

Jackson Town Council Workshop

November 16, 2020

3:00 PM

Town Council Chambers

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I. ZOOM LINK FOR PUBLIC PARTICIPATION

To join, click the link or copy to your browser: <https://us02web.zoom.us/j/83505067438?pwd=c0ZSQjFmc3JlNTZ4UUUVGNctCOFZUQT09>

If the link does not work, join at zoom.com with Webinar ID **835 0506 7438** Password: **toj**

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II. CALL TO ORDER AND ROLL CALL

III. WORKSHOP ITEMS

- A. Update to Jackson Municipal Code Title 13 Utilities Water and Sewer Rates (Johnny Ziem, 60 minutes)
- B. Budget Check-In (Larry Pardee, 30 minutes)

IV. PROPOSED ITEMS FOR FUTURE WORKSHOPS

- A. 12/21 Downtown Pedestrian Improvements
- B. 12/21 Budget Update
- C. 1/19 Title 5 Update
- D. 1/19 North Cache Streetscape
- E. 2/16 Title 1 Update

V. ADJOURN

Please note that at any point during the meeting, the Mayor and Council 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.

STAFF REPORT



Meeting Date:	November 16, 2020	Meeting Title:	Workshop
Submitting Department:	Public Works	Presenter:	Johnny Ziem
Agenda Item:	Presentation of the Draft Sewer and Water Rate Ordinance	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of this item is to present a draft amendment to Title 13, which amends sewer and water rates & fees in the Town Municipal Code. Draft amendments to Title 13 include:

1. Alternative structure #2 for one-time sewer and water capacity fees as presented
2. Alternative structure #3 for water rates and alternative structure #2 for sewer rates as presented
3. A commencement date of July 1, 2021 when the updated ordinance governing rates will take effect
4. Additional information for discussion: 3 Creek Capital Replacement Fee Adjustment

Requested Action.

For Council to approve the draft amendments to Title 13, which amends sewer and water rates & fees in the Town of Jackson Municipal Code and provides for an effective date of July 1, 2021, and to direct staff to bring back the draft ordinance for first reading on the December 7, 2020, regular meeting of the Jackson Town Council.

Recommendations.

Staff recommends approving the amendments to Title 13, which amends sewer and water rates & fees in the Town Municipal Code and provides for an effective date of July 1, 2021 and requests direction to bring back the draft ordinance for first reading on the December 7, 2020, regular meeting of the Jackson Town Council.

Background.

The last time Council discussed this item was at the November 2, 2020, Council Regular meeting. The purpose of that meeting was to continue the initial discussion and presentation made at the October 19, 2020, Council Workshop.

Analysis.

The Town of Jackson's utility rates and fees live in Title 13 of the Town's Municipal Code. As presented in draft ordinance, the specific sections of Title 13 have been amended and updated to make any adjustment congruent with the Council's recommended utility rate structures. As presented on the November 2, 2020 Regular Council meeting, a motion was made to provide for the following water and sewer rate structures and commencement date:

1. **Capacity Fees:**
 - Water Capacity Fees: Alternative #2
 - Sewer Capacity Fees: Alternative #2
2. **Cost of Service (Volume Rates)**
 - Water Rates: Alternative #3
 - Sewer Rates: Alternative #2
3. **Commencement Date for New Rate Structure**
 - July 1, 2021

Since the last presentation to Council, staff has made an adjustment to the 3 Creek Capital Replacement Charge. Additional information for this adjustment is discussed below:

3 Creek Capital Replacement Fee

As presented previously, 3 Creek pays an additional Capital Replacement Charge on top of their base rate that covers the replacement cost of the 3 Creek-only water and sewer infrastructure. A part of that infrastructure is roughly 10,000 linear feet of sewer and water pipe (trunk line) on South Park Loop that connects to Town. As development has increased on South Park Loop (Classical Academy) over the years and with the possibility of new development occurring in the future, staff is recommending removing the trunk line length from 3 Creeks overall infrastructure evaluation. In doing so, current and future utility connections will not need customized calculations for their pro rata share of the capital replacement fee. This will also simplify the Town's municipal code by not creating other unique customer classes with specific rates (base, volume, capital replacement, etc.).

