section 5 is to ensure a variety of workforce housing opportunities so that at least 65% of those employed locally also live locally. The Housing Department Rules and Regulations govern the workforce housing to ensure that the units are being used as the community intends.

Housing Action Plan – The Housing Rules and Regulations annual update aligns with Chapter 3 of the Housing Action Plan *Housing Management Plan,* which requires the Housing Manager to revise existing Rules into a unified set of rules that address: standards and processes for enforcement and monitoring of restrictions; maintenance and improvement of restricted housing units; minimum requirements for new restricted units; and minimum standards of livability for existing units to be adopted by the Town Council and the Board of County Commissioners.

STAKEHOLDER ANALYSIS

Stakeholders include applicants, owners and tenants of restricted homes, the public, elected officials, and staff.

FISCAL IMPACT

N/A

STAFF IMPACT

Tracking, reviewing, and keeping notes on needed or potential changes to the Housing Rules and Regulations has taken a significant amount of staff scrutiny and staff time. The suggested changes make the rules easier for staff and the public to interpret and navigate.

LEGAL REVIEW

J. Graham and L. Colasuonno

ATTACHMENTS

- List of Changes
- Redlined Housing Rules and Regulations

RECOMMENDATION

Staff's recommendation is informed by the Housing Authority Board recommendation. Staff recommends approval of the proposed changes.

SUGGESTED MOTION

County motion:

I move to direct staff to make the changes to the Housing Rules and Regulations, as proposed today, and release the document for the mandatory 45-day comment period.

Town motion:

I move to direct staff to make the changes to the Housing Rules and Regulations, as proposed today, and to prepare an ordinance for adoption.

Housing Department Rules and Regulations Clean-up List of Changes – 2020

1. Section 2-2.B.5.b: Added Inspection and Compliance Conference and renumbered subheadings.

2. Section 2-3.D.1.c changed requirements for min. size refrigerators.

3. Section 3-2.A.2.b Added Two Adult Household requirements.

4. Section 3-2: Added E. Reasonable Accommodation

5. Section 4-2: Added F. Town and County Options

6. Section 5-1.E.1.a Added Fee for Capital Improvement Request

7. Section 5-1.F.1.b Added subtitle 1 and added 2. Qualified Transfer on Death

8. Section 5-1.F.3 Added fee for Transfer on Death and requirement to use HD Form

9. Section 5-2: Moved to Section 6-2 and changed Section #s accordingly

10. Section 6-2: Moved Section 5-2 to here: Changed heading to Housing Department Program Rental Standards and Procedures

11. Section 6-3: Changed Heading to Private Owner Rental Standards and Procedures

12. Section 6-3.B.3 changed rent calculation from FMR to 30% of low end of income range.

13. Section 7-2: Added D. Multiple Defaults

14. Section 7-2: Changed Default Hearing to E.

15. Section 7-2: Changed JTCHA Deliberation and Decision to F.

16. Section 8.1.D.1.a added fee for Leave of Absence request

17. Section 8.1.E.5 added requirement for owners to provide proof of insurance.

18. Section 9-1 Changed AMI to Area Median Income and made reference to Median Family Income

    Took out CLTV and changed it to Combined Loan to Value – moved to proper alphabetical spot.

    Added definition of Escrow

    Added applicants to Grievance definition

    Added definition of Handicapped

    Added definition of Household

    Changed definition of Voluntary Affordable/Employee Housing units from applicant to developer

19. General Formatting.

Teton County & Town of Jackson
Wyoming

Jackson/Teton County
Housing Department Rules and Regulations

July 2020

June 4, 2018 – Updated July 23, 2019; July 2020

Commonly Used Acronyms

List of Commonly Used Acronyms

Acronym	Full Text
ARU	Accessory Residential Units
AMI	Area Median Income
CC&Rs	Covenants, Conditions, & Restrictions
CPI	Consumer Price Index
HOA	Homeowners Association
HUD	U.S. Department of Housing and Urban Development
JTCHA	Jackson/Teton County Housing Authority
LDRs	Land Development Regulations
MFI	Median Family Income
MRP	Maximum Resale Price
OPP	Original Purchase Price
SF	Square Feet

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SUMMARY OF HOUSING PROGRAMS

The general goal of all housing programs covered by the Housing Department Rules and Regulations is to provide and maintain housing affordable to persons and families who make a living primarily from employment located in Teton County, Wyoming. The housing programs addressed in the Housing Department Rules and Regulations are: Affordable Ownership, Affordable Rental, Workforce Ownership, and Workforce Rental. Legacy programs (including Accessory Residential Units, Attainable units, Employee units, and Employment-based units) are referenced in some properties' deed restrictions, so these Housing Department Rules and Regulations also contain the rules that pertain to these programs.

Descriptions of Applicable Programs:

Accessory Residential Units (ARU) – Units created through this program are developed as part of nonresidential developments that are exempt from the housing requirements set by the LDRs. These units are rented to workers employed in Teton County, and they must remain as rental property (i.e., they cannot be converted to condominiums). Accessory Residential Units developed after June 4, 2018 will be part of the "Workforce Rental" program. To qualify to rent these units, at least one person in the household must be employed at a local business for a minimum of 1,560 hours per year. They may not own residential real estate within 150 miles of Teton County. A minimum of 75% of the household's income must be earned from a local business(es) The tenants must physically occupy the unit a minimum of 80% of their lease term. Tenants will be required to requalify annually or upon lease renewal. The units are not allowed to remain vacant in excess of 60 days. Rents are set by the owner.

Affordable – These are units created through the mandatory affordable housing mitigation requirements included in the Town and County Land Development Regulations (LDRs). The Affordable housing program is divided into "Affordable Ownership" and "Affordable Rental," and each has restricted pricing based on applicable affordability ranges. To qualify to purchase these units, household income and assets must be within the relative income range for the unit. At least one person in the household must work a minimum of 1,560 hours per year. No ownership of other residential real estate within 150 miles of Teton County is allowed. The owners must physically occupy the units a minimum of 10 months each year. Tenants must physically occupy the units a minimum of 80% of their lease term. Tenants will be required to requalify annually. Owners will be required to provide proof of continued local employment, occupancy, and non-ownership of residential real estate. Maximum rents and sales prices are based on median family income as published by HUD. Ownership units appreciate based on the Consumer Price Index.

Attainable – These units were built before housing standards were codified in the LDRs. No more Attainable housing units will be constructed, but the Housing Department Rules and Regulations still apply through the management of existing units. Specific requirements for these units are recorded as covenants on the property deed, and the Housing Department Rules and Regulations are referenced through these covenants. To qualify to purchase these units, household income and assets must be within the relative income range for the unit. At least one person in the household must work a

minimum of 1,560 hours per year. No ownership of other residential real estate within 150 miles of Teton County is allowed at time of purchase. The owners must physically occupy the units a minimum of 10 months each year. No requalification or future documentation will be required after purchase of the unit.

Employee – These rental housing units are built to comply with the housing mitigation requirements for new nonresidential development set out in the Town and County LDRs. Initially, these units were intended to provide housing to seasonal workers, but they are not restricted to occupancy by seasonal workers. These Housing Department Rules and Regulations have been updated to reflect the Town and County's policy direction in 2017, which aligns with the Comprehensive Plan's goal of housing the local year-round workforce. The owner of the Employee housing units ultimately makes the decision about unit tenancy so long as the household qualifies. These units can be converted to condominiums for workforce employersEmployee units developed after June 4, 2018 will be part of the "Affordable Rental" program. To qualify to rent these units, household income must be within the relative income range for the unit. At least one person in the household must work a minimum of 1,560 hours per year. No ownership of other residential real estate within 150 miles of Teton County is allowed. Tenants will be required to requalify annually. The units are not allowed to remain vacant in excess of 60 days.

Employment-Based – This is a program that the Town of Jackson initiated to create restricted ownership units for sale to households that are employed in Teton County, but do not fit within the affordability ranges set out in the LDRs. These units are not developed under a mandatory requirement set out in the Town's LDRs. Employment-Based units developed after June 4, 2018 will be part of the "Workforce Ownership" program. To qualify to purchase these units, at least one person in the household must be employed at a local business for a minimum of 1,560 hours per year. They may not own residential real estate within 150 miles of Teton County. A minimum of 75% of the household's income must be earned from a local business(es). Owners must physically occupy the units for a minimum of 10 months of each year. Owners will be required to re-qualify annually.

Workforce Housing Programs – This program is divided into "Workforce Rental" units and "Workforce Ownership" units. They are provided through incentives in the LDRs. Households who purchase or rent Workforce units are required to earn a minimum of 75% of their income from a local business. They may not own other residential real estate within 150 miles of Teton County, and at least one person in the household must earn 1,560 hours annually from a local business. There is no cap on the original purchase price. Once an ownership unit is sold, the maximum resale price is restricted to an appreciation cap on the unit as indicated in the Special Restrictions recorded on the property. The owners of Workforce Rental Units set the rental rates. There is no cap on rental rates. Owners and tenants will be required to re-qualify annually.

Summary of Housing Programs

Deed Restrictions, January 2019

	Affordable Mitigation Ownership	Affordable Mitigation Rental	ARU (Incentive)	Workforce Ownership (Incentive)	Workforce Rental (Incentive)
Applicability	All non-exempt residential or commercial development	All non-exempt residential or commercial development	Commercial or Residential Voluntary ARU	25% Bonus or additional height in UR-PUD	25% Bonus or additional height in UR-PUD
Rent/Own	Own	Rent (no owner occupancy)	Rent	Own or Rent	Rent (no owner occupancy)
Income/Asset Restrictions	Yes	Yes	No	No	No
Ownership of Real Estate	Not within 150 miles	Not within 150 miles.	Not within Teton Co., WY	Not within 150 miles	Not within 150 miles
Income Ranges	0 - 50%, 50 - 80%, 80% - 120% of median income	0 - 50%, 50 - 80%, 80% - 120% of median income	None	None	None
Income Limit for Tenant Qualification	N/A	<50%, <80%, <120%	None	None	None
Teton County, WY Employment	Avg 30 hrs/wk - 1,560 hrs per year	Avg 30 hrs/wk - 1,560 hrs per year	Avg 30 hrs/wk - 1,560 hrs per year	Avg 30 hrs/wk and 75% of income from local business	Avg 30 hrs/wk and 75% of income from local business
Residency Requirement	US Citizen or Lawful Permanent Resident	None	None	US Citizen or Lawful Permanent Resident	None
Occupancy Requirement	10 months/yr	Minimum 80% of lease term.	Minimum 80% of lease term	10 months/yr, 80% of lease term if rental	Minimum 80% of lease term
Vacancy Requirement	N/A	No more than 60 days		No more than 60 days	No more than 60 days
Household Qualification	At time of purchase and must continue to be employed full-time	Continuous	Continuous	Continuous	Continuous
Appreciation Restrictions	CPI with max. 3% per year compounded	No measured appreciation	No measured appreciation	CPI with max. 3% per year compounded	No measured appreciation
Sales Process	Weighted Drawing	By Owner	By Owner	Weighted Drawing after initial sale	By Owner
Rental Rate	N/A	Max. 30% of low end of income range	None	None	None
Rental Term	N/A	Not less than 6 months	90 days or more	Not less than 31 days	Not less than 6 months
Incentive	N/A	N/A	FAR exempt	Height in UR-PUD & FAR exempt	Height in UR-PUD and FAR exempt
Requirement	Formula, according to LDR 6.3 - Restriction	Formula, depeding on use (LDR 6.3) - Restriction	If gaining from providing - needs Restriction. Commercial only	Restriction	Restriction

SECTION 1. PURPOSE AND GENERAL GOALS

1-1. Purpose

The Jackson/Teton County Affordable Housing Department ("Housing Department") was created by Teton County, Wyoming and the Town of Jackson, Wyoming on March 14, 2016 Town Resolution 16-04 and County Resolution 16-008. The purpose of these Housing Department Rules and Regulations ("Housing Rules") is to provide comprehensive and consistent provisions that apply to housing units created through the Town or County established housing programs and/or administered by the joint Town of Jackson/Teton County Housing Department (hereafter "Housing Department").

The Housing Department Rules and Regulations were formerly known as the "Guidelines." When the Housing Guidelines are referenced in documents promulgated prior to the adoption of the 2018 Housing Department Rules and Regulations, the reference of guidelines refers to these Housing Department Rules and Regulations.

A. Applicability

1. Subject to Provisions that are Unique to Specific Program

Each housing program covered in these Housing Department Rules and Regulations is subject to provisions that are unique to that program as indicated in these Housing Department Rules and Regulations.

2. Subject to Provisions of the Restrictions Recorded on the Property

Restricted housing units are subject to individual deed restrictions, special restrictions, or ground leases, (collectively "restrictions") which may have additional requirements or provisions. If the Housing Department Rules and Regulations and the restrictions conflict, then the language, requirement, and/or provision of the Restrictions shall be applied and followed, not the Housing Department Rules and Regulations. The Restrictions recorded on the property supersede any inconsistency in these Housing Department Rules and Regulations.

3. Subject to Federal Fair Housing Law (The Fair Housing Amendments Act of 1988)

The Housing Department recognizes that the Office of Fair Housing and Equal Opportunity administers and enforces federal laws and establishes policies that ensure that all Americans have equal access to the housing of their choice. The Housing Department does business in accordance with the Federal Fair Housing Law (The Fair Housing Amendments Act of 1988).

a. Discrimination

It is Illegal to discriminate against any person because of race, color, religion, sex, handicap, familial status, or national origin in the sale or rental of housing, in the financing of housing, in the provision of real estate brokerage services, or in the appraisal of housing.

1. Filing a Complaint

Anyone who feels he or she has been discriminated against may file a complaint of housing discrimination to the HUD Housing Discrimination Hotline, 1-800-669-9777 (Toll Free), or the TDD line for the hearing impaired, 1-800-927-9275.

b. Blockbusting

Blockbusting is also prohibited. Blockbusting is the practice of illegally frightening homeowners by telling them that people who are members of a particular race, religion, or national origin are moving into their neighborhood and that they should expect a decline in the value of their property. The purpose of this scheme is to get the homeowners to sell at a deflated price.

4. Disclaimer

The Jackson/Teton County Affordable Housing Department ("Housing Department") expressly disclaims any and all warranties, express or implied, including without limitation fitness for a particular purpose with respect to the provision of restricted housing units. The Housing Department does not represent, warrant, or promise to construct, finance, or otherwise produce, in whole or in part, any restricted housing units pursuant to these Housing Department Rules and Regulations or under any other programs. No applicant may rely upon any promise implied or expressed that restricted housing units shall be constructed, financed, or otherwise produced, in whole or in part, by the Housing Department. In no event shall the Housing Department be liable to any applicant for any direct, indirect, incidental, punitive, or consequential damage of any kind whatsoever, including without limitation lost profits, lost sales, lost business, lost opportunity, lost information, lost or wasted time. None of the information contained in these Housing Department Rules and Regulations constitutes an offer to sell or the solicitation of an offer to buy a restricted housing unit.

1-2. General Policy Goals

The general goal of all housing programs covered by these Housing Department Rules and Regulations is to provide and maintain housing affordable to persons and families who make a living primarily from employment located in Teton County, Wyoming, which includes the Affordable, Attainable, Employee, Employment-Based, Accessory Residential Unit, and Workforce housing programs. This is accomplished by regulating the occupancy, use, sale and/or rental of the restricted housing units covered by the Housing Department Rules and Regulations to qualified households as defined herein.

A. Promoting Economic and Social Diversity

Certain housing programs also limit initial eligibility of qualified households based on financial means criteria, which may include both household income and household net assets. Such financial qualifying factors promote economic and social diversity within the Jackson Hole community.

B. Ensuring Long-Term Affordability

Many of the restricted housing units covered by these Housing Department Rules and Regulations are subject to price limitations for sale, resale and/or rental. These limitations are intended to ensure affordability for both the current household occupying the restricted housing unit and to ensure the long-term affordability of the restricted housing unit.

C. Providing Housing for the Local Workforce

Minimum occupancy requirements apply to all restricted housing units to ensure that the unit meets the community's goals of providing housing for the local workforce by maximizing the space and filling the bedrooms, and to ensure that the restricted housing unit does not serve as a second home.

D. Providing Fair and Consistent Administration

These Housing Department Rules and Regulations are intended to provide clear, fair, and consistent administration of the housing programs to which they apply. It is recognized that there are individual households or restricted housing units that may not fit clearly into the specific provisions of the Housing Department Rules and Regulations, but still meet these general policy goals. For these cases, exception, appeal, and grievance processes have been included in Section 7.

1-3. Relationship to Land Development Regulations

The Town of Jackson and Teton County Land Development Regulations (LDRs) set out standards for the development and use of land within each jurisdiction. The LDRs include requirements for certain developments to provide affordable housing or fees to offset the additional housing need that the developments create. Specific programs address different types of development. The Planning Department of each jurisdiction reviews development applications to check for compliance with the LDRs.

These Housing Department Rules and Regulations impose additional requirements on the developers of any type of restricted housing units. The Housing Department reviews compliance with these Housing Department Rules and Regulations, both prior to development and during occupancy and use.

A. Standards Applicable Under LDRs versus Housing Department Rules and Regulations

Generally, the LDRs address any provisions that must be met during the development approval phase, while the Housing Department Rules and Regulations address provisions that ensure proper use and maintenance of the restricted housing units throughout their lifetime.

LDR Provisions	Housing Department Rules and Regulations Provisions
Rental/Sale Mix (required mix of units)	Livability Standards (Interior)
Occupancy Standards	Dormitory Livability Standards
Distribution of Income Categories	Livability Requirements for Conversion of Existing Housing Stock
Requirements for Fees in Lieu	Restrictive Covenant Form and Process
Requirements for Conveyance of Land or Conversion of Existing Housing Stock	Sale/Rental Standards and Procedures including Qualification and Eligibility for Each Program
Procedure for Banking Credits	Compliance with Housing Department Rules and Regulations.
Phasing Plan	Compliance with Restrictive Covenants
Mix by Number of Bedrooms	

B. References Retained for Convenience

All references to the LDRs in these Housing Department Rules and Regulations are for convenience and are not a part of the Housing Department Rules and Regulations.

SECTION 2. HOUSING DEVELOPMENT STANDARDS AND PROCEDURES

2-1. Purpose

The Jackson/Teton County Comprehensive Plan lists three common community values, one of which is quality of life. One of the ways called out to achieve quality of life is through local workforce housing. With regards to workforce housing, the Comprehensive Plan includes the four following principles:

- Maintain a diverse population by providing workforce housing
- Strategically locate a variety of housing types
- Reduce the shortage of housing that is affordable to the workforce
- Use a balanced set of tools to meet our housing goal

The Town of Jackson and Teton County have several tools to increase the amount of housing that is affordable to the workforce. One of these tools is the requirement and/or incentive in the LDRs for residential and non-residential development to provide permanently restricted workforce housing. This housing represents a substantial and long-term public investment. As such, it is imperative the restricted housing produced be livable and of good quality.

This section, Housing Development Standards and Procedures, is meant to provide guidance to the prospective developers of restricted housing units. Subsection 0 lays out the requirements of the Housing Mitigation Plan, which is reviewed by both the Planning Department and the Housing Department. Subsection 0 sets out the Livability Standards, which are under the Housing Department's purview.

A. Applicability

This Section applies to all developments subject to Division 6.3 of the County LDRs and Division 6.3 of the Town LDRs. It also applies to any restricted housing units not required through the LDRs that are presented to the Board of County Commissioners or Town Council in development applications.

B. General Policy Goals

1. Inform Developers of Standards and Procedures

These Housing Development Standards and Procedures inform prospective developers of the standards and guidelines for construction and sale of restricted housing units, as required by the LDRs and the Housing Department Rules and Regulations.

2. Provide Fair and Consistent Implementation of Standards and Procedures

These Housing Development Standards and Procedures help the Housing Department implement policies of the LDRs and the Housing Department Rules and Regulations in a fair and consistent manner.

2-2. Housing Mitigation Plan

A Housing Mitigation Plan for each project shall be submitted according to the provisions of the Teton County and Town of Jackson LDRs [See Teton County Land Development Regulations: Division 6.3or Town of Jackson Land Development Regulations: Division 6.3]. A packet with a checklist for a Housing Mitigation Plan can be obtained through the Housing Department or the Town or County Planning Departments.

A. Procedures

1. Consultation with Applicant (Optional)

Applicants may meet with Housing Department staff prior to submitting a Housing Mitigation Plan. Although this step is not required, it is often helpful for the applicant and the Housing Department staff to discuss the development proposal and how it meets the LDRs and Housing Department Rules and Regulations.

2. Review

Applications for development that have been submitted to the Town or County Planning and/or Building Departments are reviewed by the Housing Department for compliance with these Housing Department Rules and Regulations.

3. Streamlined Applications

Applications that have housing units required that are allowed to go directly to building permit are required to get their units approved by the Housing Department prior to submitting for building permit.

B. Content

The Housing Mitigation Plan contains some provisions that fall under the purview of the Planning Department, while others fall under the purview of the Housing Department. Specifically, the Housing Department oversees the Livability Standards. Developers should refer to the LDRs for requirements such as the mitigation methods, the mix of units by number of bedrooms and the mix of units by affordability ranges.

1. Mitigation Method

See Teton County Land Development Regulations: Division 6.3 or Town of Jackson Land Development Regulations: Division 6.3.

2. Requirement Calculation

See Teton County Land Development Regulations: Division 6.3 or Town of Jackson Land Development Regulations: Division 6.3.

3. Fee Calculations

If the developer proposes Fees In-Lieu as the preferred form of mitigation, the developer shall submit the proposed amount with a Final Development Plan.

The Planning Department shall update the fees in-lieu for the restricted housing units on an annual basis. Fees in-lieu figures are available at the Planning Department.

4. Unit Descriptions

a. Unit Size

There is no minimum or maximum unit size based on square footage. Size by bedroom mix is located in the LDRs.

b. Rental/Sale Mix

As part of the Housing Mitigation Plan, the developer shall state which units are intended as rentals and which are intended as ownership in accordance with the LDRs (See Teton County Land Development Regulations: Division 6.3 or Town of Jackson Land Development Regulations: Division 6.3).

c. Mix of Units by Number of Bedrooms

The intent of the restricted housing programs is to provide a variety of unit types to meet the housing needs of our diverse workforce. The Town and County LDRS set out the specific

occupational requirements for housing units. The mix of units by number of bedrooms in each unit is also determined by the Town and County LDRs.

d. Distribution of Income Ranges

See Teton County Land Development Regulations: Division 6.3 or Town of Jackson Land Development Regulations: Division 6.3.

5. Special Restriction Form and Process

A Special Restriction is a contract between the Board of County Commissioners/Town of Jackson and the owner of real property developed or designated to satisfy the Town or County LDRs. It also applies to other restricted housing units that will be administered by the Housing Department. Special Restrictions shall keep the restricted housing units affordable in perpetuity and provide proper notification of this obligation to subsequent buyers or other interested parties. (See Teton County Land Development Regulations: Division 6.3 or Town of Jackson Land Development Regulations: Division 6.3).

a. Requirement

The developer shall record Special Restrictions in the public land records for the subject property prior to the issuance of a Certificate of Occupancy by the County or Town.

b. Process

The Housing Department shall prepare special restrictions according to the process below. Restrictive covenant templates are available from the Housing Department or the Housing Department website.

