

**JOINT INFORMATION PROCEEDINGS  
TOWN COUNCIL AND BOARD OF COUNTY COMMISSIONERS MEETING**

**OCTOBER 5, 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 1:33 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, Larry Pardee, April Norton, Darren Brugmann, Jared Smith, John Graham, Rian Rooney, Tyler Sinclair, Stacy Stoker, Maureen Murphy, Keith Gingery, Chris Neubecker, Roxanne Robinson, Megan McPhilimy and Chalice Weichman

**Public Comment.** There was no public comment.

**Consent Calendar.** On behalf of the County, a motion was made by Commissioner Barron and seconded by Commissioner Epstein to approve the consent calendar for today's joint information meeting that includes the minutes for September 14, 2020. Chair Macker called for a 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 Schechter and seconded by Councilwoman Morton Levinson to approve the consent calendar for today's joint information meeting that includes the minutes for July 6, 2020, the minutes for September 14, 2020. The vote showed all in favor and the motion carried for the Town.

**A. Meeting Minutes.** To approve the meeting minutes for the September 14, 2020 meeting as presented.

**ITEMS A. AND B. - MATTERS FROM START**

**A. Federal CARES Act Funding for START.** Darren Brugmann, START Director, presented to the Commission and Council for consideration an amendment to the START FY21 Budget to reflect the increased allocation of funding from the CARES Act. The approximate value of anticipated CARES Act funding is \$1.04 M.

On Friday, March 27, 2020, President Trump signed the Coronavirus Aid, Relief, and Economic Security (CARES) Act into law. The CARES Act provides emergency assistance and health care response for individuals, families, and businesses affected by the COVID-19 pandemic and provide emergency appropriations to support Executive Branch agency operations during the COVID-19 pandemic. With specific regards to Public Transportation, the Federal Transit Administration (FTA) has allocated \$25 billion to recipients of urbanized area and rural area formula funds, with \$22.7 billion to large and small urban areas and \$2.2 billion to rural areas. (START falls under this category). Funding will be provided at a 100-percent federal share, with no local match required, and will be available to support eligible operating and other expenses generally eligible under those programs to prevent, prepare for, and respond to COVID-19. As direct recipients of FTA funding, the CARES Act allocation is first allocated to State DOT's.

WYDOT and Idaho Department of Transportation (ITD) distribute rural area formula funds for START.

The financial impact of options is as follows:

1. Continue collection of Local Share Contributions and Fares as budgeted. No Change. The change to the FY21 budget would be an increase in START reserves of approximately \$1.04 M due to CARES Act reimbursement.
2. Suspend collection of Local Share Contributions and Fare collections. A budget amendment would be needed to represent the reduction of contributions and fares as follows: Town (\$300K), County (\$436K), TVA/JHMR (\$301K) and fare collection estimation (\$300K) from the FY21 budget

3. Suspend collection of Local Share Contributions and Fare collections. A budget amendment would be needed, depending on final decision, as represented in Option 2 above.

Transit Director recommends Option 3: Continue collection of Local Share contributions as budgeted from all entities and suspension of fare collection. Transit Director also recommends Suspension of Fares be implemented for the period of November 1, 2020 through end of FY21 Budget Year. As well as the several pros listed above for providing “zero-fare”, implementing immediately provides additional safety for the Drivers during this pandemic as well as encouraging additional passengers to utilize alternative transportation. Continuance of a “zero-fare” system would then be considered by the START Board in plans for FY22 Operations Plan and budget process.

**B. START Winter Service Levels.** Darren Brugmann, START Director, and Megan McPhilimy, START Board, presented to the Commission and Council for consideration increasing the level of service for Winter Season 2020/21 (November 28 – April 8, 2021) while also looking to partially implement the START Route Plan.

Soon after the START FY21 Budget and Operation Plan were adopted in June, concern regarding START’s level of service for the Summer and Winter Season were expressed by a number in the community. It is important to recall that at the time the Budget and Operation Plan were adopted our community was quickly adjusting to the effects of the COVID-19 pandemic and significant decisions were being made with the best of intentions at that time. One of the entities expressing concern about the START service levels was the Teton Village Association (TVA) representing the employers at Teton Village, including the Jackson Hole Mountain Resort (JHMR). The START Board listened to these concerns and proceeded to direct Staff to make scheduling changes to Summer Service within the approved Budget and Operation Plan. On July 20 changes were made to the summer season that responded to the concerns expressed by TVA. The START Board and staff then focused on addressing reductions in Winter Season level of service to Teton Village, finding that the concerns over Winter Service level reductions were warranted.