Staff is recommending changing the Capital Replacement Charge for water (\$25.73) and sewer (\$25.15) to reflect this methodology. As outlined in the draft ordinance, the new 3 Creeks adjusted Capital Replacement Charge will be: water (\$17.77) and sewer (\$16.50).

Alternatives (Optional).

Comprehensive Plan & Priority Alignment.

- Section 8: Quality Community Service Provision

Fiscal Impact.

Fiscal impact for any municipality that undergoes a comprehensive water and sewer rate study will impact all users of the utility system and the municipality. For new development and redevelopment, there will be a fiscal impact of increased capacity fees for connecting to the Town's water and sewer systems. There will also be fiscal impacts to the volume rates and applied Wastewater Strength Charges which will include an update to the base rate charges and volume (per 1,000 gallon) fees associated with usage per customer class. As calculated in the rate design, fiscal impacts to all users of the Town's system is directly reflective of the cost of service required for each customer class and level of service. There will also be fiscal impacts associated with any ordinances that must be passed as a result of amending the rates and the rate structure.

Staff Impact.

Staff impact for this item included 15 hours of updates and review provided by the Town Engineer, Assistant Public Works Director, Legal, and the contracted consultant, Raftelis.

Attachments or Links.

- Draft Ordinance Title 13

Suggested Motion. *Council always has the option to adopt, approve with conditions, continue, or deny items.*

I move to approve the draft amendments to Title 13 and direct staff to bring back the draft ordinance as amended for first reading on the December 7, 2020, Regular meeting of the Jackson Town Council.

ORDINANCE XX

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1182, 1071, 1039, 1018, 1040, 1019, 1009, 1008, 999, 992, 1000, 991, 935, 936, 866, 867, 894, 833, 834, 804, 805, 684, 683, 575, 576, 538, 541, 588, 567, 551, 539, 479, 451, 410, 381, 370, 308, 289, 270 AND 254; SECTION 2 OF TOWN OF JACKSON ORDINANCE NOS. 757, 758, 743, 745, 677, 270, 259, 97A, 122; SECTION 3 OF TOWN OF JACKSON ORDINANCE NOS. 664, 259 AND 122; SECTION 4 OF TOWN OF JACKSON ORDINANCE NOS. 677 AND 270; SECTION 6 OF TOWN OF JACKSON ORDINANCE NOS. 677, 558 AND 97; SECTION 7 OF TOWN OF JACKSON ORDINANCE NO. 677; SECTION 30 OF TOWN OF JACKSON ORDINANCE NO. 97; SECTION 32 OF TOWN OF JACKSON ORDINANCE NO. 97; AND SECTIONS 13.04.050, 13.04.060, 13.04.300, 13.08.012, 13.08.013, 13.08.013, 13.08.020 AND 13.08.030 OF THE TOWN OF JACKSON MUNICIPAL CODE REGARDING WATER AND WASTEWATER RATES, FEES AND COSTS AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JACKSON, WYOMING, IN REGULAR SESSION DULY ASSEMBLED THAT:

SECTION I.

An Ordinance Amending and Reenacting Section 1 of Town of Jackson Ordinance Nos. 1182, 1071, 1039, 1018, 1040, 1019, 1009, 1008, 999, 992, 1000, 991, 935, 936, 866, 867, 894, 833, 834, 804, 805, 684, 683, 575, 576, 538, 541, 588, 567, 551, 539, 479, 451, 410, 381, 370, 308, 289, 270 and 254; Section 2 of Town of Jackson Ordinance Nos. 757, 758, 743, 745, 677, 270, 259, 97A, 122; Section 3 of Town of Jackson Ordinance Nos. 664, 259 and 122; Section 4 of Town of Jackson Ordinance Nos. 677 and 270; Section 6 of Town of Jackson Ordinance Nos. 677, 558 and 97; Section 7 of Town of Jackson Ordinance No. 677; Section 30 of Town of Jackson Ordinance No. 97; Section 32 of Town of Jackson Ordinance No. 97; and Sections 13.04.050, 13.04.060, 13.04.300, 13.08.012, 13.08.013, 13.08.013, 13.08.020 and 13.08.030 of the Town of Jackson Municipal Code are hereby amended and reenacted to read as follows:

13.04.050 Supply--How obtained--~~Installation~~-Capacity fees.

A. **Application.** Any person desiring to obtain a supply of water from the waterworks shall make application by building permit to the Planning & Building Department and file an acknowledgment therewith that he shall be governed by the laws and regulations as may be provided by the Mayor and Town Council for the control of water supply. The application for water must state the location, kind of building, number of rooms, and the entire area of grounds to be supplied, state the purpose for which the water is to be used, and the size of water meter required.