1. Inspection of Unit

The Housing Department must inspect the unit prior to recording the restriction and prior to issuance of Certificate of Occupancy.

2. Compliance Conference

Developer shall meet with the Housing Department prior to issuance of Certificate of Occupancy to review the Compliance Checklist.

3. Special Restriction Information Sheet

The developer shall complete the "Special Restriction Information Sheet" and submit to the Housing Department. This form is found at the Housing Department website, or at the Housing Department offices.

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There are four types of restrictions, Workforce Ownership, Workforce Rental, Affordable Ownership, and Affordable Rental.

4. Preparation of Special Restriction

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The Housing Department will prepare the special restriction and provide the document to the developer for review via email or other delivery method.

5. Review

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Once reviewed by the developer for accuracy, the Housing Department and the developer ("declarant") will sign the special restriction and deliver to the County or Town for the required signature.

6. Developer Responsibilities

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The developer is responsible for signing the special restriction, recording the special restriction with the Teton County Clerk, and paying for the recording fees, The original restriction will be returned to the Jackson/Teton County Housing Department office. The Housing Department shall witness the recording.

7. Modification/Amendment

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The developer shall not make modifications to the special restrictions with the exception that when an alternate housing program is approved by the Town Council or County Commissioners. Modifications or amendments to the restricted covenant must be approved by the Town Council or Teton County Commissioners. The developer or owner may be responsible for any legal costs to amend a restrictive covenant.

2-3. Livability Standards

To meet the community's goals of providing working families a viable choice of housing, to protect social diversity, and to contribute to economic stability, the LDRs and the Housing Department Rules and Regulations require that restricted housing units are designed to provide adequate size, building and site design, and finishings to serve future tenants. These are all criteria in the Housing Department's decisions as to whether a development meets the goals of the LDRs and the Housing Department Rules and Regulations. For additional construction standards, see Teton County Land Development Regulations: Division 6.3 or Town of Jackson Land Development Regulations: Division 6.3.

A. Process

These Livability Standards are associated with interior components of the units, functionality, light, and outdoor space. Review by the Housing Department will be completed during the planning process and at time of building permit. It is encouraged that applicants review restricted housing unit designs with the Housing Department early in the design process.

Restricted housing units will also be subject to Planning Department review, as some livability standards are requirements of the LDRs (See Teton County Land Development Regulations: Divisions 6.3 or Town of Jackson Land Development Regulations: Divisions 6.3).

B. Intent

The livability standards in the LDRs do not include minimum size requirements for units. To ensure functionality of units regardless of size, these Livability Standards have been adopted. The Housing Department may consider flexibility within these standards as long as the intent of functionality is being met. All building, plumbing, electrical, and fire code requirements are still required to be met. These standards do not supersede other requirements.

Restricted housing units are expected to be designed with logical and functional room layout. This includes adequate space for normal living based on two (2) persons per one-bedroom unit, three (3) persons per two-bedroom unit, and four (4) persons per three-bedroom unit and adequate circulation pathways through the unit based on a reasonable furniture configuration.

The standards contained in this document provide minimum requirements for specific items and are not intended to be "build to" specifications.

1. Exceptions

Applicants may request approval of components that don't conform to these Livability Standards by completing the "Request for Exception" form. The request must include a detailed explanation of why the applicant wishes to diverge from these Livability Standards, and how the proposed

difference is meeting the intent of these Livability Standards. Detailed drawings of what is being proposed shall also be submitted (See Section 7-3)

C. Acceptance of Restricted Housing Units

Proposed floor plans will be reviewed by the Housing Department at time of Sketch Plan submittal, Final Development Plan submittal and/or other permit submittal. Proposed unit designs and components must be approved by the Housing Department prior to submittal for building permit. The Housing Department will inspect all restricted units before certificate of occupancy to ensure that the unit is built according to the approved designs.

D. Standards for Restricted Units

1. Kitchen

a. Cabinets

All units shall have kitchen cabinet or other storage area (such as a pantry) proportionate to unit size that, at a minimum, meet the required space listing in the table below. A stove/oven may not be used to meet cabinet requirements, and no more than two cabinet spaces less than one foot in width may be used to meet cabinet requirements.

Unit Size	Lineal Ft of Base Cabinets*	Lineal ft of Upper Cabinets*
Efficiency/studio/one-bedroom < 475 SF	4	4
One bedroom > 475 SF	5	5
Two bedrooms	6	6
Three bedrooms or more	7	7

*Assumes standard 24” depth and 26” height for base cabinets and 12” depth and 30” height for upper cabinets.

Note that additional kitchen storage beyond the minimum is desirable. In some cases, additional cabinetry is provided as either base or upper cabinets and credit is requested to reduce cabinetry elsewhere. Requests to storage requirements will be considered as an exception to be approved by the Housing Department.

b. Countertops

The surface of countertops shall be made of new, durable, easily cleaned materials that are commonly used for countertops. One, two- and three-bedroom units must provide a minimum 3 feet of continuous countertop work space not including interior corner space.

c. Appliances

1. Table of Appliance Specifications

The following table specifies minimum appliance requirements.

Unit Size	Sink width*	Range/oven width*	Refrigerator cubic feet*	Dishwasher*
Studio/One bedroom < 475 SF	24”	24”	18	18”
One bedroom >475 SF	30”	30”	20	24”
Two bedroom	32”	30”	25	24”
Three bedrooms or more	32”	30”	25	24”

*Minimum Size

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2. Quality and Warranty

All appliances shall be new, Energy Star, and UL (Underwriters Laboratories Standards for Safety) listed, and approved appliances. Documentation of the estimated reliability of proposed appliances, such as Consumer Report ratings, should be provided. Appliances must be of sound quality with the following minimum warranties:

i. Range or Stove and Oven

One-year minimum warranty. All major appliances used for surface cooking must have a ventilation system that meets code (typically, a fan rated at a minimum of 150 CFM).

ii. Refrigerator

One-year minimum warranty on the entire appliance.

iii. Dishwasher

One-year minimum warranty on the entire appliance.

iv. Garbage Disposal

If provided in the market rate units, all restricted ownership units shall include a garbage disposal each with a one-year minimum warranty on the entire appliance.

v. Microwaves and other small appliances are optional.

2. Bathrooms

At least one full bathroom is required and must contain a bathtub with shower, sink, toilet, and a minimum of four (4) square feet of storage. Flexibility is allowed as to how the storage is provided and will be approved by the Housing Department

3. Closets and Storage Areas

Adequate storage is essential to providing livable housing. For safety reasons, mechanical rooms should be separate from any storage space and to ensure usable storage space should not open into storage space. All closets and storage areas should have a minimum 7.5' height except those under stairs which can include sloping ceilings down to 6' height unless it is not being counted toward the requirement. All dimensions shall be calculated from the finish trim dimension.

a. Table of Minimum Storage Dimensions

Unit Size	Bedroom closet width	Linen closet* width	Additional storage square feet
Studio/one-bedroom < 475 SF	6 feet	24 inches	25 square feet
One-bedroom > 475 SF	6 feet	30 inches	30 square feet
Two-bedroom	6 feet	30 inches	40 square feet
Three-bedroom or more	6 feet	36 inches	50 square feet

b. Other Storage Standards

1. Closet Depth

Closet depth must be 26 inches.

2. Bedrooms

Bedrooms must each contain a closet that includes one shelf over a rod.

3. Entryway Closets

Entryway closets are not a requirement. If an entryway closet is not provided that will adequately store coats and shoes/boots for one person in a studio, two persons in a one-bedroom, three persons in a two-bedroom and four persons in a three-bedroom, then an area for hanging/storing coats and shoes/boots near the entryway is required that will adequately provide for the same persons per unit.

4. Additional Storage

In addition to bedroom, linen and entryway storage, additional storage must be provided. Locations may include the basement, garage, exterior to the unit or interior to the unit. The intent of this storage is to provide space for large or outdoor items such as bicycles, strollers, recreational gear, etc. If appliances are located in this area, their footprint cannot be counted toward square footage of storage and must be approved by the Housing Department.

5. Closet and Storage Doors

Closet and storage doors must be sliding doors, folding doors, or doors that open outwards to allow for access to space. Doors are not required on interior storage. Closets and storage space may not have any other doors opening into the space.

4. Floor Coverings

New carpet, wood, tile, vinyl or linoleum floor covering shall be provided, with a minimum 10-year warranty. New water-resistant floor covering other than carpet is required in kitchens and bathrooms. Floor coverings are required on all subfloor material with the exception that concrete can be used as flooring material.

5. Room Sizes and Shapes

All units must include appropriate and adequate room sizes and room shapes (generally rectilinear) that allow for functional furniture placement. Minimum sizes should be measured at the narrowest point in the room. Where any room such as the dining room is adjacent to the kitchen area, a 3' wide buffer between all kitchen cabinets, appliances and workspaces may not be included in the minimum room calculation. All dimensions shall be calculated from the finish trim dimension.

It is highly recommended that room dimensions include an additional 1-2" as a margin of error to accommodate discrepancies in the framing and finish.

a. Minimum Room Size

Unit Size	Minimum Square Feet
Studio/One-bedroom <475 SF	100 SF
One-bedroom	120 SF
Two-bedroom	180 SF
Three-bedroom or more	200 SF

d. Bedrooms

The first bedroom shall be a minimum of 120 square feet. Additional bedrooms shall be a minimum of 90 square feet. No bedroom shall have a finish dimension less than nine feet (9'0).

e. Living/Dining Rooms

Living/Dining Rooms shall provide the following minimum dimensions with no dimension less than ten feet (10'0).

Connections and openings, circulation to and through, and exterior doors and windows shall not compromise the ability to furnish the living/dining area. Furniture layouts shall be used to set critical room dimensions. There shall be a minimum of one layout that is possible that will seat every household member assuming one (1) person for a studio, two (2) persons for a one-bedroom, three (3) persons for a two-bedroom and four (4) persons for a three-bedroom and at least one seven-foot sofa, space for side tables, and ample leg room. Mechanical features, such as fuse boxes, shall not be visible or a central feature in the living area.

The eating/dining area may be in a separate room, part of a combined living/dining area, or in the kitchen provided a 3' wide buffer between all kitchen cabinets, appliances and work spaces is not included in the minimum room calculation and a table and chairs (minimum 2 chairs – 4 chairs for two-bedroom or larger) can be shown to fit into the space without blocking circulation or doorways. A countertop eating area a minimum of 12" deep and 36" in length may be an acceptable alternative for units with less than two-bedrooms.

f. Studios and One-Bedrooms less than 475 square feet

All units must include appropriate room shapes (generally rectilinear) that allow for functional furniture placement including a sleeping area that will accommodate a twin bed, a living area that can accommodate a 6' sofa, and a cooking eating area (table or island) that will accommodate two persons/chairs or stools. Furniture layouts shall be used to set critical room dimensions that include room for circulation.

6. Windows/Noise Mitigation

All living areas and bedrooms shall have a minimum of one window that can be opened.

Housing units that share walls with other residential or non-residential spaces must provide noise mitigation in walls, floors and ceilings for both airborne and impact sound.

All windows in rental units that have locations where pedestrians or passersby can see directly into the window must provide window shades or coverings that open from the top down to allow partial closing that provides privacy but also allows for the maximum amount of natural light to enter the unit and for ventilation.

For developments that propose affordable units facing on and within 100 yards of road-ways with allowable speeds in excess of 35 miles per hour or other types of industrial or other noise must have windows facing these conditions that meet a 32 Sound Transmission Class (STC) rating standard for noise mitigation or greater.

7. Laundry

Restricted ownership units shall include washer/dryer hookups.

8. Heating and Hot Water

Furnaces, boilers, or hot water heaters provided must have a 5-year minimum warranty. Hot water heaters must be appropriately sized to adequately serve the number of anticipated occupants based on one (1) person for a studio, two (2) persons for a one-bedroom, three (3) persons for a two-bedroom and four (4) persons for a three-bedroom.

Heating mechanical units may not be located on any patio or deck used to meet open space requirements or interior to the unit in a way that reduces usable floor area.

9. Other Design Features

The following features are encouraged and may be used in the place of other requirements with approval from the Housing Department:

- Built-in storage space such as drawers under beds, stairs, etc.
- Creative shelving in dead space
- Washer/Dryer or communal laundry area in rental units
- Extra storage for recreational equipment
- Additional closet space
- Additional cabinetry

E. Standards for Dormitories

General livability standards (Section 2-3. Livability Standards) will apply except when these dormitory standards differ. There shall be a minimum of 150 square feet net livable floor area per person, including sleeping, bathroom, kitchen, and lounge space. Net livable floor area shall not include interior or exterior hallways, parking, patios, decks, laundry rooms, mechanical areas, and storage.

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1. Bathroom

At least one bathroom shall be provided for shared use by no more than four persons, containing at least one toilet, one sink, one bathtub with a shower, and a total area of at least 60 habitable square feet.

2. Kitchen Facility

A kitchen facility or access to a common kitchen or common eating facility shall be provided subject to the Housing Department's approval and determination that the facilities are adequate in size to service the number of persons using the facility.

Provide seating at a table or bar area for each person proposed to use the facility. The kitchen must have a range with a minimum of 4 burners and an oven. A refrigerator at least 5 cubic feet per person proposed to use the dorm. Each unit must have a minimum of 7 lineal feet of base cabinets and upper cabinets. Each unit shall have a kitchen sink at least 31 inches wide.

3. Storage Space

Each unit occupant shall be provided at least 20 net square feet of enclosed storage space located within, or in close proximity to, the unit. This is in addition to the required 150 square feet of net livable floor area of living space per person.

4. Occupancy

A dormitory unit shall not be occupied by more than eight persons.

5. Variances

At its discretion, Housing Department staff may allow a variance to the requirement of 150 square feet. To receive approval for a variance, an applicant shall provide a minimum of 60 square feet of sleeping area per person and meet conditions 1- 4, listed above.

F. Standards for Conversions of Existing Housing Stock

If existing unrestricted housing is offered and accepted by the Town of Jackson or Teton County, as adequate to meet an affordable housing requirement, the existing units must be upgraded in accordance with the following standards, unless a variance from these requirements is approved by the Planning Department of the Town or County.

Applicants shall bear the costs of any required upgrades to meet the standards, as listed below. Applicants will also be responsible for any structural/engineering reports requested by the Housing Department to assess compliance with the Housing Department standards of the proposed units.

1. Standards

a. Paint

All units must be freshly painted;

b. Appliances

All appliances must be purchased within the last five years and be in good condition and in working order. Evidence must be provided to verify the appliance was purchased within the last five years;

c. Carpet

New carpet shall be provided (unless carpet has been purchased in the last five years and is in good condition and repair). Evidence must be provided to verify the carpet was installed within the last five years;

d. Exterior

The exterior walls shall be freshly painted within one year of dedication, a general level of upgrade to yards and landscaping shall be provided, and windows, heating, plumbing, and electrical systems, fixtures and equipment shall be in good condition and working order;

e. Roof

For ownership units, the roof must have a remaining useful life of at least ten years. Evidence must be provided to verify this; and

f. Building Standards

The unit shall meet Uniform Building Code minimum standards, as well as any applicable housing code.

g. Existing Housing Stock

See Section 6.3 of the LDRs for other existing housing stock requirements.

2. Compliance with Section 2-3 Livability Standards

It is recognized that use of existing housing stock makes it more difficult for units to be in compliance with Section 2-3 Livability Standards. The Housing Department will inspect the unit prior to approval to analyze the unit based on the Livability Standards. Flexibility will be allowed according to Section 2-3.d.9 at the sole discretion of the Housing Department.

SECTION 3. QUALIFICATION AND ELIGIBILITY

3-1. General Descriptions

Each housing program described in these Housing Department Rules and Regulations is evaluated on two levels to determine the requirements of occupants and/or owners to purchase and/or occupy the housing unit in question; the two levels of evaluation are herein referred to as qualification and eligibility.

A. Qualification

Qualification is the most general and applies to all housing programs.

B. Eligibility

Eligibility refers to additional requirements specific to a particular restricted housing unit or program.

3-2. Qualification

To be considered a qualified household under these Housing Department Rules and Regulations, all of the following criteria must be met prior to the time of closing:

A. Employment Requirement

At least one member of the household must fit one of the following categories:

1. Employed in Teton County

Be employed at a local business or organization located in Teton County an average of at least thirty (30) hours per week or 1560 hours annually. For purchases outside of a Weighted Drawing, the household can be under contract for employment at a local business or organization located in Teton County, Wyoming, where such contract commences employment before move-in or closing on a restricted housing unit, and the employment will be for a minimum of 30 hours per week or 1560 hours per year. For teachers, 250 hours are added to their annual hours to account for hours worked without pay such as renewing certifications, grading papers, etc.

a. Self-Employed

If self-employed, hours of work must be documented to substantiate meeting the 30-hour per week / 1560 hours per year requirement. Since self-employment is often unique, different methods of verification may be used. Reasonable annual income is the first method that will

be reviewed. Other methods may include verification from vendors, employees, or other applicable methods.

2. Employment Exemptions

a. Military Service

Active military service in the U.S. Armed Services counts as employment in Teton County, Wyoming if that member of the household met employment criteria in Teton County, Wyoming for a minimum of two years prior to enlisting.

b. Disabled

An individual who is defined as disabled and is unable to be gainfully employed due to the disability meets the employment qualifications for housing in Teton County if the individual has a minimum of one (1) year of full-time residency in Teton County, Wyoming; Teton County, Idaho; or Lincoln County, Wyoming.

1. Two-adult Household

A two-adult household with one adult who does not meet the definition of disabled and is not the full-time caregiver to the disabled adult in the household does not qualify for the Disabled Exemption.

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c. Caregiver

Work as a caregiver counts as an employment exemption if the following criteria are met:

1. Full-time Resident

The caregiver is a full-time resident of Teton County, Wyoming; Teton County, Idaho; or Lincoln County, Wyoming.

2. Duration and Timing of Caregiving

The caregiver was or is volunteering all or a portion of their time caring for their own children or an ailing or disabled immediate family member and, therefore, was unable to gain full-time employment in Teton County. Verification will be required using varying methods including but not limited to birth certificates, letter from health provider, and affidavits from family members or neighbors.

d. Secondary School Attendance

Secondary education counts as an employment exemption if other employment criteria were met in Teton County, Wyoming at least two (2) years immediately prior to seeking secondary education.

e. Hospitalization

Hospitalization counts as an employment exemption if the hospitalized member of the household worked in Teton County, Wyoming at least two (2) years immediately prior to becoming hospitalized.

B. Citizenship

At least one (1) member of the household must be a U.S. Citizen or be hold a Lawful Permanent Residency card in the United States in order to qualify to purchase a restricted housing unit.

C. Age

At least one (1) member of the household must be eighteen (18) years of age.

D. Financial Ability

The Household must qualify without a cosigner for a loan through an institutional lender to purchase a restricted housing unit.

1. Contingencies

Any contingencies on lender's qualification may be a cause for the Housing Department to deny qualification to the household. If a contingency requires the household to sell a home prior to the purchase of a restricted housing unit, it will be disclosed to the seller, and the seller will have the option to deny going under contract with the selected household.

2. Disclosure of Financial Gifts

Financial gifts received by the household must be disclosed to the Housing Department and will be counted toward household net assets. A letter from the gift or certifying the gift and the amount of the gift will be required.

3. Use of Retirement Savings for Down Payment

Down payment funds that are withdrawn from retirement accounts will be counted toward household net assets.

4. Qualified Mortgages

All liens that encumber the property must be 'qualified mortgages' made by a 'qualified mortgagee' or will not be secured by the property (See Section 9. Definitions).

E. REASONABLE ACCOMMODATION

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1. Housing Department Consideration

The Housing Department will consider all requests for Reasonable Accommodations. Approvals will be given according to the Joint Statement made by HUD/DOJ (Reasonable Accommodations under the FHA). Reasonable Requests will be approved if they do not impose undue financial and administrative burden on the Housing Department or if they don't fundamentally alter the nature of the Housing Department's operations. Determination s will be made on a case by case basis involving various factors , such as the cost of the requested accommodation, the financial resources of the Housing Department, the benefits the accommodation would provide the requester, and the availability of alternative accommodations that would effectively meet the requester's disability related needs.

3-3. Eligibility

Households may be required to meet one or all of the following eligibility criteria to be eligible to purchase, rent and / or occupy a housing unit. The restriction on the housing unit and / or the specific housing program will determine if additional eligibility requirements apply.

A. Household Income

Eligibility Criteria differs between units that are targeted to different affordability ranges. The "Household Income and Asset Chart" that sets income and asset requirements is updated annually and published on the Housing Department website. It can also be obtained from the Housing Department.

1. Affordability Ranges

Below are the affordability ranges based on percentage of Median Family Income (MFI) as calculated by the U.S. Department of Housing and Urban Development (HUD). Legacy units restricted prior to 2018 adoption of Housing Mitigation Standards in the LDRs used different "income categories." These income categories will still apply to legacy units that set out these income categories in the unit's restrictive covenants.

a. Affordable and Affordable Rental

Legacy Units developed prior to 2018 adoption of Housing Mitigation Standards

0 – 80% Category 1

80% – 100% Category 2

100% – 120% Category 3

120% – 140% Category 4

140%– 175% Category 5

175% – 200% Category 6

Rental units developed after 2018 adoption of Housing Mitigation Standards

0 – 50%

50% – 80%

80% – 120%

>120%

Ownership units developed after 2018 adoption of Housing Mitigation Standards

50% - 80%

80% – 120%

>120%

b. Legacy Attainable Units

Category 2 = <=120%

Category 3 = <=140%

Category 4 = <=175%

c. Employee

Legacy Units developed prior to 2018 adoption of Housing Mitigation Standards

Households are eligible for these Employee housing units if they make up to 120% MFI. If this is inconsistent with the deed restriction recorded on the particular Employee Housing Unit, the deed restriction shall supersede these Housing Department Rules and Regulations.

d. Employment-Based

There is no income eligibility for Employment-Based units. However, at least 75% of the household's combined income must be earned from a business or organization located in Teton County continuously during ownership. If one (1) person in the household is at the age the Social Security Administration allows a person to begin receiving Social Security, their income will no longer be used to calculate the 75% of household income from a local business.

e. Workforce Housing Program

There is no income eligibility for Workforce housing units. However, at least 75% of the household's combined income must be earned from a business or organization located in Teton County continuously during ownership. If one (1) person in the household is at the age the Social Security Administration allows a person to begin receiving Social Security, their income will no longer be used to calculate the 75% of household income from a local business.

f. Other Restricted Housing Units

Income eligibility for other restricted housing units may be set out in restrictive covenants that apply to the particular restricted housing unit.