1. Public Safety Order #2: Because of COVID-19, Current Statewide Public Safety Order #2 will limit no more than 50 persons on any bus regardless of the bus seating capacity. Typically, buses average a seating capacity of 39 but with standing room passengers – on peak days/hours – the total passenger count on a bus can be well above 50. Unless current Health Order #2 is rescinded or changed, START will need to limit capacity on respective buses to no more than 50 to comply with the current State Health Order. This will potentially increase wait times for buses above previous season’s experience with peak times and (powder) days causing the public to wait in winter conditions or find alternative options.
2. Ridership: Nearly half of START’s Annual ridership (1 Million +) is accounted for by passengers being transported to/from Teton Village during the 136 Days of Winter Service. Reduction of any service levels could cause the public to find other limited alternatives to/from the Village thus adding to traffic congestion and additional carbon emissions in direct conflict with the goals of the Comprehensive Plan and Integrated Transportation Plan (ITP).
3. Peak Days & Times: At full-service levels, past Winter Seasons have seen peak hours and “powder days” experiencing over capacity of seated passengers on buses and persons left behind to wait for the next bus. This would be exacerbated with any reduced level of service.

Based upon these factors the START Board and staff have concern that a decreased winter service level to Teton Village may lead to significant increased traffic congestion on Highways 22 and 390 and associated parking problems if START is not able to provide enough service and continue the ridership levels seen in recent years.

There was discussion regarding both matters from START, items A and B concurrently.

Public comment for Item A was given by Melissa Turley.

Public comment for item B. was given by Chris Neubecker.

**Motion for item A.** On behalf of the Town, a motion was made by Councilman Stanford and seconded by Councilman Schechter to direct staff to continue the collection of Local Share contributions from Town, County and TVA/JHMR for FY21 and to suspend fare collections on the Village and Commuter services from November 1, 2020 through June 30, 2021.

The Commission and the Council discussed taking the balance of remaining CARES funding and earmarking it for Winter Service only.

The Council did not amend the motion. Mayor Muldoon called for a vote. The vote showed all in favor and the motion carried for the Town.

**Motion for item A.** On behalf of the County, a motion was made by Commissioner Barron and seconded by Commissioner Epstein direct staff to continue the collection of Local Share contributions from Town, County and TVA/JHMR for FY21 and to suspend fare collections on the Village and Commuter services from November 1, 2020 through June 30, 2021 and furthermore move to make the balance of the CARES Act funds for winter service only. Chair Macker called for a vote. The vote showed four in favor with Commissioner Propst opposed.

The meeting recessed at 3:22 p.m. and reconvened at 3:30 p.m.

**Motion for Item B.** On behalf of the County, a motion was made by Commissioner Epstein and seconded by Commissioner Propst to direct staff to implement Scenario 3 for START Winter Season 2020/21 beginning on Saturday, November 28th and ending on Sunday, April 8, 2021 and amend the FY21 Adopted Budget and Operations Plan in the amount of \$151,000 to fund this change, and furthermore move to set a number corresponding to the number of seats regarding social distancing. Chair Macker called for a vote. The vote showed all in favor and the motion carried for the County.

**Motion for Item B.** On behalf of the Town, a motion was made by Councilwoman Morton Levinson and seconded by Councilman Jorgensen to direct staff to implement Scenario 3 for START Winter Season 2020/21 beginning on Saturday, November 28th and ending on Sunday, April 8, 2021 and amend the FY21 Adopted Budget and Operations Plan in the amount of \$151,000 to fund this change, and furthermore move to set a number corresponding to the number of seats regarding social distancing. Mayor Muldoon called for a vote. The vote showed four in favor with Chairman Schechter opposed and the motion carried for the Town.

**C. County Only Action: Teton County Adoption of Jackson/Teton County Housing Department Rules & Regulations.** Stacy Stoker, Housing Manager, Affordable Housing Services, presented to the Commission for consideration the adoption of the Housing Department Rules and Regulations document after its 45-day public comment period.

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"). In August of 2019, the Board and Council adopted several changes based on staff recommendation and public comment. Staff identified more changes needed to correct typos and formatting, clarify policy, and add definitions. These were brought to the JIM on July 6, 2020 for direction. The Board directed staff to make the recommended changes and advertise the document for the required 45-day public comment period prior to adoption.

There was no public comment.

On behalf of the County, a motion was made by Commissioner Epstein and seconded by Commissioner Propst to adopt the 2020 updated Jackson/Teton County Housing Department Rules and Regulations. Chair Macker called for a vote. The vote showed all in favor and the motion carried for the County.