B. Non-residential. All nonresidential water users, whether within the Town of Jackson's corporate boundaries, outside the Town's corporate boundaries or those with a specific rate set forth 13.04.300, shall pay water capacity fees for each meter, which must

include a domestic meter and may include an irrigation meter, according to the following fee schedule:

Non-Residential Water Capacity Fees

<u>Size of the Water Meter*</u>		<u>Capacity Fee per meter installed</u>
3/4 inch	\$	2,793
1 inch		4,664
1 1/2 inch		9,301
2 inch		14,887
3 inch		29,801
4 inch		46,559
6 inch		93,901
8 inch		148,951
*Capacity Fees for Compound meters shall be based on the size of the largest meter.		

B.C. Residential. All residential and multi-family water users, whether within the Town of Jackson's corporate boundaries, outside the Town's corporate boundaries or those with a specific rate set forth 13.04.300, shall pay the total of the below water capacity fee components according to the following fee schedule:~~The applicant, regardless of their connection location, shall pay a water capacity fee based upon the size of the water meter according to the following fee schedules:~~ placed upon the service line, fire service line or Water Service Laterals running from the Town main to the property of the applicant, as follows

Residential and Multi-Family Water Capacity Fees

<u>Type</u>		<u>Capacity Fee</u>
<u>Component 1:</u>		
1 Bedroom / Studio	\$	633
2 Bedroom		949
3 Bedroom		1,265
	+	
<u>Component 2:</u>		
Each Additional Bedroom or Unfinished Room per 400 sq. ft.		316
	+	
<u>Component 3:</u>		
Irrigation per 1,000 Square Feet of Landscaped Surface Area		365
*Definitions for terms used in the "Type" column are those set forth in the Town of Jackson Land Development Regulations, as amended.		

Size of the Fire Line	Capacity Fee
2-inch	\$ 1,000
4-inch	2,100
6-inch	2,400
8-inch	3,100

~~Water capacity fees for service lines, which fall between the above-listed sizes, shall be charged at the rate of the larger standard size. (Ord. _____ § __, 2020; Ord. 1071 § 1, 2014; Ord. 992 § 1, 2011; Ord. 935 § 1, 2009; Ord. 866 § 1, July 2008.)~~

~~C.D.~~ There shall be no additional charge for capacity fees for fire protection systems; provided, however, that all taps into the mains of the Town for fire sprinkler system services shall be separate taps subject to all other conditions with respect to taps and payment for materials.

~~D.~~ The provisions of Subsection A above with respect to capacity fees may be amended from time to time by ordinance adopted by the Town Council.

~~E.~~ The Town Engineer shall have the responsibility for interpreting the provisions of **this** Subsections A, B, and C hereof. **If in the opinion of the Town Engineer unique circumstances exist making the strict application of the schedules set forth in this section inapplicable, the Town Engineer may assess an appropriate fee.** ~~If in the opinion of the Town Engineer unique circumstances exist making the strict application of the schedule set forth in Subsection A inappropriate, the matter shall be presented to the Town Council at a regular or special meeting duly called for the purpose of deciding the appropriate fee to be charged. An applicant aggrieved by a determination of the Town Engineer with respect to the fees to be charged pursuant to Subsection A hereof shall have a similar right of review before the Town Council.~~

F. No permit shall be issued until all capacity fees have been paid in full.

~~(Ord. _____ § __, 2020; Ord. 743 § 2, 2003; Ord. 664 § 3, 2000; Ord. 538 § 1, 1996; Ord. 410 § 1, 1990; Ord. 270 § 1, 1980;)~~

13.04.060 Granting of applications.

If the application is granted, the applicant shall be authorized to extend the water mains to include the property. All expenses related to any extension from the water main to a private lot or within a private lot shall be borne by the property owner(s) or their designated representative.

All connections to the water mains shall be installed and tested per the Town Standards for trench construction, pressure testing and roadway patching. All associated work shall be done by or under the supervision of the Public Works Department.