2. Calculation of Income

Household income is based on the current income earned by all intended adult occupants of the restricted housing unit at estimated closing date and is calculated by the Housing Department using the current household income to estimate an annual (12 month) income basis. W-2 earners who have inconsistent incomes and have the same jobs as prior years will have their income averaged over three (3) years or less if less than three (3) years were worked. Households must use their current income and may not make changes or adjustments to earnings in order to fit into a category. Any changes to income must be given to the Housing Department prior to the initiation of a weighted drawing process in order to be eligible to enter the weighted drawing.

a. College-Aged Children

The income of adult children who are members of the household and who are attending college will not be counted.

b. Business Income

Gross income is used minus cash expenses

Businesses that do not have 2 full prior years of income:

1. Tax returns are used to get gross income earned in the first year of business minus cash expenses (if taxes have not been paid, the Profit and Loss will be used for that year to get gross income minus cash expenses).The gross income will be divided by the number of months the business was operating during that year. That number will be multiplied by 12 to get one year of income for the first year.
2. If the business has a full year of income in the second year of operation, the tax returns will be used to get gross income minus cash expenses. This will be the income for the second year.
3. If there is no income for the current year. The first and second years will be averaged.
4. If there is income for the current year, the Year to Date (YTD) Profit and Loss will be used to get gross income minus cash expenses. The gross income will be divided by the number of months to date in the current year. That number will be multiplied by 12 to get one year of income for the current year.
5. The current year will then be averaged with the past year(s).
6. If there is only the current year, the current year number will be used.

Businesses that have 2 full prior years of income:

1. Tax returns will be used for each of the 2 prior years.
2. The gross income minus cash expenses for each year will be used.
3. For the current year, the YTD Profit and Loss will be used. The gross income minus cash expenses divided by the number of months to date in the current year to get average monthly income. The average monthly income will be multiplied by 12 to get one year of income for the current year.

4. The current year will be averaged with the 2 prior years.
5. If there is no income for the current year, Step 1 will be used to calculate for 3 prior years and the 3 prior years will be averaged.
6. If the third prior year is the first year the business was operating, tax returns will be used to get gross income minus cash expenses. The gross income will be divided by the number of months the business was operating in that year to get average monthly income. Average monthly income will be multiplied by 12 to get one full year for the first year in business.

Seasonal Businesses:

1. The steps above will be used to get average monthly income. The average monthly income will be multiplied by 12 to get one full year of income.

c. Household Members

All individuals who are intending to occupy the unit must be included on the application. All adults not attending college and/or age 25 or higher must include income and assets on the application. For Affordable units adults not listed on the application may not reside in the home within the first year and without prior approval from the Housing Department. For Workforce units, additional adults may reside in the home at any time, but the household must qualify and have approval from the Housing Department. No approval will be given to either Affordable or Workforce owners without all adult occupants signing an Occupancy Agreement. For Affordable units, divorces must be finalized prior to closing on the home. For Workforce units divorces are not required to be finalized, and applicants are allowed to apply without their spouse, and the spouse's income/assets, etc. will not be counted.

B. Household Net Assets

Eligibility for some restricted housing units is also based on a qualifying household's net assets.

1. Calculation of Net Assets

Household net assets include the value of all assets over $500 in value including, but not limit too, bank accounts, investment accounts, life insurance, furniture, automobiles, jewelry, computer equipment, real estate, and recreational equipment; less any debt the household has. Net assets do not include retirement accounts unless money will be withdrawn to be used as a down payment or closing costs, business assets are limited to liquid assets.

Total household net assets shall not exceed two times the four-person household Income requirement for the income category of the housing unit. All household members' shares of liquid business assets shall be included in determination of total household net assets. Net assets of all household members shall be combined in determination of total household net assets. See the

"Household Income and Asset Chart" for net asset thresholds, which is updated annually and published on the Housing Department website. A copy may be obtained from the Housing Department.

Rental units do not have asset limits.

2. Ownership of Real Property

a. Ownership at Time of Application:

At the time of application, a Household may own other undeveloped or developed residential or commercial property. The fair market value of such property will be taken into consideration when determining household net assets. A price opinion using a market analysis will be obtained by the Housing Department through a local real estate firm within thirty (30) days from the date of submittal of an application for a restricted housing unit to determine fair market value of the other undeveloped or developed property. The owner of the property will be solely responsible to pay for the price opinion in conjunction with submittal of the Housing Department Application.

1. Ownership of Commercial Property

A household will be able to maintain ownership of commercial property.

2. Designation of Mobile Homes

Mobile homes situated in a mobile home park or on other land with hook-ups to water/sewer and electricity will be considered residential property, and thus, will be required to be sold as with other residential property. If the mobile home is not situated in a mobile home park or other land with hook-ups to water/sewer and electricity, it will only be considered an asset.

3. Rental Income and Rental Assets

Rental income from any residential real estate will be counted toward household income and the asset will be counted toward net assets.

d. Required Sale of Residential Property

Once under contract for a restricted housing unit, the qualifying Household must list residential property (developed or undeveloped), located within 150 miles driving distance from the Town of Jackson, for sale at a price commensurate with the price opinion. If the property has not sold or is not under contract after one year from the listing date, within 30 days of the year expiring, another price opinion will be obtained. If the price opinion is lower than the listed price, the owner will have 30 days from the date of the price opinion to lower the asking price to that of the price opinion. If after 24 months from the date first listed, the

property still has not sold or gone under contract, the Housing Manager of the Housing Department will issue an analysis of the property with a determination of the salability of the restricted housing unit along with the next steps required. A copy of the analysis will be provided to the owner, and the owner will have the opportunity to appeal the determination of the Housing Authority Board. The owner may be required to sell their restricted housing unit if the residential property has not sold.

3. Disposition of Assets

Any member of a household who has assigned, conveyed, transferred or otherwise disposed of property or other assets within the last two (2) years in order to meet the net asset limitation or the property ownership limitation shall be ineligible to purchase a restricted housing unit.

C. Readiness to Purchase

Individuals purchasing a restricted housing unit must demonstrate readiness to purchase by showing the following:

1. Contingencies

Contingencies on lender's qualification must be approved by the Housing Department prior to entering a weighted drawing. Such contingencies include but are not limited to requirement to sell property, requirement to prove down payment via account statement, gift letter or other, and requirement to pay off debt. Examples of proof of down payment are a letter from a family member who may be providing a gift or a bank statement showing funds available.

2. Age

At least one individual in the household must be at least 18 years of age.

3. Execution of Legally Binding Contract

Individuals must be capable to legally enter into a contract.

D. Homebuyer Education

Completion of the Homebuyer Education course is be required to meet eligibility criteria to enter a weighted drawing for a restricted housing unit and/or purchase a restricted housing unit. The required course is offered by Wyoming Housing Network or another Housing Department approved organization.

E. Online Intake Form

The Online Intake Form must be completed prior to entering a weighted drawing for a home. Completion of this form will put a household on the Housing Department's email list, and the household will begin receiving emails with information about homes when they are available. All advertising of homes available will be done through email to those who have completed the Online Intake Form and on the Housing Department website. The online Intake Form can be found on the Housing Department's website: jhaffordablehousing.org. This form must be completed in its entirety and updated at least annually. It cannot be completed or updated during a weighted drawing process for a unit in the Affordable Program that the household wishes to enter. The Online Intake Form does not enter a household into a weighted drawing. The weighted drawing is a separate process. See Section 4 Weighted Drawing.

SECTION 4. WEIGHTED DRAWING

The Affordable and Workforce Housing requirements may utilize the weighted drawing process to select a qualified household using the procedures listed below. The weighted drawing will be advertised on the Housing Department website, jhaffordablehousing.org, and via email to all households that have completed the Online Intake Form. See Section 3-3e: Online Intake Form.

4-1. Minimum Occupancy Requirement

In order to ensure that the units meet the intended goals of housing the Teton County workforce and are consistent with mitigation requirements, the following occupancy requirements for units in the Affordable Prgram are:

Studio:	One (1) or two (2) people
One-bedroom:	One (1) or more people
Two-bedroom:	Two (2) or more people
Three-bedroom:	One (1) or two (2) adults with two (2) or more dependents
	For rental units; 3 or more people
Four-bedroom:	One (1) or two (2) adults with three (3) or more dependents
	For rental units; 4 or more people

There are not minimum occupancy requirements for units in the Workforce Housing program, except that if a household enters a drawing and meets the minimum occupancy requirements in accordance with the requirements for the Affordable Program, the household will be given one (1) point (entry) in the drawing.

For purposes of counting household size, children or adult dependents must live with the household and be claimed as a dependent on Federal Income tax returns.

Any deviation from the minimum occupancy requirements must be approved prior to the drawing through the exception process.

4-2. Weighted Drawing Points

Eligible households receive points that will determine the number of entries the household will receive in the weighted drawing. One (1) point equals one entry in the weighted drawing. One (1) point is assigned for each full year of consecutive full-time employment at a local business

immediately prior to entering a weighted drawing, with a maximum of ten (10) points. One (1) point is assigned for each qualified critical services provider with a maximum of two (2) points. One (1) point is given to a household who enters a drawing for a unit in the Workforce Program and meets the minimum occupancy requirements in accordance with the requirements for units in the Affordable Program. The total maximum points a household can receive is thirteen (13). Households are not eligible to enter a weighted drawing until they have one (1) full year of full-time employment in Teton County for a local business or one (1) point.

Points are given based on one person in the household. Years working in Teton County cannot be doubled up and must be verifiable. For example, a two-person household, one of which has been employed in Teton County for two years and the other for four years, would be assigned four (4) points.

A. Employment

At least one member of a household must be employed full-time in Teton County at a local business. Full-time employment is defined as at least one thousand five hundred sixty (1,560) hours per year or an average of at least thirty (30) hours per week. Employment exemptions found in Section 0 apply.

1. Interruption of Employment

Interruption of employment will be allowed in special circumstances if other employment criteria are met in Teton County, Wyoming at least two (2) years immediately prior to the interruption of employment. Interruption of employment will only be allowed for a maximum period of two (2) years. Points will not be given for the time period during the interruption of employment. Points will be given for years employed full-time at a local business immediately prior to the interruption of employment. To obtain points for prior employment, a household must have reestablished full-time employment at a local business within one (1) month upon termination of the reason for the interruption of employment. Reasons for allowed interruption of employment include: caring for a sick or disabled immediate family member, attending secondary school, and hospitalization. Verification documentation of the reason for interruption of employment will be required to obtain points for prior employment.

B. Additional Points

1. Critical Services Provider

Qualified critical services providers, as defined in 0: SECTION 9. DEFINITIONS, may be eligible for a maximum of two (2) additional points. Any household may not receive more than two (2) points. However, if a household has one (1) person who qualifies as a critical services provider for two (2) organizations, they will receive two (2) points.

The following conditions must be met to receive the critical services provider designation and priority:

a. Critical Services Provider Designation

Organizations who believe their employees or volunteers meet the definition of critical services provider can apply to the Housing Department to become an approved critical services provider organization and have certain job positions deemed 'qualified." The Teton County Board of County Commissioners and the Jackson Town Council will approve or deny critical services provider organization applications.

1. Required Documentation

Employees who work in these "qualified" positions for approved critical services provider organizations can enter a weighted drawing and receive additional points. These individuals must submit a "Critical Services Provider Supervisor Questionnaire" along with their weighted drawing entry documents. These will be held on file for a period of six months before needing to be updated. The Housing Department will contact the CSP's supervisor to update the Supervisor's Questionnaire.

b. One Year of Full-Time Employment

A qualified critical services provider must earn one (1) point for one (1) year of full-time employment in Teton County at a local business prior to receiving points as a critical services provider.

c. Approval Process

Applications received by the Housing Department for approval as Critical Services Provider Organizations will be processed by staff. The Housing Manager will make a recommendation to the Jackson/Teton County Housing Authority Board who will approve or deny the application.

C. Accessible Units

Priority will be given to households with member(s) who are mobility impaired. If more than one weighted drawing entry is received for Accessible units, a weighted drawing will be held. If no households with members who have mobility impairments apply, the weighted drawing will be held with all other applicants.

D. No Qualified Entries

After a weighted drawing where no qualified entries exist, the unit will be offered again in a weighted drawing. It will be open to households in the next tier of the minimum occupancy requirements. If there are still no qualified entries, the home will be offered first come, first served. The first qualified household to submit a complete application will have the opportunity to purchase.

E. Drawing Results

Drawing results are kept on file with the Housing Department and may be requested by the public.

F. Town and County Options

When the Town of Jackson or Teton County holds an option on a unit , Town or County employees will have a preference in Weighted Drawings .

SECTION 5. PURCHASE AND SALE STANDARDS AND PROCEDURES

5-1. Sale and Resale Standards

A. Applicability

Each restricted housing program dictates both the initial sales price and the maximum resale price. The restrictions for each unit should be consulted for exact details.

1. Affordable Housing Program

For the Affordable housing program, these Housing Department Rules and Regulations set out how to determine both the initial sales price and the maximum resale price.

2. Employment-Based Housing Program

The initial sales prices and maximum resale prices for Employment-Based housing units are determined by these Housing Department Rules and Regulations.

3. Workforce Housing Program

The initial sales prices for Workforce housing units are negotiated between the owner and the buyer. After the initial sale, the value will appreciate according to the Denver-Aurora-Lakewood CPI with a maximum of 3%. If the Denver-Aurora-Lakewood CPI no longer exists, another similar index will be used.

4. Attainable Housing Program

The Attainable housing program does not place limits on sale or resale prices, but buyers still must meet the qualification and eligibility rules laid out in Section 3. Qualification and Eligibility.

5. Other Programs

For other restricted housing units, the property's restrictions clarify how the sale and resale prices are configured.

6. Rental Rates

For information on maximum rental rates permitted by the rental housing programs, see Section 5-2 and 6.

B. Maximum Sales Price

The Housing Department updates the maximum sales prices for Affordable housing units obligated by the LDRs on April 1st of each year. The maximum sales prices are available on the Housing Department's website or at the Housing Department. The methodology listed below shall determine the maximum sales prices. The intent of the maximum sales prices is to ensure initial and long-term affordability.

1. Median Family Income

Each year, the U.S. Department of Housing and Urban Development (HUD) releases Median Family Income figures for Teton County, Wyoming. The Housing Department uses this data to determine household incomes for the applicable restricted housing units based on number of bedrooms and persons per bedroom.

2. Household Size

The Household Size for determining maximum sales price is based on number of persons per bedroom in the applicable restricted housing unit.

3. Affordability Range

The household income for the applicable restricted housing unit is set at the middle of the affordability range to ensure affordability. For example: the income range for affordability range 3 is 81% - 120% MFI; therefore, an income of 100% MFI would be used in calculating the maximum sales price.

4. Percentage of Income

The national standard for household affordability is that a household does not pay more than 30% of its gross income toward housing costs. Therefore, monthly payments (including principle, interest, taxes, insurance and HOA dues) cannot exceed 30% of the Median Family Income for each affordability range.

5. Maximum Sales Price Calculation

The maximum sales price for a restricted housing unit is determined by calculating 30% of a qualifying household's income, using the following assumptions:

a. Loan Prinicpal and Interest

22% of household income covers principal and interest.

b. HOA dues, Taxes and Insurance

8% of household income covers HOA dues, taxes, and insurance,

c. Mortgage Assumptions.

Assumptions for the mortgage include: 30-year mortgage, 5% down payment, 20-year rolling average interest rate for a qualifying household earning the median of the applicable income category.

6. Potential Variability of Maximum Sales Price

a. Below grade or no garage

The maximum sales prices will be lower if the unit is below grade, or if there is no garage.

b. Housing Department Option to Purchase

If an owner is determined to be in default of their restrictions, the Housing Department will have the option to purchase the property for a purchase price equal to the maximum resale price or the appraised value, whichever is less, subject to the Housing Department's ability to limit appreciation and/or reduce proceeds, and on such other terms as are provided in the restrictions.

c. Stopping Appreciation

If an owner is found to be in default of their restrictions, the Housing Department may cease the appreciation of the property when determining the maximum resale value beginning on the known date the owner began being in default.

C. Maximum Resale Price

The intent of the maximum resale price is to ensure long-term affordability of the restricted housing units at resale. The maximum resale price (MRP) shall be the original purchase price (OPP) with the following adjustments:

1. Appreciation 3% or Denver-Aurora-Lakewood CPI

Appreciation of the value of the restricted housing unit is based on the Denver-Aurora-Lakewood CPI each year not to exceed 3%. The latest published numbers for Quarter two (2) and Quarter four (4) of each year will be used unless the deed restrictions or ground lease specifically reference an alternative appreciation method or no measured appreciation.

The following standards apply:

1. Date of purchase is defined as seller's original closing date (date seller purchased the restricted housing unit). If the closing date is on or after the 15th of the month, the month is not counted for prorating the value. If the closing date is before the 15th of the month, the entire month is counted.

2. Three (3) months will be added to the date that the "Letter of Intent to Sell" is received and will be considered the estimated closing date.

3. If the Letter of Intent to Sell is received on or before the 15th of the month, the entire month is counted. If the "Letter of Intent to Sell" is received after the 15th of the month, the month will not be counted. Each eligible whole month will be prorated.

a. Denver-Aurora-Lakewood CPI

The CPI used to calculate maximum resale prices in some restrictions is the Denver- Aurora-Lakewood (formerly Denver-Boulder-Greeley) CPI. New figures are published by the Colorado Department of Labor and Statistics twice a year, normally in March and August. In calculating the allowed maximum appreciation of a home, the latest reported figure will be averaged with the other reported figure for the year and used up to the date new figures are released. Once a Facilitation Agreement has been signed, new figures will not affect the maximum resale price. If the Denver-Aurora-Lakewood Colorado CPI ceases to exist, a comparable index will be used.

b. Northwest Wyoming Cost of Living Index

The NWCLI figure used to calculate maximum resale prices in some ground leases is obtained from the Wyoming State Division of Economic Analysis and is calculated with All Items minus Housing. It is updated quarterly and released generally in June for the First (1) Quarter, October for the Second (2nd) Quarter, December for the Third (3rd) Quarter and March for the Fourth (4th) Quarter. The latest reported figure will be averaged with the other reported Quarters of the year and will be used up to the date the new figures are released. Once a Facilitation Agreement has been signed, new figures will not affect the maximum resale price. If the NWCLI ceases to exist, a comparable index will be used.

c. Flat Appreciation Rate of 2.5 Percent

The flat appreciation rate of 2.5% found in some restrictions is not based on an index. Rather, it is based on an analysis of incomes over 20 years, where it was found that incomes rose on average by 2.5% per year.

2. Cost of Actual Capital Improvements

Restricted housing units that have deed restrictions or ground leases allowing for improvement credits can add the value of these improvements to the appreciated value to calculate the MRP based on the following.

Credit for capital improvement expenditures on the restricted housing unit given at resale will be no more than 10% of the OPP of the home except where the Housing Department has determined otherwise. All capital improvements must be pre-approved by the Housing Department and properly permitted and inspected by the Town of Jackson or Teton County Building Official. Approval/disapproval must be determined prior to actual construction to be considered at time of sale. Improvements done without prior approval will not be considered for capital improvement credit. It is the owner's responsibility to secure any approval necessary from the restricted housing unit's Homeowners Association and obtain any necessary permits prior to undertaking any Capital Improvement. Please consult Section 5-1.E. Capital Improvement Standards

3. Depreciated Costs of Capital Improvements

The depreciated costs of Capital Improvements can be added to the appreciated value to calculate the MRP, so long as they do not exceed ten percent (10%) of the OPP or as determined by the Housing Department on a project-specific basis. All capital improvements will be depreciated as applicable according to the Marshall and Swift Residential Cost Handbook or a similar resource. See Section 5-1.E Capital Improvement Standards.

4. Maintenance Adjustment

Households are required to keep restricted housing units in a properly maintained state. Housing Department staff and/or a third-party inspector hired by the Housing Department will inspect the property after receiving the "Letter of Intent to Sell" from the owner. The inspector will provide an inspection report to the Housing Department. The Housing Department may require the owner to repair or replace items on the inspection report. The buyer also has the opportunity to inspect the property and provide the Housing Department with a list of items. If required repairs, replacement, or cleaning are not made by the owner prior to the Housing Department's final walkthrough two (2) business days before closing, the Housing Department will estimate the costs at its sole discretion, and an adjustment may be made to the seller's proceeds or to the maximum resale price. These funds will either be given to the buyer to make the repairs or held by the Housing Department at the Housing Department's sole discretion. If funds are given to the buyer, the buyer will be expected to make the repairs on their own. If the repairs are not made, the buyer will be charged when they sell the home. If the Housing Department holds the funds, the buyer will be reimbursed based on receipts received from the buyer. If any funds remain after the repairs are completed, they will be released to the seller.

5. Other Costs

Any additional costs allowed by the Housing Department pursuant to the policies in effect on the date of the restricted household's "Letter of Intent to Sell."

D. Selling Procedures

All restricted housing units shall be sold in accordance with applicable restrictions and/or these Housing Department Rules and Regulations as determined by the Housing Department, Town and/or County, which may vary depending on the specific housing program under which the restricted housing units were created.

1. Letter of Intent to Sell

The seller shall submit a completed Letter of Intent to sell form to the Housing Department to begin the selling process. The form can be found on the Housing Department's website or can be obtained from the Housing Department. The Housing Department staff will set up a meeting with the seller to review the selling process and the seller documents. The Letter of Intent must be submitted and the meeting with the seller must occur the week prior to the beginning of the weighted drawing entry period. See section 4. The seller shall be given the option to choose the Title Company. If the seller has no preference, the Housing Department will choose the Title Company. If the seller decides not to sell the unit after submitting the Letter of Intent to sell, the seller must reimburse the Housing Department for any costs the Housing Department has incurred. Once the contract has been signed by buyer and seller, both parties are legally bound by the contract.

2. Facilitation of Sale

The Housing Department facilitates the sales of restricted housing units to accomplish the sale according the the instructions in the Grund Lease/Deed Restriction and to provide a transfer to a Qualified Household. Specifically, the Housing Department facilitates sales of Affordable housing units, Employment-Based units, Workforce housine units, and Accessory Residential Units. Sellers will be required to enter into a Facilitaton Agreement with the Housing Department to sell their home. The Facilitiation Agreement must be executed prior to advertising the home for sale through a weighted drawing process.

3. Maximum Resale Letter

The resale price of the restricted housing unit shall be calculated according to its restriction and stated in the "Maximum Resale Letter." Maximum resale prices will be rounded to the nearest dollar. An official copy will be mailed, or hand delivered. A copy can be requested from the Housing Department by email or fax. The Maximum Resale Price shall be the only exchange of

value between parties to any sale of the restricted housing unit. Any exchange of value outside the allowed sale price shall invalidate the sale.

4. Facilitation Fee (2%)

At the closing of the sale, the seller will pay to the Housing Department a fee equal to two percent (2%) of the sales price, unless otherwise instructed in the deed restriction, for facilitation services. The Housing Department may instruct the Title Company to pay such fees out of the funds held for the seller at closing. The Housing Department may also waive the fee, or a portion thereof, in its sole discretion.

5. Costs for Declining Initiated Sale

If the seller decides not to sell the restricted housing kunit at any point before closing, the seller will be responsible for all advertising and/or other costs associated with listing the unit for sale

6. Viewing of Unit

Once the weighted drawing is completed, the first household drawn will be contacted by the Housing Department and a time set up to view the unit. This viewing shall occur within five (5) business days of the household being notified that they were selected first in the drawing. The household will have two (2) business days to respond to the Housing Department's efforts to contact them to notify them that they were selected. A phone call and an email will be sent to the household. If there is no response, the Housing Department will move on to the next household drawn. The seller is required to make the restricted housing unit available with reasonable notice on a minimum of two (2) occasions to show the property to the selected household prior to going under contract.