**D. Town Only Action:**

1. **Ordinance A: An Ordinance Amending and Reenacting Jackson Municipal Code Housing Rules and Regulations Section 16.10.200 Housing Mitigation and Livability Standards (Presented for 3rd Reading and designated ordinance 1259)**
2. **Ordinance B: An Ordinance Amending and Reenacting Jackson Municipal Code Housing Rules and Regulations Section 16.10.300 Qualification and Eligibility, Disability Standards (Presented for 3rd Reading and designated ordinance 1260)**
3. **Ordinance C: An Ordinance Amending and Reenacting Jackson Municipal Code Housing Rules and Regulations Section 16.10.400**

**Weighted Drawing, Town and County Options for Right of First Purchase or Rental (Presented for 3rd Reading and designated ordinance 1261)**

4. **Ordinance D: An Ordinance Amending and Reenacting Jackson Municipal Code Housing Rules and Regulations Section 16.10.500 Purchase and Sale Standards and Procedures, and Repealing Section 16.10.500(B) Tenancy and Rental Standards and Procedures (Presented for 3rd Reading and designated ordinance 1262)**
5. **Ordinance E: An Ordinance Amending and Reenacting Jackson Municipal Code Housing Rules and Regulations Section 16.10.600 Rental Standards and Procedures (Presented for 3rd Reading and designated ordinance 1263)**
6. **Ordinance F: An Ordinance Amending and Reenacting Jackson Municipal Code Housing Rules and Regulations Section 16.10.700 Compliance and Exception, Appeal, and Grievance Standards and Procedures, Process for Default Contested Case Hearings (Presented for 3rd Reading and designated ordinance 1264)**
7. **Ordinance G: An Ordinance Amending and Reenacting Jackson Municipal Code Housing Rules and Regulations Section 16.10.800 Occupancy and Use Standards (Presented for 3rd Reading and designated ordinance 1265)**
8. **Ordinance H: An Ordinance Amending and Reenacting Jackson Municipal Code Housing Rules and Regulations Section 16.10.900 Definitions (Presented for 3rd Reading and designated ordinance 1266)**

Stacy Stoker, Manager, Housing Manager, Affordable Housing Services, presented to the Council for consideration the adoption of the new ordinances on third reading.

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"). In August of 2019, the Board and Council adopted several changes based on staff recommendation and public comment. Staff identified more changes needed to correct typos and formatting, clarify policy, and add definitions. These were brought to the JIM on July 6, 2020 for direction. The Council directed staff to make the changes to the Ordinances and bring them to the Council for the required three readings prior to adoption. Attached is a list of all the changes, a redlined version of the document, and a redlined version of the Ordinances A – H.

A motion was made by Councilwoman Morton Levinson and seconded by Councilman Schechter to read ordinances A through H in short title. Mayor Muldoon called for a vote. The vote showed all in favor and the motion carried.

Tyler Sinclair, Community Development Director, read Ordinances A, B, C, D, E, F, G and H in short title.

There was no public comment.

On behalf of the Town, a motion was made by Councilwoman Morton Levinson and seconded by Councilman Schechter to approve Ordinances A through H on Third Reading and to designate Ordinance numbers 1259 through 1266 respectively. Mayor Muldoon called for a vote. The vote showed all in favor and the motion carried for the Town.

**E. Consideration of Updates to the 2012 Comprehensive Plan.** Tyler Sinclair, Community Development Director (TOJ), and Chris Neubecker, Director of Planning and Building Services (TC), presented to the Commission and the Council for consideration the adoption of the July 29, 2020 draft (AMD2019-0008/P19-129) update of the 2012 Jackson/Teton County Comprehensive Plan.

This project is a systematic review of the effectiveness of the current Growth Management Program for the Town and County as it relates to Comprehensive Plan principles, policies, strategies, and indicators. The goal is to check-in and identify any corrective actions that are needed to better implement the Comprehensive Plan's community vision. The Growth Management Program review was triggered in 2016 upon hitting the 5% growth trigger built into the Comprehensive Plan update process when it was adopted in 2012. After over a year of community-driven work to improve and enhance the 2012 Comprehensive Plan,

a draft of an updated plan was released for public review on July 29, 2020. Review, incorporation of final edits, and adoption of an updated Comprehensive Plan by the Board and Council is the final step in this project.

Public comment was given by Amberley Baker, Brooke Sausser, and Susan Johnson.

On behalf of the County, a motion was made by Commissioner Epstein and seconded by Commissioner Propst to continue this item to the meeting on October 13, 2020. Chair Macker called for a vote. 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 Jorgensen to continue this item to the meeting on October 13, 2020. Mayor Muldoon called for a vote. The vote showed all in favor and the motion carried for the Town.

**Adjourn.** On behalf of the County, a motion was made by Commissioner Newcomb and seconded by Commissioner Epstein to adjourn. Chair Macker called for a vote. 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. Mayor Muldoon called for a vote. The vote showed all in favor and the motion carried for the Town. The meeting adjourned at 4:45 p.m.

minutes:csw

#### TETON COUNTY BOARD OF COUNTY COMMISSIONERS

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Natalia D. Macker, Chairwoman

ATTEST:

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Maureen E. Murphy, County Clerk