All expenses related to any extension from the water main to a private lot or within a private lot shall be borne by the property owner(s) or their designated representative. All connections to the water mains shall be done by or under the supervision of the responsible department at the Town. The cost for service line provisions, including but not limited to, saddles, curb valves, tapping sleeves, labor and necessary appurtenances thereto procured from the Town is the cost paid by the Town for those materials, appurtenances, and labor.

~~The cost for service line provisions, including but not limited to, saddles, tapping saddles, labor and necessary appurtenances thereto procured from the Town is the cost paid by the Town for those materials, appurtenances, and labor.~~

Service Line Provision Fees (Water)										
Size	3/4"	1"	1-1/2"	2"	3"	4"	6"	8"	10"	12"
Corp Stop	\$44.50	\$50.00	\$98.00	\$158.00	Not Used	Not Used	Not Used	Not Used	Not Used	Not Used
Curb					Not Used					
Valve	\$47.50	\$71.00	\$128.75	\$186.00	Used	\$619.00	\$860.00	\$1,274.00	\$1,908.00	\$2,915.00
Copper					Not Used	Not Used	Not Used	Not Used		
Pipe (ft)	\$6.50	\$8.50	\$13.00	\$22.25	Used	Used	Used	Used	Not Used	Not Used
Curb										
Valve					Not Used					
Box	\$72.50	\$72.50	\$72.50	\$72.50	Used	\$133.00	\$133.00	\$133.00	\$133.00	\$133.00
Tapping	Not	Not	Not	Not	See	See	See	See		
Sleeve	Used	Used	Used	Used	Chart	Chart	Chart	Chart	See Chart	See Chart
	See	See	See	See	Not	Not	Not	Not		
Saddle	Chart	Chart	Chart	Chart	Used	Used	Used	Used	Not Used	Not Used
Labor	\$120.00	\$120.00	\$120.00	\$120.00	\$545.00	\$584.25	\$584.25	\$584.25	\$584.25	\$584.25
Fee										
Subtotal	\$291.00	\$322.00	\$432.25	\$558.75	\$545.00	\$1,336.25	\$1,577.25	\$1,991.25	\$2,625.25	\$3,632.25

Saddle Fees

Size	4 by 1	4 by 2	6 by 1	6 by 2	8 by 1	8 by 2	10 by 1	10 by 2	12 by 1	12 by 2	14 by 1	14 by 2
Saddle												
Fee	\$69.00	\$84.00	\$80.00	\$93.00	\$92.00	\$107.00	\$110.00	\$129.00	\$129.00	\$148.00	\$152.00	\$160.00

Tapping Sleeve Fees																
Size	4X4	6X4	6X6	8X4	8X6	8X8	10X4	10X6	10X8	10X10	12X4	12X6	12X8	12X10	12X12	12X14
Tap																
Sleeve	\$63	\$66	\$75	\$68	\$76	\$95	\$74	\$81	\$1,0	\$1,70	\$88	\$97	\$1,17	\$1,84	\$2,19	
Fee	6	4	7	7	4	1	7	1	27	0	4	2	4	9	7	
	\$11 size 4 to															
Valve Box	7	s	14													

Size	14X4	14X6	14X8	14X10	14X12
Tap					
Sleeve	\$93	\$1,0	\$1,2	\$1,9	\$2,3
Fee	6	34	92	72	19
	\$11 size 4 to				
Valve Box	7	s	14		

(Ord. ____ § __, 2020; Ord. 1071 § 1, 2014; Ord. 992 § 1, 2011; Ord. 935 § 1, 2009; Ord. 866 § 1, July 2008; Ord. 757 § 2, 2004; Ord. 743 § 2, 2003; Ord. 684, § 1, 2001; Ord. 664 § 4, 2000; Ord. 254 § 1, 1979; Ord. 97 § 6, 1966.)

13.04.300 Water rates.

A. ~~Effective July 1, 2021, w~~Water rates for water users within the Town of Jackson's corporate boundaries and those outside the Town's corporate boundaries that do not have a specific rate set forth in this section 13.04.300 shall include two charges per meter according to the following fee schedule: ~~as follows~~Charges for water system service, including irrigation only, and the usage of Town water shall include two components: user charges and base charges.