7. Inspection

The Housing Department will order a third-party inspection to be done on the home by a qualified home inspector. The inspection information/report is for the use of the Housing Department and will not be released to any buyer. Buyers shall have the option to order their own inspection to be done on the home. It is the Housing Manager's sole discretion as to whether items found by an inspector will be required to be repaired. A list of items required to be repaired will be given to the seller by the Housing Department. The seller is expected to have the items completed no later than three (3) business days prior to the closing date.

8. Complete Application

The household shall have five (5) business days from the day they are notified that they were selected first in the drawing to submit a complete application to the Housing Department. The Checklist for Complete Application and Application form can be obtained from the Housing

Department's website or from the Housing Department. The Housing Department reserves the right to request additional documentation when verifying a Household's eligibility and qualification. If for any reason the buyer cannot close within three (3) weeks of the seller's timeline, the seller may choose to move on to the next household drawn.

9. Qualification

The Housing Department shall review the application and supporting documents and calculate income, assets, and hours worked to verify eligibility and qualification. This process normally is complete within five (5) business days of receiving the application. However, it may take longer in unique circumstances. Once the Housing Department completes the review and verification of eligibility and qualification, the applicant is notified of approval or denial. If the applicant does not qualify, the next household drawn in the weighted drawing will be notified and the process will start over.

10. Qualified Household Meeting

When the Housing Department has identified a qualified household who wishes to move forward with the purchase of the home, the qualified household will have five (5) business days to attend a meeting to review the purchase process and purchase documents, which include the Contract for Purchase and Sale of Residential Real Estate or Residential Improvements in the case of a Ground Lease and the buyer's Facilitation Agreement. The applicant has five (5) business days from the meeting day to review and execute the purchase documents and return them to the Housing Department with earnest money as called for in the Contract. If the contract is not signed and returned within five (5) business days, the next household selected in the drawing will be notified and given the option to purchase the home if qualified.

11. Final Walk Through

The seller shall be notified immediately upon receipt of the signed contract and earnest money to execute the contract. The seller shall have two (2) business days to return the signed contract or the closing may be delayed. A copy of the contract and the earnest money are then delivered by the Housing Department to the Title Company. Final Walk Through

A final walk through will occur generally two (2) business days prior to the closing date. If the Housing Department finds maintenance or repair items that have not been completed, the Housing Department will estimate the costs of the maintenance/repair items and withho

E. Capital Improvement Standards

1. Approval Required

Owners must receive written approval from the Housing Department prior to beginning the work in order to receive credit for the capital improvement. To obtain approval, the "Request for

Capital Improvement" form must be submitted along with estimated costs and drawings and/or plans and a narrative of the work to be done. Once the improvement is complete, copies of all receipts for materials and labor must be given to the Housing Department. No credit will be given for sweat equity.

a. Capital Improvement Request Fee

Applicants for Capital Improvement requests will be charged a fee by the Housing Department in accordance with the Housing Department Fee Schedule.

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2. Workmanlike Manner

All improvements whether approved Capital Improvents or other must be built in a workmanlike manner, and according to Town of Jackson or Teton County building codes. All required permits and completion releases must be obtained from the Town or County. Any owner that does capital improvements without obtaining the proper permits or if it is determined at the Housing Department's sole discretion that the improvements have not been done in a workmanlike manner may be required to make repairs or remove the improvements and return the home to its original condition.

3. Approved Capital Improvements

A Capital Improvement is an improvement done to the home for which the homeowner can receive credit. The capital improvement requires an expenditure that either increases the value of the property or extends its life expectancy but is not a luxury item. The term "approved capital improvement" shall only include the following:

1. Fixtures erected, installed or attached as permanent, functional, non-decorative improvements to real property, excluding repair, replacement and/or maintenance improvements;

2. For the benefit of seniors and/or handicapped persons;

3. Health and safety protection devices (including radon);

4. Adding and/or finishing of permanent/fixed storage space;

5. Finishing of unfinished space;

6. Landscaping; Adding trees, shrubs, lawn, patio, walkways, or sprinkler systems;

7. Decks and balconies, and any extension thereto;

8. Partial credit may be given for upgrade improvements that will increase the life of the component as compared to the original product or increase the long-term affordability of the home.

4. Improvements Not Approved for Credit

Permitted capital improvements shall not include the following:

1. Jacuzzis, saunas, steam showers and other similar items;

2. Upgrades or addition of decorative items, including lights, window treatments and other similar items;

3. Upgrades of appliances, plumbing and mechanical fixtures, carpets and other similar items included as part of the original construction of a unit, unless replacement is shown to improve the lifespan of the component or the long-term affordability of the restricted housing unit.

4. Repair and Maintenance Items – a repair or maintenance item is an expenditure that restores a property to a sound state.

F. Resale and Transfer Limitations

1. Transfer of Title

Transfer of title is not allowed unless approved by the Housing Department. To apply for approval, owners need to complete the Housing Department's "Request for Transfer of Ownership (Title)" form and submit it to the Housing Department along with a fee in accordance with the Housing Department Fee Schedule published annually, which covers legal and recording fees. In some cases, a complete application will be required to be submitted for qualifying purposes.

a. Divorce

In the event of the divorce of an owner, the Housing Department may consent to the transfer of the residential unit to a spouse of an owner, which spouse may not otherwise qualify as a qualified household, only upon receipt of an order issued by a Court of competent jurisdiction ordering such transfer.

b. Death

1. Nonqualified Transfer on Death

In the event of the death of an owner, the Housing Department may consent to the transfer of the residential unit to an heir or devisee of such deceased owner, which heir or devisee may not otherwise qualify as a qualified household only upon receipt of an order issued by a Court of competent jurisdiction ordering such transfer.

2. Qualfied Transfer on Death

In the event of the death of an owner, a qualified transferee must meet Occupancy, Use, Qualfication and Eligibility criteria in accordance with these "Housing Rules and Regulations" within 90 days of the transfer of title.

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c. Nonqualified Transferee

If title to the restricted housing unit vests in a nonqualified transferee, as defined in these Housing Department Rules and Regulations Section 3-2. Qualification, the restricted housing unit shall immediately be listed for sale in accordance with the restrictions and the Housing Department Rules and Regulations. The following shall apply when the Housing Department determines there is a nonqualified transferee:

1. Cooperation with the Housing Department

A nonqualified transferee shall cooperate with the Housing Department to affect the sale, conveyance or transfer of the restricted housing unit to a qualified household (or the Housing Authority in the event of its exercise of its option to purchase) and shall execute any and all documents necessary to such sale conveyance or transfer.

2. Compliance with Restriction

A nonqualified transferee shall comply with the restrictions, the Housing Department Rules and Regulations, and all other covenants regulations, ordinances, statutes, laws, or rules governing the ownership, occupancy, use, development or transfer of the restricted housing unit, and further may only occupy the restricted housing unit with the prior written consent of the Housing Department.

2. Trusts

Restricted housing units may not be put into any type of a trust. This is the equivalent of transferring ownership, and trusts are not qualified to be the owner of a restricted housing unit.

3. Nontestamentary Transfer on Death

A "Nontestamentary Transfer on Death "deed is allowed to be recorded on restricted housing units. Applicant for a Nontestamentary Transfer on Death will use the Housing Department's Form and pay a fee to the Housing Department in accordance with the "Housing Department Annual Fees" schedule, the Form, will include the following:

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1. Beneficiary

It conveys an interest in real property to a beneficiary designated by the owner and states the deed is effective upon the death of the owner.

2. Subject to Encumbrances

It must be subject to all other encumbrances on the property to which the owner was subject to during their lifetime, including the Restrictions on the property.

3. Approval by Housing Department

The Housing Department must approve the document before recordation.

4. Title

All adults who occupy the restricted housing unit for more than 30 accumulative days in a calendar year, except for children attending college, must sign an Occupancy Agreement along with the Owner. Situations that require an Occupancy Agreement include but are not limited to marriage, a significant other moving in, a friend moving in, renter etc. Additions and removal of names on the title constitute a transfer of title. The Housing Department must approve all transfers of title. An adult may not be moved into an Affordable unit for at least one year after closing and only with approval from the Housing Department. Adults may be moved into workforce units prior to one year, however, the household must be qualified and approved by the Housing Department. Buyers will be required to sign an Occupancy Affidavit at closing.

G. Other Sale and Resale Standards

1. Privy to Purchase and Sales Agreement

Sellers and buyers shall provide a copy of the "Purchase and Sale Agreement" to the Housing Department. All financial information shall remain confidential, except as follows:

a. Public Records

Any document that would customarily be a matter of public record in the public records of Teton County, Wyoming, and is subject to the Wyoming Public Records Act;

b. Weighted Drawing Positions

The names and positions of all persons who have participated in any Rental Weighted drawing held under these Housing Department Rules and Regulations;

c. Freedom of Information Act or Wyoming Public Records Act

Any other information, which a court of competent jurisdiction rules must be released under the Freedom of Information Act or the Wyoming Public Records Act; and

d. Audits

In addition, the Housing Department may allow access to personal and private information to any person or entity undertaking an independent audit of the records kept under these Housing Department Rules and Regulations, provided that such person or entity agrees to be subject to this confidentiality provision.

2. Independent Legal Counsel

All sellers and buyers of restricted housing units are advised to consult independent legal counsel to examine all contracts, CC&Rs, deed restrictions, agreements, affidavits, closing statement, title documents, etc. The retention of such counsel, or related services, shall be at the seller's and buyer's own expense. The sellers and buyers and/or their attorneys will not be allowed to make changes to Housing Department documents. A "Buyer's Acknowledgement" form will be required to be signed prior to closing acknowledging recommendation to obtain legal counsel. The "Buyer's Acknowledgement" form will be provided to the buyer for review prior to closing.

3. Title Company

The Housing Department advises sellers to use a title company and escrow agent located in Jackson, Wyoming to close the transaction because of their expertise with the Housing Department's restricted housing programs and their unique and technical closing documents. The seller and buyer shall authorize the Housing Department to review the "Settlement Statement" prior to closing. Sellers can select a title company and escrow agent of their choice. If no title company is indicated, the Housing Department will select one.

4. Lenders

a. Approved Lending Institutions

Borrowers are restricted to the following lending institutions licensed to engage in mortgage lending practices in the State of Wyoming:

1. Institutional Lender

An "institutional lender" such as, but not limited to, a federal, state, or local housing finance agency, a bank (including savings and loan association or insured credit union), an insurance company, or any combination of the foregoing, the policies and procedures of which Institutional Lender are subject to direct governmental supervision; or

2. Community Loan Fund

A "community loan fund", or similar non-profit lender to housing projects for income-eligible persons (e.g. is not given to or acquired by any individual person); or

3. Non-affiliated Legitimate Finance Company

A non-affiliated, legitimate, "finance company." In no event shall such finance company be an individual or any company that is affiliated with or has any affiliation with the owner or any family member of the owner.

b. Required Down Payment and Loan to Value Ratio

The Housing Department requires that all buyers have at least 3.5% down payment on a purchase, and no refinance or second mortgage obtained after the original purchase is allowed to be higher than 95% loan to value.

c. Debt to Income Ratio

The total debt to income ratio for a household may not exceed 45%.

d. Qualified Mortgage

Lenders may submit a "Qualifying Mortgage" form to the Housing Department to have the mortgage deemed a "qualifying mortgage." When submitting a qualified mortgage request, a copy of the title commitment and the Transmittal Summary (HUD Form 1008), or other documentation containing the same information, is required to be attached. The "Qualifying Mortgage" form can be obtained from the Housing Department or from the Housing Department's website.

For homes that do not have a measured appreciation, such as Attainable homes, an appraisal recognizing the restriction on the property is required.

The Housing Department reserves the right to require additional information before approving a mortgage as a "qualifying mortgage".

5. Total Debt

Owners shall not incur debt, liens or other obligations secured by the restricted housing unit that exceed 95% of the Original Purchase Price of the unit and shall notify the Housing Department immediately when a change in the total of these secured obligations is anticipated. No second mortgages, including but not limited to home equity lines of credit, shall encumber the restricted housing unit without advance approval by the Housing Department.

6. Co-Ownership

Any co-ownership arrangement other than Joint Tenancy or Tenancy-In-Common must be approved by the Housing Department. All adults occupying the unit, with the exception of children attending college, must sign an Occupancy Agreement.

7. Co-Signors

Co-signors are guarantors for payment of mortgage. If an exception to the “no co-signors” rule is granted, co-signors shall not occupy the unit. Co-signors are not co-owners, so they are not allowed on the title. No lien or security can be placed on the property besides the mortgage itself.

8. Homeowners Associations

The restricted housing unit may be subject to a Homeowners Association (HOA). All owners of restricted housing units are required to pay HOA dues, and potential special assessments and fees if applicable, unless otherwise exempted. HOA dues may be substantial and are factored into the maximum sales price. Homeowners Associations frequently have interests and regulations, other than the Restriction, that affects the restricted housing unit. It is the owner’s responsibility to be aware of these interests and regulations. Failure of an owner to comply with the HOA Rules and Regulations or CC&Rs constitutes default of the Housing Department Rules and Regulations.

9. Homeowners' Hazard Insurance

Owners are required to keep hazard insurance on their homes for 100% replacement cost. Since the homes are subsidized, this amount could be more than the price of the home. Often times Homeowners Associations provide insurance. Depending on how much coverage the HOA provides, the owner may be required to provide additional insurance to guarantee complete replacement of the home. Ground lease properties are required to name the Jackson/Teton County Housing Authority as additionally insured.

Moved down [2]: 5-2. Tenancy and Rental Standards and Procedures¶
To maintain the character of neighborhoods and respect the nature of the community, restricted ownership units are not allowed to be rented without prior approval from the Housing Department. This includes renting any portion of the dwelling, any room within the dwelling or the garage.¶
A. Primary Residence¶
Owners of restricted housing units shall maintain the home as their primary residence. ¶
1. Occupancy Requirement¶
Households shall occupy their home full-time at least 10 months out of each calendar year.¶
2. Business Activity Restricted¶
Households who rent a restricted housing unit shall not engage in any business activity in such dwelling, other than any home occupation use permitted in that zoning district and as permitted in the Lease Agreement.¶
3. No Guests for an Extended Period¶
Households who own restricted housing units shall not permit any adult guests over the age of 18 for periods in excess of thirty (30) cumulative days per calendar year.¶
4. Leave of Absence¶
A one-year exception may be granted in cases of illness, short-term leaves of absence for education or training purposes, or other exigent circumstances with the advance written approval of the Housing Department.¶
a. Rental of Restricted Unit during Leave of Absence¶
If granted a leave of absence, the owner is allowed to rent the property according to the provisions below in Section 5-2.b.
Section Break (Next Page)
5. Post Leave of Absence¶
5. Post Leave of Absence¶
a. Timing¶
After the restricted housing unit is rented for nine (9) months, owner will be required to notify the housing department in writing of either, (a) their intention to move back to the restricted housing unit upon expiration of the lease and/or the rent approval period; or (b) provide the housing department with a "letter of intent of sell" form, which will begin the selling process of the restricted housing unit.¶
b. Choice to Sell¶
If the owner chooses to sell the restricted housing unit instead of returning when the lease expires, there will be no accrual of appreciation during the term of the rental (this does not apply to medical emergencies).¶
B. Rental Procedures for Owner -Occupied Properties¶
The Housing Department may approve rental of space within owner-occupied Affordable, Employment-Based, and Workforce units when pressing circumstances exist. The owner must continue to occupy the unit, and the Housing Department must certify that the renter meets the qualification and eligibility standards set out in Section 3. Qualification and Eligibility. A fee will be charged along with the request as set forth in the Annual Schedule of Fees.¶
1. Requests to Rent during Leave of absence¶
Approvals for "Requests to Rent" are given at the sole discretion of the Housing Department's Housing Manager. Approvals to rent will only be given for a maximum period of one (1) year. Approvals to rent will only be given in unique and pressing circumstances.¶
a. Medical Emergency Documentation¶
Medical emergencies applicable to a restricted housing unit homeowner will require documentation using the "Housing Department Medical Emergency Leave" form to substantiate the need to leave the area.¶
b. Processing Fee¶

5-3. Purchase Procedures

A. Selection of Qualified Household

A unique process applies for selecting each qualified household within each housing program. The following sections provide specific details regarding each housing program. The restrictive covenant should be consulted for exact details.

1. Weighted Drawing

In the event that the Housing Department receives one or more weighted drawing entry sheets at the maximum resale price from qualified households during the weighted drawing entry period, the buyer will be selected according to preferences set for that particular Housing Program. In the event no weighted drawing entry sheets are received during the weighted drawing entry period, the selection process would be determined either by a bid process or a "first come first served" process. The restrictions on the property clarify which selection procedure to use.

a. Errors

Every effort is made by the Housing Department to ensure fair and equitable lotteries. Lotteries are not drawn by the Housing Department. Housing Department staff compiles weighted drawing entry sheets with all eligible households included. The weighted drawing is drawn by outside counsel. On the rare occasion that an error is made in compiling or drawing of a weighted drawing, the error will be corrected, and the weighted drawing will be re-drawn.

2. Bid Process

If the restrictions require it, the qualified household submitting the highest bid price (not to exceed the maximum resale price) during the Bid Period shall have the first right to purchase the unit. The owner of the unit shall have the right to accept or reject the bid.

3. No Qualified Weighted Drawing Entries

Refer to Section 4-2.d. Other Sale/Resale Procedure

4. Owner Selection

If the restriction permits, the owner of the restricted housing unit may be allowed to select the qualified household. Other than verifying that the qualified household meets the qualification and eligibility requirements for the restricted housing unit, the Housing Department shall not have any authority to choose the buyer of the restricted housing unit unless authorized by the owner.

5. Attainable Housing Program Sale Procedures

a. Listing of Unit

When an owner wishes to sell an Attainable housing unit, they can either list the home with a realtor or for sale by owner.

b. Letter of Intent to Sell

The owner of the Attainable housing unit is required to submit a "Letter of Intent to Sell" to the Housing Department before listing or advertising the unit for sale.

c. Advertising

The owners will be responsible for advertising their Attainable housing unit for sale with the exception that the Housing Department will advertise the unit on their website at no cost to the owner.

d. Sale Price

There is not a maximum resale price for Attainable housing units. The owner will set the price with the understanding that the household who buys the unit will need to qualify under income, asset, and employment criteria. The price may be negotiated before entering into an agreement to purchase.

e. Purchase and Sale Agreement (Contract)

The buyer will be responsible for providing the "Purchase and Sale Agreement" at the time of making an offer to purchase an Attainable housing unit. The seller may make a counter offer that includes changes to the "Purchase and Sale Agreement." The Attainable housing unit is under contract when an offer and/or a counter offer is accepted and both the buyer and seller have signed it. The "Purchase and Sale Agreement" must contain a contingency that the Housing Department must verify that the buyer is "qualified" to purchase the Attainable housing unit. The Housing Department will not deem a buyer "qualified" until a contract has been executed by the seller and the potential buyer.

f. Housing Department Privy to Purchase and Sale Agreement

A full copy of the fully executed Purchase and Sale Agreement shall be provided to the Housing Department. All financial information shall remain confidential except that the Housing Department will provide information concerning sales prices when needed.

g. Application for Qualification

1. Time of Submittal: The Attainable housing unit must be under contract before the buyer provides an application to the Housing Department.

2. Time to Process: If the application is complete and thorough, the Housing Department will have a determination of qualification within five (5) business days of receiving the application. It may take longer if the Housing Department has to request further information from the applicant.

3. Qualified Buyer Letter: Once the household is deemed to be "Qualified" to purchase the Attainable housing unit, the Housing Department will provide a "Qualified Buyer Letter" to the applicant. This letter will be used to verify to the seller and the title company that the household is qualified to purchase the unit.

4. Lenders: See Section 5-1.G.4 Lenders

5. Closing: The closing date and time is set between the sellers, buyers, financial institution, the title company, and the Housing Department. The buyers will be required to sign a "Buyer's Acknowledgement" at the time of closing. This document will certify that the buyers acknowledge receiving a copy of the restrictions as well as agreeing to allow the Housing Department to release the sales price of the home, and also agreeing to the Housing Department's right of first option to purchase the unit in case of default by signing a Power of Attorney in Case of Default.

B. Viewing of Restricted Housing Unit

The seller of the restricted housing unit will allow the potential buyer to view the unit to see that it meets their household's needs. If the household decides to purchase the restricted housing unit, they will have the opportunity to inspect the unit further once it is under contract.

C. Submit Application

The potential buyer will have five (5) business days to submit a complete application. The required Housing Department documents are available from the Housing Department or from the Housing Department website.

1. Materials Included with Application

a. Application

Housing Department Application for Restricted Ownership or Rental Housing.

The Housing Department "Application for Homeownership" is a three (3) page form with an additional two (2) pages made up of a "Certification and Oath" section that will need to be signed by all applicants and notarized, as well as an "Authorization to Release Information"

A sworn statement of the facts contained in the application will be required including at least the following certifications:

1. That the facts contained in the application are true and correct to the best of the applicant's knowledge;

2. That the applicant has been given the standard application information packet by Housing Department Staff; and

3. That the applicant, on the basis of the application presented, believes the Household qualifies to occupy the restricted housing unit in question according to the restriction, these Housing Department Rules and Regulations, and all other applicable procedures.

4. This "Certification and Oath" is required to be signed by all applicants and notarized. There are public notaries available at the Housing Department.

b. Lender's Qualification Worksheet

A current "Lender's Qualification Worksheet" (within one year of the date the weighted drawing begins) is required to be completed by a lending institution. The "Lender's Qualification Worksheet" must be submitted to enter a weighted drawing. "Lender's Qualification Worksheets" may not be faxed; they can either be emailed or submitted in person or mailed by USPS. The worksheet must reflect a loan amount and down payment amount that is equal to or greater than the sale price of the home.

c. Credit Report

A three-bureau credit report including credit scores (not more than one year old) is required to help Housing Department Staff determine if the Household is financially healthy and able to make payments on a mortgage. The credit report also helps determine debt to income ratios.

d. Verification of Down Payment

An account statement or signed and notarized letter from someone supplying a gift, or other verification of funds for a down payment is required.

e. Verification of Hours and Years Worked

"Affidavits of Employment," detailed check stubs, or other adequate proof of hours and years worked is required at weighted drawing entry to receive points in the weighted drawing. Affidavits are required to be completed, signed, and notarized by the employer. They may not be completed by the applicant. If hours or years worked cannot be verified, they will not be counted.

Historical information for hours and years worked will be kept on file with the Housing Department. Information is required to be updated annually or if any changes occur.

f. Power of Attorney in Case of Default

Buyers may be required to sign a "Power of Attorney in Case of Default" form appointing the Housing Manager of the Housing Department Attorney in Fact in the case of default and forced sale. The Housing Department may use other methods for remedying a default such as a mortgage against the property or a Quit Claim Deed held in Escrow, which would be agreed to at time of purchase.

g. Federal Tax Returns

Signed federal income tax returns and all attachments (including W-2s and 1099s) and schedules for the last two (2) years for all adult household members are required. If there is self-employment, three (3) years of business and personal tax returns, along with a current "Profit and Loss Statement" and balance sheet, are required. The Housing Department uses tax returns to verify several different aspects of qualification such as but not limited to income, assets, residential homeownership, and sources of income.

h. Additional Information

Additional information may be requested to determine eligibility or qualification status. This may include:

1. Verification of Household Net Assets

Household net assets are verified through tax returns, account statements, verification of deposits from financial institutions, and the NADA or Kelly Blue Book.

2. Verification of Current Employment in Teton County

One or more of the following are needed to verify employment in Teton County:

Wage stubs

Employer name, address, and phone number

Contract for employment

"Affidavit of Employment" (Housing Department)

3. Authoriziation to Release Information

An "Authorization to Release Information" form signed by all adults in the household to obtain third party employment verifications

4. Verification of Completion of Homebuyer Education Course

At least one adult per household must complete the "Homebuyer Education Course." The required course is offered by the Wyoming Housing Network or if not available, another course approved by the Housing Department. This applies to all households regardless of whether they have owned a home or not. This certification only needs to be completed once; however, if a household changes size and the adult who completed the certification is no longer a part of the household, it will need to be taken by an adult who is a part of the household. The Housing Department will keep a record of the certificate. It is encouraged that households keep a copy as well. The applicant must provide evidence of attendance of an approved "Homebuyer Education Course" prior to purchase. This is required to be submitted at time of weighted drawing.

5. Uniform Residential Loan Application

Applicants must provide a copy of the final "Uniform Residential Loan Application" at closing.

6. Occupancy Affidavit

No persons outside of the persons included in the household on the "Weighted Drawing Entry Form" and "Intake Form" at time of weighted drawing entry may be moved into the home without express written approval of the Housing Department. Approval will not be given within twelve (12) months from closing on a home for adults being added to the household. An "Occupancy Affidavit" will be required to be signed by buyers at or before closing. Any adult that is added to a household will be required to be added to title on the home.

7. Accessible Unit Preference

Applicants that wish to be considered for accessible units must submit a "Verification Form for Accessible Unit Preference."

8. Critical Services Provider

Organizations applying for critical services provider approval and their corresponding approved positions must gain approval before a critical service worker can gain points in a weighted drawing. The organization must complete a "Critical Services Organization Application" and submit it to the Housing Department. If the organization and positions are approved, a "Supervisor Questionnaire" must be completed by the applicant's supervisor and submitted with the other required documents when entering the weighted drawing. All certifications must be completed for the position and a recommendation from the supervisor is required. The "Supervisor Questionnaire" will need to be updated every six months.

9. Birth Certificate for Children Under One (1) Year of Age

Applicants must provide the birth certificate for children less than one (1) year of age.

10. Weighted Drawing Entry Form

A "Weighted Drawing Entry" form must be completed and signed and submitted when entering a weighted drawing according to Housing Department processes. "Weighted Drawing Entry" forms may be submitted online, in person, or by USPS.

No incomplete "Weighted DrawingEntry" forms will be accepted. This means that every blank must contain information, "N/A," or a strikethrough so that the Housing Department knows that it was not overlooked.

The Housing Department is not responsible for receiving Weighted Drawing Entry Forms. It is the responsibility of the household to confirm that the Weighted Drawing Entry Form was received and the household is entered in the weighted drawing.

11. Intake Form

All households are required to complete the "Online Intake Form." This form must be completed in its entirety before entering a weighted drawing. Any changes made to the form must be made prior to the opening of a weighted drawing the household wishes to enter or the household will be ineligible to enter the weighted drawing. The Intake form must be updated annually to be eligible to continue to enter lotteries.

D. Verification of Application

To protect the interests of the community that has invested in the creation of restricted housing units, the Housing Department verifies that information submitted on the Application is true and correct and may request additional documents to assist in this process. The Housing Department strives to complete verification within two (2) weeks of application submittal.

Any material misstatement of fact or deliberate fraud by the household in connection with any information supplied to the Housing Department shall be cause for immediate expulsion from the application process and/or forced sale of the restricted housing unit.

E. Verification of Qualified Household

The Housing Department verifies that each Household selected to purchase a restricted housing unit meets the qualification and eligibility requirements specific to the restricted housing unit. See Section 3. Qualification and Eligibility for more details on the verification process for each housing program.

F. Qualification Letter

Once the Housing Department verifies that the household meets the Qualification and Eligibility criteria for the particular restricted housing unit, it will issue a "Qualification Letter" to the buyer, a copy of which will be provided to the title company upon request.

G. Purchase and Sale Agreement

Buyers must sign a "Purchase and Sale Agreement" within five (5) business days of the date of the Buyer Meeting with the Housing Department. Buyers will be given the five (5) business days to review the "Purchase and Sale Agreement" and are encouraged to get legal advice. Sellers and buyers shall make the Housing Department privy to the "Purchase and Sale Agreement." All financial information shall remain confidential except as noted in Section 5-1g.1. Privy to Purchase and Sale Agreement**.**

1. Earnest Money

At time of signing the "Purchase and Sale Agreement," one thousand dollars ($1,000.00) in earnest money will be required. The check is made out to the title company referenced in the "Purchase and Sale Agreement."

2. Closing Date

In most cases, the buyer has fifty (50) days to close on the property. The Closing Date will be agreed upon between the buyer and the seller and will be included in the "Purchase and Sale Agreement." The closing date will be the date the buyer takes possession of the restricted housing unit.

3. Inspections

The buyer may perform inspections on the restricted housing unit commencing on the effective date of the contract until closing. However, the buyer will have 30 days from the effective date of the contract to notify the Housing Department of any objections to items found during inspections. Sellers shall make the restricted housing unit available for inspections. If the seller refuses to remedy the objection, the Housing Department will notify the buyer, and the buyer will have three (3) business days to give notice to the Housing Department of their intention, either:

a. Waiving Objection

Waiving the objection and proceeding to closing, or

b. Termination

Terminating the "Purchase and Sale Agreement."

4. Facilitation

Pursuant to Wyoming Statute 33-28-101 through 124, the "Real Estate License Act of 1971", the Housing Department is participating in the transaction as a facilitator without a Wyoming real estate license and in the performance of official duties.

5. Buyer's Acknowledgement

The buyers will be required to sign a "Buyer's Acknowledgement" at closing. This document will certify that the buyers acknowledge receiving a copy of the restrictions as well as agreeing to allow the Housing Department to release the sales price of the home. In addition, by signing this form, the buyer agrees to the JTCHA's right of first option to purchase the unit in case of default.

5-4. Business Option

The "Business Option" is a mechanism specific to a developer's Housing Mitigation Plan that must be approved by elected officials on a case-by-case basis. It only applies to exempt units, meaning restricted housing units that are not required by the LDRs. The "Business Option" allows a business to identify a proposed purchaser from their employees or someone who has a material nexus to the business or organization, which would allow the household to have the first option to purchase the restricted housing unit.

A. Purpose and Program Goals

The intent of the "Business Option" program is to help qualified businesses house their employees by providing the employees first option to purchase. This program furthers the Jackson/Teton County Comprehensive Plan's goal of housing 65% of the workforce locally and its transportation goals.

B. Applicability

This section applies to restricted housing units that have been approved by the Board of County Commissioners or Town Council for the "Business Option" program.

C. Qualified Business

A qualified business is a non-profit entity, governmental entity, charitable foundation, or for-profit business which meets the definition of a qualified business according to the special restrictions on the property and/or the Housing Department Rules and Regulations.

1. Qualified Business Application

The business completes a "Qualified Business Application," which can be obtained from the declarant or from the Housing Department and submits it to the Housing Department. If the business has affiliates, it must be indicated on the application.

2. Verification

The Housing Department verifies that the business meets the criteria of a qualified business with the following documentation. The Housing Department may ask for additional documentation.

3. Option Agreement

The Housing Department verifies that the business is a true local business, organization, or government agency operating in Teton County.

4. Determination of Qualification

a. Qualified Business Letter

The Housing Department will provide a "Qualified Business Letter" once the verification process is complete and the business is approved to be a qualified business. The Housing Department will then sign the "Option Agreement"; or

b. Not a Qualified Business

If the business is not deemed to be a qualified business, the Housing Department will inform the business with a written letter and copy the declarant or option holder. The business will not be allowed to obtain an option if it is not approved as qualified by the Housing Department.

c. Cause for Expulsion

Any material misstatement of fact or deliberate fraud by a business in connection with any information supplied to the Housing Department shall be cause for immediate expulsion from the application process and/or for obtaining or keeping an option.

D. Option Procedures

1. Obtaining an Option

Options are available from a declarant or from another option holder. A declarant can choose to provide an option if the business is a qualified business and does so by recording an "Option

Agreement" signed by the declarant, the Housing Department, and the qualified business. An option holder may provide an option to a qualified business by assigning the option.

2. Notice of Right to Exercise or Waive Option

The Housing Department will immediately send a notice to the business holding the option (optionor) upon the following three events:

1. Housing Department's receipt of a "Notice to Sell" by the owner of the property.
2. Housing Department's exercise of its default option as set forth in the special restrictions.
3. The occurrence of a default and forced sale as set forth in the special restrictions.

This notice triggers the timeframe the optionor has to identify a proposed purchaser as outlined in the "Option Agreement."

3. Exercise of Option

An optionor shall have a time frame as outlined in the "Option Agreement" to exercise the option. The timeframe will begin upon receipt of the "Option Notice." To exercise the option, an optionor must notify the Housing Department on or before the expiration of the timeframe that they have identified a proposed purchaser for the home. Additionally, the proposed purchaser must submit a complete application, as outlined in Section 5-4c, on or before the expiration of the timeframe. The Housing Department will take approximately five (5) business days to determine whether the proposed purchaser is:

1. Qualified under "Option Agreement."
2. Qualified under terms of the Housing Department's special restrictions.

The Housing Department will verify that the business continues to be a qualified business each time the option is exercised (See Section 5-4c).

4. Waiver of Option

If the Optionor does not wish to exercise the option, they can sign the "Affidavit of Waiver" indicating they are waiving the option. This affidavit will be recorded with the Teton County Clerk's Office.

In the case where an option is waived, the Housing Department will find a buyer using the process outlined in Section 4 of these Housing Department Rules and Regulations.

a. Failure to Identify Purchaser during Required Timeframe

If the optionor does not identify a proposed purchaser on or before the expiration of the timeframe, the optionor will automatically have waived their option.

5. Assignment

An optionor can assign its option to another qualified business. If at any time the business holding the option ceases to be a qualified business, they must assign the option. This is done using the following process:

a. Written Notice

The optionor provides the Housing Department with written notice that they wish to assign their option.

b. Application

The business that is being assigned the option submits an application to the Housing Department to become a qualified business (see Section 5-4c).

c. Housing Department Approval

If the business qualifies, the Housing Department will provide a "Qualified Business Letter" to the business and sign the "Option Agreement."

d. Consideration

The assignment may not have any consideration except for consideration required to make the assignment legal.

E. Qualified Purchaser

The Housing Department will determine whether a household is qualified to purchase based on the following criteria:

1. Letter of Certification

The purchaser will be qualified by the Housing Department only if they have a material nexus to the optionor as approved by the Housing Department. A "Letter of Certification" form demonstrating the material nexus the proposed purchaser has with the Optionor must be completed by the optionor. The "Letter of Certification" form is available from the Housing Department. The optionor must deliver documentation satisfactory to the Housing Department that verifies (1) that the proposed buyer is a full-time employee of optionor; or (2) that the identified purchaser otherwise has a material nexus to optionor.

2. Qualified Household

A Household will be qualified by the Housing Department using the Application and Verification process outlined in Section 3 of the Housing Department Rules and Regulations.

If the identified purchaser does not qualify because of not meeting the Housing Department Rules and Regulations requirements, Housing Department special restrictions, or "Option Agreement," and the timeframe has not expired, the optionor may identify another proposed purchaser.

3. Affidavit of Exercise

When the Housing Department determines the household meets qualifying criteria of the "Option Agreement," these Housing Department Rules and Regulations, and Housing Department special restrictions, the Housing Department will sign an "Affidavit of Exercise of Option Right" indicating the household is qualified. The optionor will also sign the "Affidavit of Exercise of Option Right" indicating they are exercising the option right. The affidavit will be recorded with the Teton County Clerk's land records.

SECTION 6. RENTAL STANDARDS AND PROCEDURES

6-1. Applicability

All rental housing units administered by the Housing Department, including the Affordable Rental program (which includes legacy Employee housing units), the Workforce Rental program (which includes the legacy ARU program), and restricted ownership units who apply to rent a room in their unit are subject to these Housing Department Rules and Regulations, with the exception of units that are owned by Teton County or the Town of Jackson and used for housing their employees.

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Deleted: Section 6-1 does not apply to cases where the Housing Department has approved rental of a room in a unit.

6-2. Housing Department Program Rental Standards and Procedures

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A. Affordability

To ensure that the rents are affordable to households earning less than eighty percent (120%) AMI, rents for Affordable units will be calculated using the following method (rents for workforce units are set by owner and have no cap):

1. Standard of Affordability

The standard for affordability provided by HUD is that no more than thirty percent (30%) of a household's income should be spent on housing costs. Included in this thirty percent (30%) are rent, property tax, water, sewer, gas and/or electric, and trash removal. One parking space is required at no charge to the tenant unless otherwise approved by the Town Council or Board of County Commissioners.

2. Household Size for Rent Calculation

For purposes of calculating rental rate only:

Studio:	One (1) person
One-bedroom:	One (1) person
Two-bedroom:	Two (2) Persons
Three-bedroom:	Three (3) persons
Four-bedroom:	Four (4) persons

3. Calculation of Rent

Monthly rent will be the lower income limit for each respective affordability range (specific to the number of bedrooms to determine household size), divided by twelve (12), and multiplied by thirty percent (30%). Studio units may charge eighty percent (80%) of a one-bedroom unit. Dorm units may charge seventy-five (75%) of a studio. See Section 3-3 for income ranges.

a. "Plus" Units

Fifty dollars ($50) will be added for "Plus" units. "Plus" units have extra floor area for offices, play areas, etc.

b. Lease Renewals

The rent will be calculated each year and applied to a lease renewal Tenants will be notified three (3) months in advance of the new lease amount. The new calculation will also be applied for new households signing a lease.

4. Qualified Household

Tenant households must qualify under the housing program designated to each unit. See Section 3-3. Tenant households will be required to re-qualify annually. Household income will qualify as long as it is below the income limit for the income range.

5. Leases

All leases are required to be approved by the Housing Department.

B. Primary Residence

1. Occupancy Requirement

Households shall physically occupy their home full-time at least 80% of the term of their lease.

2. Business Activity Restricted

Households who rent a restricted housing unit shall not engage in any business activity in such dwelling, other than any home occupation use permitted in that zoning district and as permitted in the Lease Agreement.

3. No Guests for an Extended Period

Households who rent restricted housing units shall not permit any adult guests over the age of 18 for periods in excess of thirty (30) cumulative days per calendar year.

C. Eviction

In the event that a tenant household is in default of their lease agreement, they may be evicted from the rental unit. The eviction process will be in accordance with Wyoming law and all applicable Wyoming Statutes.

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D. Selection Process

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A unique process applies for selecting each qualified household within each housing program. The following sections provide specific details regarding the Housing Department-administered rental housing programs.

1. Weighted Drawing

When an Affordable rental owned by the Housing Authority is available, tenants will be identified through the weighted drawing process. Applicants will submit a complete application, which will be kept on file for one year (Affidavits of Current Employment will need updating after six (6) months). Weighted Drawing entries for drawings entered within the one year will only need to submit a Weighted Drawing Entry Form assuming a complete up to date application is on file with the Housing Department. A qualified household shall be selected to rent according to the rules set forth in these Housing Department Rules and Regulations, Section 4.

2. First Come First Served

In the event no weighted drawing entries are received during the weighted drawing entry period, the selection process will be determined by a first come first served basis. The first qualified household submitting a complete application will be allowed an opportunity to rent if eligible.

E. Complete Application

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Each household entering a weighted drawing to rent a restricted housing unit owned by the Housing Authority is required to submit a completed “Application for Restricted Rental Housing” or a “Weighted Drawing Entry” form. Weighted Drawing Entry Forms will only be accepted if a complete and up to date application is on file with the Housing Department. A certification page will also be signed by the applicant and notarized. In addition, an “Authorization to Release Information” is signed by the applicant, which allows the Housing Department to obtain banking information and any other relevant information. Application forms can be obtained from the Housing Department or from the Housing Department’s website.

F. Verification of Selected Household

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The Housing Department verifies that each household selected to rent a restricted housing unit meets the qualification and eligibility requirements specific to the restricted housing unit.

G. Materials Required

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To determine that a household desiring to rent a restricted housing unit meets all of the required criteria, the Housing Department will request all of the following for a complete application, which will be submitted at weighted drawing entry:

1. Housing Department Application for Restricted Ownership or Rental Housing

Completed and signed Housing Department Application for Housing.

2. Weighted Drawing Entry Form

Completed and signed "Weighted drawing Entry" form. See Section 5-3.c.2.

3. Credit Report

Full three-bureau credit report that reflects credit scores for all adult household members dated no more than 30 days from submittal of application.

4. Federal Income Tax Returns

Signed federal income tax returns (electronic signature is not sufficient) and all attachments (including W-2s, 1099s) and schedules for the last two (2) years for all adult household members.

5. Verification of Current Employment in Teton County

One or more of the following will be required for verification of Current Employment in Teton County includes:

1. Wage stubs;
2. Employer name, address, and phone number;
3. Contract for employment;
4. "Authorization to Release Information" form signed by all adults in the household to obtain third party employment verifications; and

If deemed applicable, the Housing Department may request the following be submitted with an application:

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1. If self-employed, three (3) years of business and personal tax returns along with a current "Profit and Loss Statement" and balance sheet.

2. "Verification Form for Accessible Unit Preference."

3. Any other documentation that the Housing Department deems necessary to determine qualification, such as, divorce decrees, Social Security income, rental income, etc.

H. Verification of Application

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To protect the interests of the community that has invested in the creation of restricted housing units, the Housing Department verifies that information submitted on the application is true and correct and may request additional documents to assist in this process. All financial information shall remain confidential, except that the Housing Department may provide information to the public concerning sales prices.

I. Qualification Letter

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After the Housing Department verifies that the household meets the qualification and eligibility criteria for the particular restricted housing unit, it will issue a "Qualification Letter" to the potential renter within 10 business days.

6-3. Private Owner Rental Standards and Procedures

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To maintain the character of neighborhoods and respect the nature of the community, restricted ownership units are not allowed to be rented without prior approval from the Housing Department. This includes renting any portion of the dwelling, any room within the dwelling or the garage.

A. Primary Residence

Owners of restricted housing units shall maintain the home as their primary residence.

1. Occupancy Requirement

Households shall occupy their home full-time at least 10 months out of each calendar year.

2. Business Activity Restricted

Households who rent a restricted housing unit shall not engage in any business activity in such dwelling, other than any home occupation use permitted in that zoning district and as permitted in the Lease Agreement.

3. No Guests for an Extended Period

Households who own restricted housing units shall not permit any adult guests over the age of 18 for periods in excess of thirty (30) cumulative days per calendar year.

4. Leave of Absence

A one-year exception may be granted in cases of illness, short-term leaves of absence for education or training purposes, or other exigent circumstances with the advance written approval of the Housing Department.

a. Rental of Restricted Unit during Leave of Absence

If granted a leave of absence, the owner is allowed to rent the property according to the provisions below in Section 5-2.b.

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5. Post Leave of Absence

a. Timing

After the restricted housing unit is rented for nine (9) months, owner will be required to notify the housing department in writing of either, (a) their intention to move back to the restricted housing unit upon expiration of the lease and/or the rent approval period; or (b) provide the housing department with a "letter of intent of sell" form, which will begin the selling process of the restricted housing unit.

b. Choice to Sell

If the owner chooses to sell the restricted housing unit instead of returning when the lease expires, there will be no accrual of appreciation during the term of the rental (this does not apply to medical emergencies).

B. Rental Procedures for Owner -Occupied Properties

The Housing Department may approve rental of space within owner-occupied Affordable, Employment-Based, and Workforce units when pressing circumstances exist. The owner must continue to occupy the unit, and the Housing Department must certify that the renter meets the qualification and eligibility standards set out in Section 3. Qualification and Eligibility. A fee will be charged along with the request as set forth in the Annual Schedule of Fees.

1. Requests to Rent during Leave of absence

Approvals for "Requests to Rent" are given at the sole discretion of the Housing Department's Housing Manager. Approvals to rent will only be given for a maximum period of one (1) year. Approvals to rent will only be given in unique and pressing circumstances.

a. Medical Emergency Documentation

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Medical emergencies applicable to a restricted housing unit homeowner will require documentation using the "Housing Department Medical Emergency Leave" form to substantiate the need to leave the area.

b. Processing Fee

A fee will be charged to a restricted housing unit homeowner for a "Request to Rent." A separate "Annual Schedule of Fees" document that is updated annually and published by the Housing Department provides the processing fee amount.

2. Qualification and Eligibility of Tenants

a. Qualified Household

Tenants shall be a Qualified Household according to the general Qualification and Eligibility Criteria contained in the recorded Restriction and these Housing Department Rules and Regulations.

b. Eligibility Criteria

Tenants shall meet the Eligibility Criteria with respect to Income and Assets that apply to the particular restricted housing unit in question at time of initial occupancy.

c. Verification of Qualification

Prior to signing a lease for or occupancy of a restricted housing unit, owner must provide the Housing Department with proof of the tenant's qualification under the housing unit's specific program prior to occupancy.

d. Recertification

Qualification and eligibility shall be recertified by owner of the restricted housing unit at any time there is a change in occupancy of the restricted housing unit or renewal of lease agreement.

3. Execution of Lease

Rental of restricted ownership units must be by a written Lease provided by the Housing Department. The Housing Department will retain a copy of the fully executed lease.

a. Rent Limitations

Rent charged while the owner is on leave will be limited to 30% of the low end of the Income Range for the unit or total housing costs (mortgage payment, taxes, insurance, Ground Lease Fees and HOA dues), whichever is less.

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b. Housing Department Fee

A fee will be charged by the Housing Department for a request to rent as set forth in the Annual Schedule of Fees updated annually and published by the Housing Department.

4. Requests to Rent a Room

Approvals to rent a room in a restricted unit are at the sole discretion of the Housing Manager and are only allowed in pressing circumstances. The following process will be followed:

a. Submittal of Request to Rent

The owner will submit a "Request to Rent" form to the Housing Department along with the associated fee as outlined on the fee schedule published annually by the Housing Department. The form can be found on the Housing Department website or from the Housing Department.

b. Approval by the Housing Manager

If the owner is in compliance with their restrictions, the Housing Manager will review the request to rent and approve or deny the request based on the circumstances. Approval can be given for a maximum of one year.

c. Identification of Tenant

When the owner has identified a potential tenant who they believe qualifies under the income, asset, and employment requirements of the restriction on the unit, the potential tenant is required to submit a complete application to the Housing Department.

d. Tenant Approval

The Housing Department will verify that the tenant qualifies under the income, asset, and employment requirement.

e. Lease Agreement

The Housing Department provides the Lease Agreement to be signed by the owner, tenant, and the Housing Department.

f. Notification of Termination of Lease

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The owner is required to notify the Housing Department upon termination of the lease. If the owner still wishes to rent the room and still has approval from the Housing Department, the process will start again with Step c Identification of Tenant.

g. Rental Rates

The Housing Department will approve the rental rate based on the housing costs of the owner.