User Charges	
Volume charge per 1,000 gallons	\$ 2.12
Base Charges	
Monthly fixed charge based on meter size	
¾ inch	\$ 7.22
1 inch	9.93
1 ½ inch	17.41
2 inch	25.31
3 inch	57.54
4 inch	86.26
6 inch	159.34

<u>Base Charges</u>	
Monthly fixed charge based on meter size	
3/4 inch	\$ 11.00
1 inch	16.39
1 1/2 inch	28.54
2 inch	43.61
3 inch	86.39
4 inch	132.65
6 inch	259.66
8 inch	414.33
*A base charge will be charged for each meter size comprising a compound meter.	
**All meters, including meters for irrigation, shall be charged a base fee according to meter size.	
***Base charges include 2,000 gallon minimum usage.	

<u>User Charges</u>			
<u>Type of Meter(s)</u>	<u>Tiers (gallons)</u>	<u>\$/1,000 gallons</u>	
Residential	0 - 2,000	\$	0.00
	2,001 - 6,000		1.24
	6,001 - 25,000		2.48
	Over 25,000		3.72
Multi-Family	0 - 2,000	\$	0.00
	Over 2,000		2.12
Non-Residential	0 - 2,000	\$	0.00
	Over 2,000		2.12
Metered Irrigation	0 - 2,000	\$	0.00
	Over 2,000		2.48
*Mixed use buildings will be charged at the non-residential rate in the table.			

(Ord. ____ § __, 2020; Ord. 1039 §1, 2013; Ord. 1018 § 1, 2013; Ord. 1008 § 1, 2012; Ord. 999 § 1, 2012; Ord. 992 § 1, 2011; Ord. 935 § 1, 2009; Ord. 866 § 1, July 2008.)

- B. Water sold from fire hydrants shall be charged ~~appropriate the meter, a monthly~~ base charge of ~~\$125.16~~ and a usage rate of ~~\$2.12~~ per one thousand gallons. ~~If a meter smaller or larger than three (3) inch is requested to obtain water from a fire~~

~~hydrant~~, base and user charges in accordance with this section 13.04.300. A deposit for the Town supplied meter will be required.

(Ord. _____ § __, 2020; Ord. 1039 §1, 2013; Ord. 1018 §1, 2013; Ord. 1008 §1, 2012; Ord. 992 §1, 2011; Ord. 935 §1, 2009; Ord. 866 § 1, 2008;)

- C. ~~Effective January 1, 2019, w~~Water rates for **water users within** the 3 Creek Ranch Subdivision in Teton County, Wyoming shall **include two charges per meter according to the following fee schedules** ~~be as follows:~~

Base Charge, per connection, per year ~~_____~~ \$ 1,427.64

3 Creek Base Charges

Monthly fixed charge based on meter size	<u>Base Rate</u>	<u>Replacement Charge</u>	<u>Total</u>
3/4 inch	\$ 13.56	\$- 17.77	\$ 31.33
1 inch	20.16	17.77	37.93
1 1/2 inch	35.18	17.77	52.95
2 inch	53.76	17.77	71.53
3 inch	106.50	17.77	124.27
4 inch	163.52	17.77	181.29
6 inch	320.09	17.77	337.86
8 inch	510.76	17.77	528.53
*A base charge will be charged for each meter size comprising a compound meter.			
** All meters, including meters for irrigation, shall be charged a base charge according to meter size.			
*** Base charges include 2,000-gallon minimum usage.			

(Ord. _____ § __, 2020; Res. 8-19, 2018; Res. 17-03, 2017; Res. 14-02, 2014; Res. 13-22, 2013; Res. 11-12, 2011; Res. 10-24, 2010; Res. 09-29, 2009)

Volume Charge, per thousand gallons ~~_____~~ \$ 1.11

<u>3 Creek User Charges</u>			
	<u>Tiers (gallons)</u>	<u>\$/1,000 gallons</u>	
Residential	0 - 2,000	\$	0.00
	2,001 - 6,000		2.02
	6,001 - 25,000		4.04
	Over 25,000		6.06
Non-Residential	0 - 2,000	\$	0.00
	Over 2,000		2.02
Metered Irrigation	0 - 2,000	\$	0.00
	2,001 - 25,000		4.04
	Over 25,000		6.06

*** Mixed use buildings will be charged at the non-residential rate in the table above.**

(Ord. _____ § __, 2020; Res. 8-19, 2018; Res. 17-03, 2017; Res. 14-02, 2014; Res. 13-22, 2013; Res. 11-12, 2011; Res. 10-24, 2010-)