SECTION 7. COMPLIANCE AND EXCEPTION, APPEAL, AND GRIEVANCE STANDARDS AND PROCEDURES

7-1. Compliance Process

Special Restrictions are recorded on all Housing Department homes. These restrictions control the occupancy and use of the unit. They also refer to these Rules and Regulations

The Housing Department Compliance Specialist monitors occupancy and use restrictions to ensure owners are in compliance, and acts on various complaints from the public concerning compliance issues. The Housing Department Compliance Specialist also receives and processes requests for exceptions, appeals, leave of absence, requests to rent, transfer of title, and qualified mortgages.

A. Compliance Requirements

1. Affordable Units

Owners of Affordable housing units with restrictions recorded after June 4, 2018 will receive annual requests for information concerning employment, insurance requirements, ownership of residential real estate, and occupancy of the unit. Owners of Affordable housing units with restrictions recorded prior to June 4, 2018 are not required to verify continued employment or ownership of residential real estate annually, however, they may be required to verify occupancy and insurance requirements.

2. Employment-based and Workforce Housing Units

Employment-based units and Workforce housing units are required to provide information to the Housing Department annually concerning income, employment and ownership of other residential real estate.

3. Employee Housing Units

Owners of Employee housing units will be required to submit information annually about the occupants of the units, their income, employment, and ownership of other residential real estate.

4. Accessory Residential Units

Owners of ARUs will be required to annually submit information concerning the occupants of the units, their employment, and ownership of residential real estate.

5. Exemption for Retirees

During ownership, if one (1) member of the household meets the retirement age as defined by the Federal Social Security Administration defined in these Housing Department Rules and Regulations, the household will be exempt from continued compliance with income and employment eligibility standards.

B. Submittal and Timeline

1. Housing Department Request for Information

The Housing Department will send a letter to owners of restricted units requesting information. The letter will outline what type of information is required based on the unit's restrictions. The owner will be given thirty (30) days from the date of the letter to submit the requested information to the Housing Department.

2. Default

Failure by the owner to submit requested information will be considered default.

C. Common Default Violations

In cases where the restriction defines the default process, it will control the process. If the restriction does not define the process, the default process is as follows:

Common violations include, but are not limited to:

1. Occupancy

A household that does not occupy the restricted housing unit for the number of months in a calendar year as required by the restriction is in violation of the Housing Department Rules and Regulations.

2. Guests

Guests over the age of 18 are not allowed to occupy a restricted housing unit in excess of 30 cumulative days per calendar year.

3. Renting

Renting a restricted ownership unit is only allowed per the restrictive covenant or as set out in Section 5-2.

4. Leave of Absence

Leaves of absence must be preapproved if the household is expected to be gone longer than permitted by the Housing Department Rules and Regulations or the deed restrictions.

5. Pets

Specific policies for pet ownership are outlined in the Covenants, Conditions and Restrictions and/or the Master Rules and Regulations and are enforced by the Homeowners Association. Policies for rental units are outlined in the lease agreement.

6. Mortgage Delinquency

Failure to maintain obligations required under any mortgages is considered a default under special restrictions.

7. HOA Delinquency

Failure to pay Homeowners Association dues is considered a violation of the special restrictions.

8. Ground Lease Delinquency

It shall be an event of default if lessee fails to pay the ground lease fee or other charges required by the terms of the lease.

9. Water/Sewer Dues Delinquency

Unpaid water and sewer dues can result in a lien placed on property that would constitute a violation of the special restrictions.

10. Employment Verification

Employment-based and Workforce units require an owner to work an average of 30 hours per week at a local business located in Teton County, Wyoming. The owner must earn at least 75% of their household income at a local business within Teton County. Annual verification of employment and income is required for owners of Employment-based and workforce restricted housing units.

Affordable units built after June 4, 2018 will be required to provide proof of employment in Teton County at a local business.

11. Ownership of Residential Property

Owners of Employment-based and Workforce housing units are not allowed to own residential property within 150 miles of Teton County. All renters of Housing Department-administered rental units are not allowed to own residential property within 150 miles of Teton County.

12. Estate Planning

Restricted housing units cannot be put into a trust. A trust does not meet the definition of qualified household and therefore cannot own a restricted housing unit. The Housing Department does accept other related documents for estate planning (Non-testamentary Deed upon Death).

13. Covenants, Conditions and Restrictions (CCR) Violations

Any default or breach of the CCRs, Mortgage Agreements, and/or Master Rules and Regulations is considered a default of the special restrictions or ground lease. This includes but is not limited to prompt payment of Homeowners Association dues and ground lease fees.

14. Bankruptcy

Restrictions are recorded on properties with the strict intent that the restrictions will run with the property in perpetuity. Restrictions may not be stripped from the property in cases of bankruptcy.

7-2. Process for Default Contested Case Hearings

All default hearings are conducted in compliance with the Wyoming Administrative Procedures Act and are contested cases for which the rules and processes are set forth herein. All requests for hearings and subsequent documents shall be submitted and filed with the Housing Department, and all records related to the contested case hearing shall be maintained by the Housing Department.

A. Notice of Default

When the Housing Department deems an owner to be in default of a special restriction, the Housing Department shall notify the owner with a Notice of Default Letter.

1. The Notice of Default

A Notice of Default shall be sent to the owner via U.S. Mail certified with return receipt requested and via email, if an email address is known. The letter will be considered delivered on the date it is sent.

The owner shall have thirty (30) days from the date of the Notice of Default to:

1. Cure the default, or

2. Request a default hearing of the Jackson/Teton County Housing Authority Board, or

3. Provide the Housing Department with a "Letter of Intent to Sell" the home or unit in accord with the special restriction.

2. Housing Department Descretion

The Housing Department shall determine what constitutes a cure of the default based upon the special restriction and the circumstances of the owner.

B. Request for Default Hearing

In the event the owner fails to cure the default or desires to challenge the default identified by the Housing Department, the owner may request a hearing before the Jackson/Teton County Housing Authority Board (JTCHA) to determine the merits of the allegations of the default.

1. Request for Hearing

To request a hearing, the owner must submit a "Request for Default Hearing" form to the Housing Department within the thirty (30) day cure period.

2. Fee

A fee shall be charged by the Housing Department for such "Request for Default Hearing." The fee amount will be set annually in a separate document titled "Housing Department Annual Fees" to be updated and published by the Housing Department.

C. Failure to Respond to Default

If the owner fails to respond to the Notice of Default, the Housing Department will consider the non-action or failure to respond as a breach of default and shall take steps to enforce the default in accord with the applicable Special Restriction and/or the Housing Department Rules and Regulations. Enforcement of the breach or violation includes but is not limited to forcing the sale of the home or unit.

D. Multiple Defaults

Upon the fourth time an owner is found to be in Default, the owner will not have an opportunity to cure. The Housing Department will force the sale of the home or follow through with other remedies allowed by the Restriction and/or these Housing Rules and Regulations. The owner will no longer be eligible to apply for, own, or rent restricted housing.

E. Default Hearing

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1. Designation of Hearing Officer

JTCHA may designate a Hearing Officer and sign an "Order Appointing the Hearing Officer." If JTCHA desires, they can elect to appoint a non-exclusive Hearing Officer for a period of two (2) years, recognizing that there may be a need to appoint a different Hearing Officer in some cases including but not limited to a conflict of interest or absence.

2. Scheduling Order

Within thirty (30) days of the signed Order, the Hearing Officer will issue a scheduling order, which shall include the Official Notice of Hearing, and deadlines for the parties to submit evidentiary documents, exhibits, witness lists, and/or pre-hearing memorandums.

3. Documentation

Evidentiary documents, exhibits, witness lists, and/or pre-hearing memorandums, to include a written statement of facts, conclusions of law, and proposed order shall be exchanged by the parties, filed with the Housing Department in the contested case proceeding, submitted to the Hearing Officer and to the JTCHA, at least fifteen (15) days prior to the hearing date. Any document or witness not included in these submissions by the deadline shall not be raised at the hearing and shall not be admitted into evidence at the hearing.

4. Transcripts

Hearing proceedings may be recorded but are not required to be transcribed. If either party wishes to have a court reporter present to transcribe a hearing, all associated costs shall be paid by the party unless the parties agree to share costs.

5. Witnesses

All witnesses who provide testimony at the hearing will be sworn in under oath by either a court reporter if one is present, the Hearing Officer, and if no Hearing Officer, the JTCHA Chair. The parties shall be permitted to cross-examine witnesses, and the JTCHA and the Hearing Officer shall have the opportunity to ask questions of the witnesses and Housing Department staff.

6. Burden of Proof

The Housing Department's determination the Notice of Default is presumed to be correct, and the burden of proof shall be on the complainant, not on the Housing Department.

7. Interpreter

If the owner requires an interpreter, the Housing Department will make arrangements to provide one and bear the costs.

8. Failure to Appear

If the complainant fails to appear at the hearing, the JTCHA may make a determination to postpone the hearing, can proceed to review the evidence based upon the written submissions, or can deem the failure to appear as a breach of default.

E. JTCHA Deliberation and Decision

1. Deliberation

The Hearing Officer or JTCHA Chair, if no Hearing Officer is present, shall close the evidentiary hearing, and the Housing Authority Board will commence deliberation in public to include the following:

a. Examination of Evidence

The JTCHA will examine the special restriction, the evidence presented in writing, and any testimony provided at the hearing and shall make a determination on the allegations of the Notice of Default based upon the preponderance of evidence standard of review.

b. Burden of proof

The burden of proof shall be on the owner to refute the alleged default.

2. JTCHA Decision

The JTCHA Decision will be to either:

a. Affirmation of Notice of Default

Affirm the Housing Department's Notice of Default. The Housing Department would proceed to exercise its remedies against the owner according to the special restriction or ground lease recorded on the property, or

b. Rejection of Notice of Default

Reject the Notice of Default of the Housing Department and no further action would be pursued for the specific alleged default under the special restriction or ground lease recorded on the property.

3. JTCHA Decision and Motion

The JTCHA shall make a motion in the affirmative {e.g.: I move to affirm the Housing Department's assertion that the owner (owner's name) of (address) is in default of the Special Restriction recorded on the property pursuant to the Notice of Default.} The motion shall receive a second. JTCHA will enter into discussion on the motion and vote. If the motion carries, the JTCHA affirms the Notice of Default. If the motion fails, the JTCHA has decision

4. Order of Decision

The prevailing party will draft the Findings of Fact and Conclusions of Law and Order, which shall set forth the Board's decision. The Findings of Fact and Conclusions shall be transmitted to the Hearing Officer, then reviewed and approved by the JTCHA at a subsequent meeting of the JTCHA in a timely manner no later than sixty (60) days following the hearing date, which shall be properly noticed and open to the public. The Order shall be filed in the contested case file with the Housing Department. No appeal of the JTCHA decision shall be made to the Jackson Town Council or the Board of County Commissioners. Any appeal of the JTCHA Order shall be to the District Court of Teton County, Wyoming, unless otherwise stated in the Special Restriction.

7-3. Process for Exception Hearing

A. Request for Exception

The Housing Department will consider requests for exceptions to rules pertaining to qualification and eligibility criteria as well as to rules pertaining to occupancy and use. Granting of exceptions is rare; however, it is recognized that certain unique circumstances exist that are not contemplated in these Housing Department Rules and Regulations. Exceptions will only be granted in unique circumstances that are beyond control of the household and are not addressed in these Housing Department Rules and Regulations. Requests for exceptions must be submitted prior to the opening of a weighted drawing for a home. In cases where a weighted drawing is not used for identifying a buyer, the request must be submitted prior to submission of an application. All Requests for Exceptions are subject to the review and approval of the Housing Manager

A household may submit a “Request for Exception” to the Housing Department using the “Request for Exception” form with the required fee, which is specified in a separate “Fee Schedule” document that is updated annually. The Housing Manager will review and render a decision on the Request for Exception within fifteen (15) days from the date of submittal.

B. Request for Exception Hearing Process

If the Request for Exception is denied by the Housing Manager, the applicant may request a hearing of the JTCHA.

1. Request for Hearing

Submit a Request for Hearing form with a fee to the Housing Department within fifteen (15) days of the date of denial of “Request for Exception.”

Requests for Exception Hearings must contain the following information:

a. Grounds

The particular ground(s) upon which it is based, including a copy of the Request for Exception and the Housing Manager's decision;

b. Action

The action or remedy requested;

c. Contact Information

The name address, telephone number of the complainant and similar information of complainant’s representative, if any;

d. Notification to Homeowners Association

Proof of notification of hearing request to the housing unit's Homeowners Association, if applicable; and

e. Fee

Appeal Fee in accordance with the Housing Department's fee schedule published annually.

C. Housing Department Review and Recommendation

All requests for hearings will be reviewed by Housing Department for completeness and provided to the JTCHA Board within thirty (30) days with a recommendation for action, copied to the complainant and/or representative.

D. Hearing

The hearing will be heard by the JTCHA Board at a properly noticed meeting scheduled at least thirty (30) days following the Housing Department's receipt of the "Request for Hearing" to ensure notice and due process.

1. Hearing Officer

JTCHA may designate a Hearing Officer and sign an "Order Appointing the Hearing Officer." If JTCHA desires, they can elect to appoint a non-exclusive Hearing Officer for a period of two (2) years, recognizing that there may be a need to appoint a different Hearing Officer in some cases including but not limited to a conflict of interest or absence.

a. Scheduling Order

If a Hearing Officer is designated, within thirty (30) days of the signed order, the Hearing Officer will send out a scheduling order (Official Notice of Hearing) and timeline.

b. Transcripts

Hearings may be recorded and are not required to be transcribed. If owner wishes to have a hearing transcribed, all associated costs shall be paid by owner.

2. Hearing Process

a. Designation of Hearing Officer

JTCHA may designate a Hearing Officer and sign an "Order Appointing the Hearing Officer."

b. Scheduling Order

Within thirty (30) days of the signed order, the Hearing Officer will send out a scheduling order (Official Notice of Hearing) and timeline for the parties to submit evidentiary documents and a list of witnesses.

c. Documentation

Evidentiary documents and witness list along with a written statement of facts shall be submitted by each party to the opposite party fifteen (15) days prior to the hearing date.

d. Transcripts

Hearings may be recorded and are not required to be transcribed. If owner wishes to have a hearing transcribed, all associated costs shall be paid by owner.

e. Witnesses

All witnesses that provide testimony will be sworn in under oath by the court reporter, and if no court reporter, the Hearing Officer, and if no Hearing Officer, the JTCHA Chair. Both parties shall be permitted to cross-examine witnesses, and the JTCHA shall have the opportunity to ask questions of the witnesses and Housing Department staff.

f. Burden of Proof

The Housing Department's decision concerning the exception will be assumed correct, and the burden of proof shall be on the complainant.

g. Failure to Appear

If the complainant fails to appear at the hearing, the JTCHA may make a determination to postpone the hearing, may make a determination based upon the evidence submitted, or may dismiss the matter for failure to appear.

3. JTCHA Decision Binding

Based on the evidence considered at the hearing, the JTCHA will provide a decision by means of a motion and majority vote. The decision of the JTCHA shall be binding, and

the Housing Department shall take all actions necessary to carry out the decision. No appeal of the JTCHA shall be made to the Town Council or County Commissioners. Any appeal shall be made to the District Court of Teton County, Wyoming.

E. Other Remedies

The Housing Department shall have the right to enforce the provisions of these Housing Department Rules and Regulations under any civil or criminal remedy provided under Wyoming Law.

7-4. Grievance Procedure

A grievance is any dispute that seller, buyer, or owner may have with the Housing Department with respect to an action or failure to act in accordance with the individual's rights, duties, welfare, or status. A grievance may be presented to the Housing Department under the procedures below.

A. Request for Grievance Form

Any grievance must be presented in writing to the Housing Department on the "Request for Grievance" form and include:

1. Grounds

The particular ground(s) upon which it is based;

2. Action

The action or remedy requested;

3. Contact Information

The name address, telephone number of the complainant and similar information of complainant's representative, if any; and

4. Fee

Grievance fee.

B. Housing Department Review and Decision

1. Housing Manager Review

The Housing Department Housing Manager will review all "Requests for Grievances."

2. Summary Letter

The Housing Manager shall issue a written letter summarizing the decision regarding the requested grievance within thirty (30) days of receipt of the "Request for Grievance." The letter will be sent via U.S. mail certified return receipt requested and via email if an email address is known.

3. Request for Hearing

The applicant may request a hearing of the JTCHA pursuant to Section 7-3.a.2. if the grievance decision of the Housing Manager is disputed.

SECTION 8. OCCUPANCY AND USE OF RESTRICTED UNITS

8-1. Occupancy and Use

Rental and ownership units have occupancy and use restrictions. Households will be required to obey the following occupancy and use restrictions.

A. Household Income

Households who own or rent a Workforce home and households who rent an Affordable home will be required to requalify annually to verify that their income meets the requirements of the restriction.

B. Employment Requirement

Households who own or rent a Workforce or Affordable home will be required to verify that they are meeting the employment requirement. At least one adult in the household must be employed with a local business a minimum of an average of thirty (30) hours per week or one thousand five hundred sixty hours annually. The employment calculation will be based on the prior calendar year. Affordable homes sold prior to June 4, 2018 will not have this requirement.

C. No Teton County Residential Real Estate

No member of the Qualified Household may own (whether individually, in trust, or through an entity including without limitation a partnership, limited partnership, limited liability company, corporation, association, or the like) residential real estate within one hundred fifty (150) miles of Teton County, Wyoming at any time during occupancy of the Residential Unit.

D. Occupancy

1. Household Occupancy

Each residential unit shall be occupied as the Qualified Household's sole and exclusive primary residence, and each tenant of a residential unit shall physically reside therein on a full-time basis, at least eighty percent (80%) of the term of the lease. Each owner of an owner-occupied residential unit shall physically reside therein on a full-time basis, at least ten (10) months each year (a year being twelve (12) months beginning with the first month following the month the month the household took ownership).

a. Leave of Absence

The Housing Manager of the Housing Department may grant a one (1) year leave of absence if the household submits a "Request for Leave of Absence" form, along with the coinciding fee in

accordance with the "Housing Department Annual Fees" published annually by the Housing Department.

b. Permission to Rent

Owners who need a leave of absence may request to rent their residential unit. This is done by submitting a "Request to Rent" form to the Housing Department along with the coinciding fee.

c. Attainable Housing Program Exception

Attainable housing owners are allowed to rent a room in their home as long as the owner still occupies the units on a substantially full-time basis (9 months per year as required by their Special Restriction).

2. Owner Occupancy

Owners of Affordable or Workforce rental units shall not reside in or occupy the residential unit. For purposes of this paragraph, if owner is an entity (including without limitation, a partnership, limited partnership, Limited Liability Company, corporation, association, or other) or a trust, this prohibition on owner-occupancy shall extend to any partner, member, shareholder, other principal or owner of the entity, and any trustee or beneficiary of the trust.

3. Household Composition

Only members of the Qualified Household may occupy a Residential Unit, except that Owner may restrict who may reside in a residential unit, provided that such owner-restriction does not violate federal or state fair housing laws. Notwithstanding the foregoing, occupancy of the residential unit shall be in compliance with any and all building codes (or other relevant law, code, statute, ordinance or the like) regarding maximum occupancy standards or limitations.

4. Guests

No persons other than those comprising the Qualified Household shall be permitted to occupy Affordable or Workforce rental units for periods in excess of ten percent (10%) of the rental term in cumulative days per calendar year.

No persons other than those comprising the Qualified Household shall be permitted to occupy Affordable or Workforce ownership units in excess of thirty (30) cumulative days per calendar year.

E. Use

1. Business Activity

No business activities shall occur in a residential unit, other than a home occupation use that is allowed by applicable zoning and properly permitted.

2. Compliance with Laws, Declaration

The residential unit shall be occupied in full compliance with these Housing Rules and Regulations, Special Restrictions, along with all laws, statutes, codes, rules, or regulations, covenants, conditions and restrictions, and all supplements and amendments thereto, and any other rules and regulations of any applicable homeowner's association, as the same may be adopted from time to time.

3. Maintenance

The owner shall take good care of the interior of the residential unit and all other aspects of the residential unit not otherwise maintained by the homeowner's association and shall make all repairs and maintain the residential unit in a safe, decent, sanitary (see definitions) manner. In case of damage to the residential unit the owner shall repair the damage or replace or restore any destroyed parts of the residential unit as speedily as practical.

4. Capital Improvements

The owner may only undertake capital improvements according to these Rules and Regulations (Section 5-1.e). The policy includes but is not limited to, a limitation on the valuation of such improvements at resale, requirements regarding the advance written approval of such improvements, and documentation of proposed and completed improvements.

5. Insurance

The owner shall keep the residential unit continuously insured against "all risks" of physical loss (not otherwise covered by a homeowner's association insurance), for the full replacement value of the residential unit. Owners are required to provide evidence of insurance to the Housing Department upon request.

6. Periodic Reporting, Inspection

In order to confirm compliance with the Special Restrictions, the Rules and Regulations and other covenants, regulations, ordinances, or rules governing the ownership, occupancy, use, development or transfer of a Residential Unit, Owner shall comply, and shall cause all occupants to comply, with any reporting or inspection requirements as set forth herein and as may be required by the Housing Department from time to time. Upon reasonable notice to Owner, the Housing Department shall have the right to inspect the Residential Unit from time to time to determine compliance with the Special Restrictions and the Rules and Regulations and to review the written records required to be maintained by Owner. Owner shall maintain such records for a period of two (2) years.

SECTION 9. DEFINITIONS

9-1. Definitions

Accessible Unit: A unit that has been built or adapted with specific design features that make the unit accessible to those with mobility and hearing handicaps.

Application: A packet that households who are selected in an affordable housing weighted drawing submit for Housing Authority staff to verify that the household is qualified to purchase the home. The application consists but is not limited to the following:

- ✓ Housing Department Application for Restricted Ownership or Rental Housing
- ✓ Signed Certification and Oath
- ✓ Signed Authorization to Release Information
- ✓ Completed Lender's Qualification Worksheet (completed by lender)
- ✓ Full three tier Credit Report that includes credit scores. (Can be obtained from lender)
- ✓ Previous two years of tax returns with W-2s
- ✓ Employment Affidavit for each job currently held by wage earners in the household
- ✓ If self-employed, previous three years of tax returns with an income statement and a balance sheet.

Appeal: A process requested by an applicant/owner/renter when they understand the qualification, eligibility, and preference criteria and have requested an exception from the Housing Manager and have been denied.

Approved Lending Institution: Approved lending institutions include institutional lenders; community loan funds, or other similar nonprofits; or other legitimate, non-affiliated finance companies. See Definitions of Institutional Lenders and Community Loan Fund.

Asset: see Household Net Asset.

Assigned Number: A computer-generated number based on first name of applicants in alphabetical order that households are listed in a weighted drawing.

Area Median Income (AMI): See Median Family Income (MFI)

Deleted: A figure published annually by HUD which is calculated by dividing households residing in counties into two equal segments with the first half of households earning less than the median household income and the other half earning more.

Authorization to Release Information Form: This form, which an affordable housing applicant signs, allows the Housing Department staff to verify information supplied by applicants from banks, employers, etc.

Balance Sheet: A statement of the total assets and liabilities of a business.

Bid Period: The time period that the Housing Authority accepts bids for an available housing unit. The bid period only takes place if no weighted drawing entry sheets are submitted for an available restricted housing unit.

Borrowed Light: An indirect source of natural light; for example, a room in a home uses borrowed light when it has a window that looks into another room, where the other room receives direct sunlight.

Capital Improvements: Improvements done to the home for which the homeowner can receive credit. The capital improvement requires an expenditure that either increases the value of the property or extends its life expectancy.

Caregiver: A full-time Teton County, Wyoming; Teton County, Idaho; or Lincoln County, Wyoming resident who is or was volunteering all or a portion of their time caring for their own children or an ailing or disabled immediate family member and was therefore unable to gain full-time employment in Teton County.

Closing Date: The date on which ownership of property transfers from the former owner to the new owner.

Combined Loan to Value (CLTV). Loan to Value is the ratio of the loan amount to the value of the home. Combined Loan to Value is when a second mortgage exists and the two loan amounts are combined and compared to the value of the home.**Community Loan Fund:** A loan fund that is set up in a community for the purpose of providing down payment assistance or other types of loans for restricted housing units.

Critical Services Provider: An employee or volunteer of a community based institutional or non-profit organization on call 24 hours per day for public safety emergencies.

DTI: Debt to Income. This is a ratio that compares the amount of debt a household has to the amount of income they make. It is used to analyze the ability of a household to pay their debt.

Deed Restriction: A document recorded against a housing unit that describes the unit's housing program. It provides restrictions on the purchase, occupancy, use, and resale of the restricted housing unit. A deed restriction is a type of restrictive covenant that is recorded at the time of certificate of occupancy.

Dependent: A child or adult who lives with the household and can be claimed on the tax returns of an adult in the household.

Developer: An individual or group who builds housing.

Disabled: Any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such impairment; or is regarded as having such impairment.

Deleted: CLTV:

Moved down [1]: Combined Loan to Value. Loan to Value is the ratio of the loan amount to the value of the home. Combined Loan to Value is when a second mortgage exists and the two loan amounts are combined and compared to the value of the home.

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Earnest Money: Money that a buyer gives to a seller to bind a contract. Earnest money goes toward the costs of the purchase of the home and is held in escrow by the title company until closing.

Eligibility Criteria: Criteria defined in either the Deed Restriction or the Housing Department Rules and Regulations, which are used to measure whether a household is eligible to apply for a unit.

Employment-Based: A restricted housing unit where occupancy is limited to employees in Teton County, Wyoming. There are no income qualifications for an occupant. This type of unit may include, but is not limited to, Accessory Residential Units and Employment-Based Units.

Employment Requirement: At least one member of a household must demonstrate an average of 30 hours per week (1560 hours per year) of employment in Teton County, Wyoming; or demonstrate a clear intent to work an average of 30 hours per week in Teton County, Wyoming (must have been hired even if hasn't started the job yet.)

Escrow: A legal arrangement where the JTCHA holds money until a particular condition has been met. This includes but is not limited to inspection maintenance & repair items that were not completed prior to closing on a home.

Exception: If a household understands the eligibility and qualification criteria, but feels their situation is unique and there is a compelling reason the rule(s) should not apply to them, they may request an exception. Exceptions are only considered before a weighted drawing process opens or before an application is submitted.

Fair Market Rents (FMR): Fair market rents are the maximum chargeable gross rent, including utilities, in an area for projects participating in the Housing and Urban Development (HUD) Section 8 Program. The HUD Section 8 Program targets incomes of 80% and below of the Median Family Income (MFI). The Jackson/Teton County Affordable Housing Department does not participate in HUD's Section 8 Program; however, FMR applies to some Employee Housing rental units. The rental rate corresponds to the amount of bedrooms in a unit.

Final Development Plan Approval: The point in the development review process when either the Teton County Board of County Commissioners or the Town of Jackson Town Council approves a development.

Final Inspection: The inspection that is done on a home at least 48 business hours before closing on the sale of the home. The purpose is to determine whether the home has been properly cleaned and that proper maintenance and repairs have been completed.

Finance Company: A company that regularly makes loans to clients.

Garage: An enclosed shelter for automotive vehicles.

Grievance: A dispute that applicants, sellers, buyers, or owners may have with the Housing Department with respect to an action or failure to act in accordance with the individual's rights, duties, welfare, or status.

Habitable Floor Area: Habitable floor area is floor area used for living purposes, usually having access to heat, plumbing, and electricity. It includes foyers, hallways, restrooms, closets, storage, and other common areas within a building. Habitable floor area does not include mechanical rooms, elevators and fireplaces. Habitable floor area is measured either from the exterior of the faces of the building or the exterior limits of any interior wall that separates habitable floor area from uninhabitable floor area, whichever is applicable.

Handicapped: having a physical or mental disability.

Hearing Impaired: Individuals with hearing measures between 25 dB and total hearing loss.

Mentally Challenged: Individuals who have an intellectual functioning level that is well below average and that causes significant limitations in daily living skills.

Mobility Impaired: Individuals who have reduced function of legs and feet that leads them to be permanently dependent on a wheelchair or an artificial aid to walking.

Heir: A person legally entitled to the property of another person upon the latter person's death.

Homebuyer Education: Class required by the Jackson/Teton County Housing Authority for households to be eligible to purchase a restricted housing unit. The class educates homebuyers about the entire home buying process.

Homeowners' Association: An organization comprised of neighbors concerned with managing the common areas of a subdivision or condominium complex. These associations take on issues such as plowing, clearing sidewalks, painting exteriors of a subdivision and collecting dues from residents. The homeowners' association is also responsible for enforcing Covenants, Conditions & Restrictions (CC&Rs) that apply to the property. They do not enforce Deed Restrictions.

Household: a social unit composed of those living together in the same dwelling.

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Household Income: The current income going forward 12 months of all adult wage earners within a household before taxes. Income from dependents that are enrolled in college or another type of school is not included in the household income calculation. For self-employed individuals, Income is the net income from the business with depreciation added back in averaged over either the life of the business or the last three (3) years, whichever is shorter. Other types of deductions may be added back in as well, such as home business use.

Household Net Assets: The value of all assets over $500 in value including, but not limit too, bank accounts, investment accounts, life insurance, furniture, automobiles, jewelry, computer equipment, real estate, and recreational equipment; less any debt the household has. Net assets do not include retirement accounts, business assets are limited to liquid assets.

Housing Programs: Programs intended to provide housing for the workforce of Teton County and administered under the Jackson/Teton County Affordable Housing Department They include ownership

and rental units created through the Land Development Regulations, through the direct construction of restricted housing units, or the financing thereof.

Housing Mitigation Plan: The portion of a development plan that specifies how an applicant will satisfy the Affordable and/or Workforce Housing requirements in Division 6.3.6 of the Teton County and Town of Jackson Land Development Regulations.

Immediate Family Member: Individuals that include a parent, spouse or child, including stepchildren, foster children, stepparents and foster parents.

Initial Inspection: An inspection done on a home once a letter of intent to sell is received by the Housing Department. The purpose is to inform the seller of the selling process and to check for maintenance and repairs that may be required before the sell occurs.

Institutional Lender: A lender that is a legitimate financial institution that regularly loans money for real estate transactions.

Joint Tenancy: When two or more people own property as joint tenants and one owner dies, the other owners automatically own the deceased owner's share. No will is required.

Leave of Absence: Permission granted by the Housing Department for an owner of a restricted housing unit to be absent from the unit for an extended period of time for a legitimate and compelling reason, without violating the unit's deed restriction.

Lawful Permanent Resident: Any foreign national who has been granted the right to reside permanently in the United States. Lawful Permanent Residents may apply for Affordable and Attainable housing but are ineligible to apply for Employment-Based housing, as it is available for US Citizens only.

Lender's Qualification: The Institutional Lender's judgement of the household's financial ability to obtain financing for purchasing a home.

Letter of Intent to Sell: A letter that a homeowner submits to the Teton County Housing Authority informing the Housing Department that they desire to sell their restricted housing unit. The Housing Department must receive this letter before the selling process can begin.

Liabilities: Any debt, loans, or balances that a household owes. Liabilities are subtracted from assets when calculating Household Net Assets.

Living Space: A room in a home used by a family for leisure activities, entertaining guests, etc. It includes space for couches, chairs, tables, and may open to the kitchen.

Local Business:

Two Part Definition

A.) A local business means (1) a business physically located within Teton County, Wyoming, holding a business license with the Town of Jackson, Wyoming or one that can provide other verification of

business status physically located in Teton County, Wyoming, and (2) the business serves clients or customers who are physically located in Teton County, Wyoming, and (3) the employees/owners must work in Teton County, Wyoming to perform their job.

Or

B.) A business physically located in Teton County Wyoming who employs two or more Qualified Employees, which qualified employees must work in Teton County Wyoming to perform their job.

Maintenance: A repair or maintenance item is an expenditure that restores a property to a sound state.

Maintenance Adjustment: The amount of money credited to the buyer at closing for maintenance, cleaning, or repairs that are found to be needed on the home at the final inspection.

Maximum Rental Rates: The maximum rental rate that may be charged to a tenant occupying an Employee Housing unit. The rates must include basic utilities (water/sewer, electric, gas, and trash removal). The specific restriction recorded on the unit instructs the method to be used to calculate maximum rental rates.

Maximum Resale Price: The maximum amount that a restricted housing unit can be sold for. This price is calculated by the Housing Department according to the restricted housing unit's deed restriction or the Housing Department Rules and Regulations.

Maximum Resale Letter: A letter given to a seller of an Affordable or Employment-Based housing unit informing them of the maximum amount that the unit may be sold for

Maximum Sales Price: The maximum amount that newly provided ownership housing units can be sold for initially. There is 10 percent reduction from the maximum sales price for no garage and a 20 percent reduction from the maximum sales price if the unit is below grade.

Median Family Income (MFI): The Department of Housing and Urban Development (HUD) calculates this figure by dividing households residing in counties into two equal segments with the first half of households earning less than the median household income and the other half earning more. Then, adjustments are made based on family size. The Jackson/Teton County Affordable Housing Department uses MFI to determine eligibility for restricted housing units. The Housing Department also uses MFI to calculate maximum sales prices.

Military Service: Active deployment in the U.S. Armed Services for any amount of time. Military Service counts as employment in Teton County, Wyoming for the sake of gaining the 1-year eligibility in the weighted drawing if the person deployed met employment criteria in Teton County Wyoming for minimum of two years immediately prior to deployment.

Net Livable Floor Area: This area is calculated on interior living area and is measured interior wall to interior wall, including all interior partitions including, but not limited to habitable basements and interior storage areas, closets and laundry areas. Exclusions include, but are not limited to,

uninhabitable basements, mechanical areas, exterior storage, stairwells, garages (either attached or detached), patios, decks and porches.

Nonqualified Transferee: A household to whom the title of a restricted housing unit is transferred, but it does not meet the qualification and eligibility standards set out in these Housing Department Rules and Regulations.

Occupancy Requirements: A type of preference used in the Affordable and Employment-Based Programs' weighted drawing selection processes through which household is eligible to enter a weighted drawing based on how closely it aligns with the unit size.

Original Purchase Price (OPP): The amount the current homeowner originally paid for the home.

"Plus" Units: Restricted housing units that have extra floor area for offices, play areas, etc.

Post-Secondary Education: Attendance as a full-time student at an educational establishment after high school or college preparatory school.

Possession Date: The date a buyer takes possession of a home. This is normally the date of closing unless for some reason funds are unable to be disbursed on that day or other arrangements are made.

Price Opinion: The market value of residential or commercial property, as determined by a local real estate firm.

Primary Education: Attendance at a school for primary education located in Teton County Wyoming.

Primary Residence: A Household's sole residence, occupied at least ten (10) months during each calendar year, or as otherwise stated in the Housing Unit's Restriction.

Profit and Loss Statement: A statement showing a business's income and expenses up through the month prior to application.

Purchase and Sales Contract: Contract entered into by the seller and the buyer which outlines the terms and conditions under which the property will be sold.

Qualified Critical Services Provider: An employee or volunteer on call 24 hours per day for public safety emergencies of an approved community-based organization that provides immediate response to health and safety services.

Qualified Employee: A person who works for a local business in Teton County Wyoming a minimum of 1,560 hours annually (average of 30 hours per week).

Qualification Letter: Letter issued to applicant confirming that they are qualified to purchase the home. This letter is needed by the Title Company in order to allow the closing to take place.

Qualified Households: Households that have applied for housing through the Housing Department, where Housing Department staff deem them as eligible to purchase a restricted housing unit after

verification of information, based on the unit's Deed Restriction and the Housing Department Rules and Regulations. Information includes but is not limited to household income, assets, employment, and minimum occupancy requirements.

Qualified Mortgage/Qualified Mortgagee: A loan attained from an Approved Lending Institution/the buyer of a restricted housing unit that has been approved for a mortgage.

Resale Process: The process by which an owner of a restricted housing unit sells it to a new owner.

Residential Property: A parcel that either includes a residential dwelling unit or has the by-right potential for developing a residential dwelling unit per local zoning regulations.

Restricted Housing Unit: Any housing units in the Town of Jackson or Teton County that have Restrictive Covenants or Ground Leases that regulate the occupancy, use, sale, and/or rental of the unit or are restricted by the Land Development Regulations in order to further the Town/County's workforce housing goals.

Restrictive Covenant: a contract between the Board of County Commissioners/Town of Jackson and the owner of real property developed or designated to ensure the affordability of a housing unit for perpetuity (sometimes referred to as Special Restrictions, Deed Restrictions, or Restrictions).

Restrictive Covenant Template: A standard form to be used as a recorded instrument on all restricted housing units.

Restrictive Covenant Information Sheet: A form that the developers of restricted housing units must fill out as part of the Housing Mitigation Plan.

Retirement Age: The age at which the Federal Social Security Administration allows an individual to begin collecting Social Security.

Safe Decent Sanitary Housing: Safe, decent sanitary housing means that housing units must be kept in a havitable state fit for human occupancy to protect the physical health and safety of the renter. Landlords must:

a. Maintain common areas of the residential unit in a szanitary and reasonably safe condition.

b. Maintain electrical systems, gas systems, plumbing, heating and hot and cold water and keep them in working order.

c. Unit must be structurally sound, clean, weathertight, in good repair, and meet local building codes in place at time of construction or as required for a change of use, if applicable.

d. Maintain other appliances and facilities as specifically contracted in the ental agreement.

Secondary Education: Attendance at a high school or college preparatory school located in Teton County, Wyoming.

Settlement Statement: Itemizes all costs, and/or credits due from the buyer and seller at closing.

Teacher: Any individual who (1) works with individuals age three (3) – eighteen (18), and (2) whose duties involve classroom or other instruction or the supervision or direction of classroom or other instruction, and (3) whose primary employment is at least thirty (30) hours a week for at least nine (9) months per year, but is not employed in that position for at least two (2) months per year.

Tenancy-In-Common: When two or more people own a shared interest in a property. If one owner dies, they can will their portion to other beneficiary(s) and not to the other owner(s) if they desire.

Uniform Residential Loan Application (or Fannie Mae Form 1003): The application required by law for mortgage lenders to use to supply home loans. The Housing Department may require that applicants supply this application when applying for a restricted housing unit.

Verification Checklist: Checklist used by JTCHA to verify whether a household is qualified to purchase a particular home.

Voluntary Affordable/Employee Housing Units: Units with a restricted rent or sale price to be affordable to households earning no more than 200 percent of Teton County Median Family Income. A developer may propose these units in addition to those required by the Land Development Regulations.

Deleted: n

Deleted: applicant

Weighted Drawing: The event that selects the order, of all the applicants for an applicable restricted housing unit, which the home will be offered for sale.

Weighted Drawing Entry Period: The period (normally two weeks) that the Housing Department accepts weighted drawing entry sheets for an available restricted housing unit.

Weighted Drawing Entry Sheet: Households complete a weighted drawing entry sheet and submit it to the Housing Department along with other documentation within the weighted drawing entry period when the household is interested in purchasing an available restricted housing unit.

Weighted Drawing Number: A number that a household receives from a weighted drawing that reflects the household's standing in the weighted drawing for an applicable restricted housing unit.

Weighted Drawing Form: The form used to record all households who submitted weighted drawing entry sheets for a particular home. The households are recorded in alphabetical order. This form is given to outside counsel who then assigns each household a number. The numbers are placed in a pool and drawn out one by one. The results of the drawing are recorded in order on the Weighted drawing Form and returned to the Housing Department.

Weighted Drawing Process: The process by which the Housing Department accepts weighted drawing entries from households wishing to purchase a restricted home and determines the order the households will be offered the home for purchase. (Separate lotteries are conducted for each program).

Workforce Housing Program: An incentive program applicable within the Town of Jackson through which bonus floor areas are available in nonresidential or mixed-use buildings if the developer provides

restricted housing units. These units can be either Ownership or Rental, and the number of units to be provided is determined by a ratio set out in the Town LDRs.

BOARD OF COUNTY COMMISSIONERS

TOWN COUNCIL

JOINT INFORMATION MEETING
AGENDA DOCUMENTATION

SUBMITTING DEPARTMENT: Pathways **PRESENTER**: Brian Schilling

MEETING DATE: August 3, 2020

SUBJECT: **Structure of Pathways Task Force**

STATEMENT/PURPOSE

Consider options for the structure and function of the Pathways Task Force.

BACKGROUND/ALTERNATIVES

The Pathways Task Force is currently a 7-member volunteer board appointed by the Town Council and County Commission. The 1998 by-laws allows for the board be 11 members. The current function of the Task Force is to generally serve as an advisory committee to the Town Council and County Commission, the Pathways coordinator, and other Town/County staff on issues related to the Town/County Pathways program. The board members make recommendations to staff and the elected officials on multi-modal transportation issues and projects and also act as liaisons for staff and elected officials to the Jackson Hole community. Members are appointed to three-year terms and the board meets monthly.

In December 2019 the JIM briefly discussed the ongoing role of the Task Force and whether it made sense to change the structure or function of the board to enable it to better support the Pathways program. Several ideas were discussed but there was no clear direction provided at that time. The Task Force has since modified their meeting schedule to meet every other month.

The current proposal is to dissolve the Pathways Task Force and then reform it as an advisory board under a different name. The elected boards could establish new bylaws and guidance for the advisory board. Existing members could be reappointed to new terms, or an entirely new board could be formed. Several things would need to be defined, including: number of members; length of terms; process for appointing members; meeting frequency; board role; and responsibilities.

STAKEHOLDER ANALYSIS

Some of the current Task Force members would like to continue their involvement with the pathways program.

FISCAL IMPACT

None

STAFF IMPACT

The Pathways Coordinator will work with the Town Attorney and County Attorney to draft new organizational documents.

LEGAL REVIEW

Gingery/Colasuonno

ATTACHMENTS

1998 Bylaws of the Pathways Task Force

2003 Memorandum of Understanding

2004 Amendment #1 to 2003 MOU

RECOMMENDATION

Receive input and suggestions from the Town Council and Board of County Commissioners as to what should be included in the new organizational documents. The Town Attorney and the County Attorney will then help draft the new organizational documents and bring those back for approval by the Town Council and Board of County Commissioners in the near future.

SUGGESTED MOTION

I move to direct staff to begin drafting new organizational documents for the Pathways Taskforce.

BYLAWS

OF

PATHWAYS TASK FORCE

(A Citizen Advisory Committee)

* * * * * *

ARTICLE I

OFFICES

The principal office of the Pathways Task Force shall be at 200 South Willow Street, Jackson, County of Teton, State of Wyoming. The Committee may also have such offices at such other places within or without the State as the Pathways Task Force may from time to time determine.

ARTICLE II

MEMBERS

1. The initial Pathways Task Force shall consist of eleven (11) persons. Thereafter, the number of Members constituting the entire number of the Pathways Task Force may be fixed from time to time by review by the Joint Planning Board and by action of the Jackson Town Council and the Teton County Board of County Commissioners. No decrease shall shorten the term of any Member then in office.

2. The first Pathways Task Force shall consist of those persons named as the initial Pathways Task Force appointed by review by the Joint Planning Board and by action of the Jackson Town Council and the Teton County Board of County Commissioners, and they shall hold office until the end of their term, their resignation, death, or removal for cause. Three (3) members of the first Pathways Task Force shall serve a term of one (1) year, four (4) members shall serve a term of two (2) years, and four members (4) shall serve a term of three (3) years. Thereafter, the term of service shall be three (3) years.

Any Member may resign at any time by giving written notice of such resignation to the Pathways Task Force.

Any vacancy in the Pathways Task Force, including a vacancy created by an increase in the number of Members made by review by the Joint Planning Board and by action of the Jackson Town Council and the Teton County Board of County Commissioners, shall be filled by review by the Joint Planning Board and by action of the Jackson Town Council and the Teton County Board of County Commissioners, by affirmative vote of a majority thereof.

3. (a) A regular annual meeting of the Pathways Task Force shall be held on a convenient date in February of each year at the principal office of the Pathways Task Force or such other location in Jackson Hole as may be determined by the Committee, for the purpose of organization, the election of officers, and the transaction of other business. All other meetings shall be held at such time and place as shall be fixed by the Pathways Task Force from time to time.

(b) No notice shall be required for regular meetings of the Pathways Task Force for which the time and place have been fixed. Special meetings may be called by or at the direction of the Chairperson of the Committee, or by a majority of the Members then in office.

(c) Written, oral or any other method of notice of the time and place shall be given for special meetings of the Pathways Task Force in sufficient time for the convenient assembly of the Pathways Task Force. The notice of any meeting shall specify the purpose of such meeting. The requirement for furnishing a notice of a meeting may be waived by any member who attends the meeting without protesting the lack of notice to him.

4. Except as may otherwise be provided herein, a majority of the entire number of the Pathways Task Force shall constitute a quorum. Whenever a vacancy on the Pathways Task Force shall prevent a quorum from being present, then, in such event, the quorum shall consist of a majority of the Members excluding the vacancy. A majority of the Members present, whether or not a quorum is present, may adjourn a meeting to another time and place. Except to the extent provided by law and by these Bylaws, the act of the Pathways Task Force shall be by a majority of the Members present at the time of the vote, a quorum being present at such time. Any action authorized by resolution, in writing, by all of the Members entitled to vote thereon and filed with the minutes shall have the same force and effect as if the same had been passed by unanimous vote at a duly-called meeting of the Committee.

5. The Chairperson of the Committee, if any, shall preside at all meetings of the Pathways Task Force. If there is no chairperson, the Vice-Chairperson or any other Member chosen by the Committee shall preside.

6. Whenever the Pathways Task Force shall consist of more than three persons, the Pathways Task Force may designate from their number an executive committee and such other standing committees as they may establish. Such committees may be delegated any of the powers of the Pathways Task Force, except to the extent prohibited by law. In addition, the Pathways Task Force may establish special committees for any lawful purpose which shall have such powers as the Pathways Task Force may lawfully delegate.

7. Notwithstanding anything herein contained to the contrary, and to the extent permitted by law, the actual physical presence of any Member shall not be required at the annual meeting or at any special meeting of the Committee or at any meeting of the

Executive or any other committee. At any such meeting the Members may meet and confer in person, by telephone (including conference call), or any Member may participate by facsimile. In each case any Member who is in contact with the others and the meeting as a whole and is able to receive the communications of and communicate to the remainder of the Members shall be deemed present for purposes of all quorum and voting requirements. In addition, any action to be taken by the Committee or any committee, including the executive committee, may be effected by a written consent in lieu of a meeting; provided that such consent is joined in by a majority of Members entitled to vote thereon.

ARTICLE III

OFFICERS

1. The Pathways Task Force may elect or appoint a Chairperson (who shall be chairperson of the Pathways Task Force), a Vice-Chairperson, a Secretary, one or more Assistant Secretaries, and such other officers as they may determine. Any two or more offices may be held by the same person, except the office of Chairperson and Secretary.

2. Each officer shall hold office until the annual meeting of the Pathways Task Force and until his successor has been duly elected and qualifies. The Pathways Task Force may remove any officer with or without cause at any time.

3. (a) The Chairperson shall have the responsibility for the general management of the affairs of the Pathways Task Force and shall carry out the resolutions of the Pathways Task Force.

(b) During the absence or disability of the Chairperson, the Vice-Chairperson shall have all the powers and functions of the Chairperson.

(d) The Secretary shall keep the minutes of the Pathways Task Force. He shall have custody of the seal of the Pathways Task Force and shall affix and attest the same to documents duly authorized by the Pathways Task Force. He shall serve all notices for the Pathways Task Force which shall have been authorized by the Pathways Task Force, and shall have charge of all books and records of the Pathways Task Force.

ARTICLE IV

MISCELLANEOUS

1. The Members and officers of the Pathways Task Force may be interested directly or indirectly in any contract relating to or incidental to the operations conducted by the Pathways Task Force, and may freely make contracts, enter transactions or otherwise act for and on behalf of the Pathways Task Force, notwithstanding that they may also be acting as individuals, or as Members of trusts, or as agents for other persons or corporations, or may be interested in the same matters as Members, officers or

otherwise; provided, however, that any contract, transaction or act on behalf of the Pathways Task Force in a manner in which the Members or officers are personally interested as Members or officers or otherwise shall be at arm's length. In no event, however, shall any person or other entity dealing with the Members or officers be obligated to inquire into the authority of the Members and officers to enter into and consummate any contract, transaction or other action.

2. Neither Members nor officers shall receive any salary for their services as such; provided, however, that nothing herein contained shall be construed to preclude any Member or officer from serving the Pathways Task Force in any other capacity and receiving reasonable compensation therefore.

3. The Pathways Task Force may appoint such agents and representatives of the Pathways Task Force with such powers and to perform such acts or duties on behalf of the Pathways Task Force as the Pathways Task Force may see fit.

4. The Pathways Task Force shall keep at the principal office of the Pathways Task Force complete and correct records and books of account and shall keep minutes of the proceedings of the Pathways Task Force and any committees appointed by the Pathways Task Force.

5. The fiscal year of the Pathways Task Force shall be fixed by the Pathways Task Force from time to time, subject to applicable law.

6. The Pathways Task Force shall have the power to make, alter, amend and repeal the Bylaws of the Pathways Task Force by the affirmative vote of a majority of the Committee, with the review of the Joint Planning Board and by action of the Jackson Town Council and the Teton County Board of County Commissioners; provided, however, that the action is proposed at a regular or special meeting of the Committee and adopted at a subsequent regular meeting, except as otherwise provided by law.

Dated:_____.

_____
Secretary

Approved:

Dated: 8/12/98
Mayor, Town of Jackson

Dated: 8-4-98
Chairman, Teton County
Board of County Commissioners

MEMORANDUM OF UNDERSTANDING

Town of Jackson
and
Teton County

Effective September 8, 2003

This Memorandum of Understanding identifies the parties' current understanding of their working relationships and responsibilities relative to non-motorized transportation, to be incorporated in a future cooperative agreement executed pursuant to applicable law.

The Jackson Town Administrator will supervise the Pathways/Trails Coordinator ("Coordinator"), whose responsibility it is to coordinate pedestrian, bicycle, equestrian, and Nordic trail projects and programs serving non-motorized transportation and recreation users in Teton County ("County") and the Town of Jackson ("Town").

Financial agreement:

All of the operational expenditure and revenue transactions pertaining to Pathways will be recorded in a separate department of the General Fund of the Town of Jackson and will be part of the Town of Jackson reporting entity. The Town of Jackson and Teton County will evenly (50/50) share the net operational costs of the Pathways Department. Net operational costs are defined as all operational expenditures, including any indirect cost allocations, less any operational revenue. All capital expenditures, and any associated revenue, will be recorded within the jurisdiction where the project is located. There will be no net cost sharing for capital outlay.

Effective September 1, 2003, all expenditures pertaining to the administration and operation of the Pathways Program will be paid by the Town of Jackson and then invoiced to Teton County. Teton County will not accept Pathways-related operational revenue or incur Pathways-related operational expenditures other than through the Town of Jackson. An exception to this provision is for grant proceeds and grant-related expenditures where Teton County is the grantee. Maintenance expenditures for pathways maintenance will continue to be budgeted within the Parks and Recreation Department.

On a monthly basis and subject to Town of Jackson invoicing, Teton County will remit one-half of the actual monthly operational costs incurred by the Town of Jackson for the Pathways Program.

The Pathways Program is required to comply with both the Town of Jackson's and Teton County's budgetary procedures, which includes format and timing requirements for appropriation requests. All appropriations and budgeted revenue need approval from both the Jackson Town Council and Teton County Commissioners before the budget is considered "approved". Adjustments to appropriations and budgeted revenue throughout the fiscal year require the approval of both the Town of Jackson Town Council and Teton County Commissioners. The Pathways Department will comply with both the Town of Jackson's and Teton County's supplemental appropriation process.

The Pathways Program is also required to comply with both the Town of Jackson's and Teton County's Capital Improvement Plan (CIP) procedures, which includes format and timing requirements for project submittal. All capital projects require approval from either the Town of Jackson Town Council or the Teton County Commissioners before the project is considered "approved" and before it is included in the published Capital Improvements Plan.

Management/Maintenance of Infrastructure:
The Parks & Recreation Department is responsible for operations and management of all completed pedestrian, bicycle, equestrian, and Nordic trails, including ongoing maintenance, grooming, and implementation of repair and replacement programs, and oversight of all non-motorized infrastructure and facilities. Maintenance priorities are to be established with input from and consultation with the Pathways Coordinator. Pathways maintenance costs will be budgeted for and accounted within the Parks and Recreation Department Budget.

Planning:
The Coordinator will work with the Pathways Task Force advisory group to develop both long- and short-range plans for non-motorized pedestrian and bicycle systems.

Both long- and short-range plans shall be reviewed and must be approved by:

- Jackson Town Administrator
- Parks & Recreation Director or designee;
- County Engineer and Planning Director or their designees for projects within the unincorporated county;
- Town Engineer and Planning Director or their designees for projects within the town;
- Wyoming Department of Transportation, when applicable; and
- County or Town departments, such as public works, fire protection, law enforcement, or others as applicable.

Based on final approval from the Town Council and Teton County Commissioners funding for planned projects shall be incorporated into respective Town and County Capital Improvement Programs, and coordinated with the County's Grant Writer and other resources upon approval of long-range plans and Capital Improvement Programs.

Project/Program Design:
For each project, on a project by project basis, prior to consideration and approval by the respective government entity, the Coordinator will meet with the Jackson Town Administrator, Parks & Recreation Director or his designee, and others as appropriate to establish milestones and determine the department responsible for each.

Milestones include, but are not limited to:

Identification of stakeholders
Project design
Acquire permits
Approval and appropriation by County or Town
Preparation of construction or procurement documents
Bidding

Contracting
Construction or program management
Maintenance cost estimates (including repair/replacement)
Maintenance

Staff from each department shall have periodic meetings to provide updates on proposed and projects-in-progress. Staff includes, but is not limited to the Jackson Town Administrator, Parks Superintendent, Coordinator, Park Planner, and Engineering Technical staff.

Planning Department Reviews:
The Pathways Coordinator is to participate in the in development review process for private and public developments. County and Town Planning Offices will provide the opportunity for the Pathways Coordinator to review all development plans.

Teton County Commission

Bill Paddleford, Chair

ATTEST:

Sherry Daigle, Teton County Clerk

Town of Jackson

Mark Barron, Mayor

ATTEST:

Donna M. Baur, Deputy Town Clerk

FIRST AMENDMENT TO MEMORANDUM OF UNDERSTANDING
(Pathways)

WHEREAS, the Town of Jackson, and Teton County, Wyoming ("the Parties") entered into that certain Memorandum of Understanding ("MOU") regarding the Pathways Program, dated September 8, 2003, and;

WHEREAS, the Parties wish to Amend the MOU to articulate and clarify differences between major maintenance/capital repairs, versus routine maintenance of the Pathways system, and to have such amendment effective as of the 1st day of February, 2004,

NOW, THEREFORE, the Parties hereby amend that paragraph of the September 8, 2003 MOU styled "Management/Maintenance of Infrastructure" by striking and readopting it to read as follows:

> "Management/Maintenance of Infrastructure:
> Management of the Pathways Program Infrastructure will be the responsibility of the Town Administrator. The Pathways Program includes pedestrian, bicycle, equestrian, and Nordic trails throughout the Town and County, and pedestrian/bicycle infrastructure components of the Town and County's transportation system.
>
> Routine maintenance, including: mowing, weed control, sweeping, trash removal, staining of benches, signs and fences, Nordic grooming/snow removal, and recreational programming will be the responsibility of the Parks & Recreation Department. Maintenance priorities, and levels of service, will be established with input from and in consultation with the Pathways Coordinator. Friends of Pathways and the Pathways Coordinator will manage the Adopt-A-Trail volunteer maintenance program in coordination with the Parks & Recreation Department. All costs for routine maintenance will be budgeted and accounted for within the Parks and Recreation Department Budget.
>
> Major maintenance, repair and replacement needs, including: sealing, striping, signage, fencing, shoulder and bridge repairs (and other repairs as needed) will be the responsibility of the Pathways Department, through the Pathways Coordinator. The Coordinator will prepare, and submit for approval, the annual Pathways Capital Improvements Program, which will include an Annual Pathways Maintenance Program and Capital Improvement Program (for new projects). The Pathways Capital Improvement Program will be developed in coordination with the Parks & Recreation, County Engineering and Town Public Works Departments. All costs for major maintenance, repair, and replacement projects, as well as new construction, will be budgeted and accounted for within the

respective Pathways Capital Budgets of the Town and County (depending on the location of the pathway, trail or pedestrian/bicycle facility).

All of the rest and remainder of the MOU not specifically changed by this Amendment shall remain in full force and effect.

Teton County Commission

Andy Schwartz, Chair

Town of Jackson

Mark Barron, Mayor

ATTEST:

Sherry Daigle, Teton County Clerk

ATTEST:

Roxanne Lowries Robinson, Town Clerk

TOWN COUNCIL

BOARD OF COUNTY COMMISSIONERS

JOINT INFORMATION MEETING

AGENDA DOCUMENTATION

PREPARATION DATE: July 29, 2020
MEETING DATE: August 3, 2020

SUBMITTING DEPARTMENT: Long-Range Planning
DEPARTMENT DIRECTORS: Tyler Sinclair & Chris Neubecker
PRESENTERS: Tyler Sinclair

SUBJECT: Affordable Workforce Housing Standards Update

PURPOSE/REQUESTED ACTION

The purpose of this item is to jointly consider the appropriate next steps to complete a review and possible update to the Town and County's Affordable Workforce Housing Standards.

BACKGROUND/STAFF ANALYSIS

The current Town and County Affordable Workforce Housing Standards were adopted in 2018 as part of the Engage 2017 series of five projects initiated to further implement key portions of the 2012 Comprehensive Plan. The Town and County Housing mitigation requirements are largely the same with the exception of the County having lower commercial mitigation rates and additional exemptions not utilized by the Town. The first four Engage 2017 projects were completed by the Town and/or County and the fifth project (updates to natural resource regulations) was not.

Engage 2017 Projects

1. Housing Requirements - completed
2. Housing Department Rules and Regulations - completed
3. Town Zoning for Character Districts 3-6 - completed
4. Town Parking Study - completed
5. Natural Resource Protections – not completed

Staff has provided a link to the educational video utilized during this process to provide background on this topic: Housing Video Link. In addition, staff has attached to this report an overview of the 2017 Housing Mitigation Requirements update process for background information for the Boards and the following link to the project webpage that contains further information on this topic: Housing Requirements Webpage.

Upon adoption of the Town and County regulations in 2018 a few members of the Wyoming Legislature became interested in our local Housing Mitigation Program and expressed interest in prohibiting municipalities and counties from imposing affordable housing exactions. As a result, the Town and County committed to relooking at our Housing Requirements to address issues raised by these few members of the Wyoming

Legislature, with the desired outcome to address issues related to housing mitigation at a local level. This item is on the agenda knowing that legislators could take up this topic again during the 2021 Legislative Session.

The approved Comprehensive Plan Work Plan for FY21 includes the following task:

Revisit Workforce Housing Mitigation LDRs		
Progress	0%	
Timeframe	Jul. 2020 – Dec. 2020	
Task Lead	Long-Range Planning	
Resources	***FY 21***	***Total***
Long-Range Planning	*100 hrs.*	*100 hrs.*
Town Planning Director	*60 hrs.*	*60 hrs.*
Town CD Director	*60 hrs.*	*60 hrs.*
County Planning Director	*30 hrs.*	*30 hrs.*
Housing Department	*60 hrs.*	*60 hrs.*

Task: Town and County will work jointly to revisit the current structure and rates for workforce housing mitigation required by the LDRs. Without the benefit of an updated nexus study, work will focus on either adjusting or reaffirming the percentage of employees generated by new development or use for which housing mitigation is required.

Comp Plan Strategies:
5.3.5.2: Update current mitigation requirements, as necessary.

Status: This Task has not yet begun.

Also related to this topic, the Town is interested in exploring an option to tie an additional cent of sales tax to a proportionate reduction in Housing Mitigation to spread the responsibility of housing to all members of the community as well as visitors while using workforce housing incentive tools to get housing built. This topic has not been significantly discussed jointly by the two boards but could be considered as part of this project.

Items for Consideration
Staff has identified the following questions for consideration related to this topic and how to proceed:

1. Do the Boards wish to consider adjustments to the current housing mitigation rates only?
   This would allow the Boards to focus only on what adjustments they may want to make based upon the current Housing Nexus Study and information utilized during the Engage 2017 update process. There would be no consideration of changes to the approach or other aspects of the housing mitigation program.

   The alterative would be to re-evaluate the entire housing mitigation program including what type of development should be required to mitigate (residential versus commercial), whether non bricks and motor businesses should be required to mitigate for employee generation, preference for type of mitigation, exemptions, etc. This approach would be revisiting and repeating the process undertaken in the Housing Mitigation component of Engage 2017 effort and would rely on the same nexus data used at that time.

2. Do the Boards wish to consider developing requirements linking the approval of a County wide additional cent of sales tax to reductions in housing mitigation rates for sales tax generating businesses as proposed by the Town?

3. Do the Boards wish to engage in these discussions jointly or as separate boards?

4. Based upon a review of all prioritized items in the FY21 Comprehensive Plan Work Plan, what should the timing of this project be?

5. Etc.

ATTACHMENTS
Engage 2017 - Housing Requirements Overview

STAKEHOLDER ANALYSIS
All Town and County residents, businesses, and property owners.

PUBLIC COMMENT
There has been extensive public comment on the Town and County Housing Mitigation requirements, but none specific to this review and update initiative since it has not yet begun.

FISCAL IMPACT
There is no funding allocated in the Town or County FY21 Budgets to assist in this project.

STAFF IMPACT
See proposed staff hours involved with this project outlined above.

LEGAL REVIEW
Gingery

SUGGESTED MOTION

I move to direct staff to proceed with a review and update of the Town and County Affordable Workforce Housing Standards as discussed at this meeting and described below:

-
-
-

HOUSING MITIGATION REQUIREMENTS

Draft Requirements

Engage 2017

You Spoke…

5 Public Comment Events,
2 Surveys,
713 total participants.

Here is what we heard from the community in 2017:

- We have an affordable housing problem. Housing mitigation requirements should be used to help.
- Providing affordable, local housing for employees should be part of the cost of doing business in this community.
- The cost of providing affordable housing should be spread across all types of development. All types of development generated employees. How much affordable housing provided should depend on the number of employees generated.
- Affordable housing programs should focus on housing year-round, full-time employees; Seasonal employees can be housed through market solutions.

We listened…

This is the major policy direction that informed the draft requirements:

- Housing requirements will be used to house year-round, full-time employees.
- The amount of affordable housing required will be equal to amount of affordable housing need that is generated.
- All types of development will be required to provide housing according to how many employees they generate.

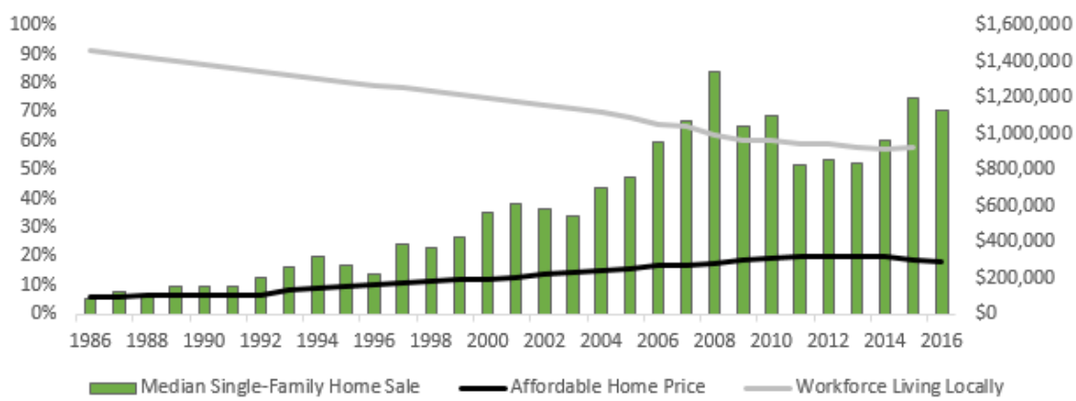
WHAT IS PROPOSED?

All development must include deed-restricted housing for the year-round, fulltime employees who cannot afford market housing that are generated by the development.

WHY?

1. **To be a Community 1st and Resort 2nd.** By housing local workers locally, we maintain our sense of community. Workers who live locally have time to volunteer after work, spend money in our community, and participate in community events like Old Bill's Fun Run. Nurses, policemen, and teachers who live in our community can still make it to work during road closures and weather events. Fewer workers commuting also means fewer cars on the road, fewer CO2 emissions, and fewer collision with wildlife.

   Over the past 30 years the percentage of the workforce living locally has dropped from over 90% to under 60%



2. **To address decreased housing affordability since 1995.** In 1995 the average home cost twice what the average family could afford, resulting in about 33% of families being unable to afford a market home. 20 years later the average home costs 4 times what the average family can afford, resulting in about 73% of families being unable to afford a market home.

3. **To get the housing supply at the same time as the housing demand.** Since 2000 the number of jobs in the community has grown 2.1% each year. The number of houses has only grown 1.6% each year. Even if housing was affordable there would be a shortage of housing for new employees generated by development because housing is not being built when jobs are created.

WHAT IS THE RESULT?

Some development costs will decrease, other development costs will increase.

MULTI-UNIT RESIDENTIAL DEVELOPMENT

SINGLE-FAMILY RESIDENTIAL

COMMERCIAL, LODGING AND INSTITUTIONAL

HOUSING MITIGATION REQUIREMENTS
Frequently Asked Questions

HOW DO I STAY INVOLVED?

April 12
- Open House to take public comment

April 24
- Elected Officials Workshop
- Public comment will be taken

May 21
- Planning Commission Hearing
- Public comment will be taken

June 6
- Elected Officials 1st Hearing
- Public comment will be taken

June 25
- Elected Officials 2nd Hearing
- Public comment will be taken

July 2
- Elected Officials 3rd/Adoption Hearing
- Public comment will be taken

WHERE IS MORE INFO?

engage2017.jacksontetonplan.com

#JHEngage2017

HOW DO I COMMENT?

At the open house or a hearing

feedback@jacksontetonplan.com

Q: I've heard the proposal is to go from 25% mitigation to 100% mitigation?

A: Here is what those numbers actually mean and why they cannot be compared:
- 25% is not the current mitigation of employees generated; it is the current percentage of new units that must be restricted
- "All" does not equal 100%; it equals 100% of 60% of 73%. The proposal is to mitigate for the housing need of all (100%) year-round employees (60% of all employees) generated who cannot afford housing (73% of year-round employees).
- A true comparison is that the proposal is to go from about 33% mitigation of all employees generated to about 43%.
- For reference, the Aspen (Colorado) equivalent is about 53% mitigation of all employees

Q: Then why does the nonresidential requirement look like it is increasing so much?

A: The proposal is that all development include 43% mitigation. Currently nonresidential development includes less than 33% mitigation while residential development includes more than 33% mitigation.
- The current requirement to provide housing for 33% of the employees generated by a nonresidential development is broken into two parts:
  - At the time of a nonresidential development, the developer is required to provide housing for 13% of the employees generated (33% of the seasonal employees)
  - The other 20% mitigation (33% of the year-round employees) is provided by residential developers later when new housing is built
- As a result, nonresidential mitigation is practically increasing from 13% to 43% (although it varies by industry depending on the percentage of employees that are seasonal)
- Subsequently, the housing requirement on residential development is decreasing

Q: Will an increased cost of development stop development and mean no housing?

A: The proposal includes a number of offsets that encourage workforce housing development
- The requirement on multi-unit development is actually going down, which may mean more small-unit, dense development in Town
- At the same time, more allowances and incentives for the construction of workforce housing are being added in the Town
- There is an option for housing developers to build mitigation units before they are required then sell them to nonresidential developers
- If there is less employee generation from development there is less demand for housing

Q: How can a mom-and-pop business afford the proposed mitigation?

A: Mom-and-Pop businesses usually pay rent, they do not develop nonresidential buildings.
- Increased cost of nonresidential development may effect rent in the long-term if supply is limited, but rents will also be affected by demand for commercial space
- Small businesses often start in older, existing spaces that larger businesses do not want, keeping the cost of redevelopment down will encourage redevelopment of such spaces

Q: Why not just let the market build more housing?

A: For the market to supply all the workforce housing demanded would mean building 500 to 700 units per year.
- Over the past 15 years we've averaged 150 units per year
- In addition to housing goals the community also has conservation and growth management goals that preclude a supply side approach