~~Capital Replacement Charge, per connection, Service Connection per year~~
~~_____ \$294.72~~

Ord. _____ § __, 2020; (Res. 8-19, 2018; Res. 17-03, 2017; Res. 14-02, 2014; Res. 13-22, 2013; Res. 11-12, 2011; Res. 10-24, 2010-)

~~The rates set forth in this subsection shall be effective until December 31, 2009. Effective January 1, 2010, and each year thereafter, the base charge, volume charge and replacement charge will be recalculated, using the budget in effect at the time of recalculation and other appropriate reference material, by the Town of Jackson Finance Department for adoption by council resolution. The formulas for recalculation will be those presented by Red Oak Consulting on March 28, 2005.~~

(Ord. _____ § __, 2020; Ord. 992 § 1, 2011; Ord. 935 § 1, 2009; Ord. 866 § 1, ~~July~~ 2008; Ord. 833 § 1, 2006; Ord. 804 § 1, 2005; Ord. 743 § 2, 2003; Ord. 664 § 18, 2000; ~~;~~ Ord. 588 § 1, 1996; Ord. 551 § 1, 1996; Ord. 539 § 1, 1996; ~~;~~ Ord. 479 § 1, 1994; ~~;~~ Ord. 381 § 1, 1988; ~~;~~ Ord. 370 § 1, 1987; ~~;~~ Ord. 270 § 2, 1980; ~~;~~ Ord. 97A § 2, 1972; ~~;~~ Ord. 97 § 30, 1966-)

13.08.012 Determining each user's wastewater contribution percentage.

- A. The Town shall determine each **customer's** volume of wastewater, which has been discharged to the wastewater system, by the water metering system **or through sewer metering**. Each user shall be charged ~~a base charge and a volume rate,~~ in accordance with Section 13.08.013, ~~per thousand gallons by the reading on their water meter.~~

13.08.013 Wastewater rates.

- A. ~~Effective July 1, 2021, w~~Wastewater rates for customers within the Town of Jackson's corporate boundaries and those outside the Town's corporate boundaries that do not have a specific rate set forth in this 13.08.013 shall include **two charges to the applicable meter according to the following fee schedules: four components: a base charge and volume rates for flow, biochemical oxygen demand (BOD), and total suspended solids (TSS).**

~~Base Charges:~~

~~Monthly fixed charge based on
meter size~~

¾ inch	-\$7.05
1 inch	-9.80
1 ½ inch	17.11
2 inch	25.20
3 inch	52.76
4 inch	81.24
6 inch	153.23

<u>Base Charges</u>		
Monthly fixed charge based on meter size		
¾ inch	\$	11.55
1 inch		14.61
1 1/2 inch		23.61
2 inch		31.64
3 inch		53.34
4 inch		81.02
6 inch		146.34
8 inch		224.97

***Based on largest water meter size for compound water meters or sewer meter size.**

****Base charges include 2,000 gallon minimum.**

Volume Rates:

Flow, BOD, and TSS charges by customer class (dollars per 1,000 gallons)

User Charges

Customer		Flow	BOD	TSS	Total
Class	mg/l				
1	0 – 250	\$ 1.67	\$ 0.36	\$ 0.24	\$ 2.27
2	251 – 550	1.67	0.56	0.35	2.58
3	551 – 850	1.67	1.01	0.62	3.30
4	851 – 1,150	1.67	1.44	0.87	3.98
5	1,151 – 1,450	1.67	1.86	1.15	4.68
6	1,451 – 1,750	1.67	2.31	1.37	5.53
7* (±)	> 1,750				

***User Charges for Customer Class 7 are determined based on actual loading and strength data from sampling.**

(Ord. _____ § __, 2020; Ord. 1040 §1, 2013; Ord. 1019 §1, 2013; Ord. 1009 § 1, 2012; Ord. 1000 § 1, 2011; Ord. 991§ 1, 2011; Ord. 936 § 1, 2009; ~~Rev.~~Ord. 867 § 1, ~~July~~ 2008.)

- B. The classification or classifications applicable to each customer of the wastewater system for purposes of calculating volume rates is based on the applicable range of the strength of such customer's waste discharge, as measured by BOD and TSS as indicated in section 13.08.013
- C. More than one class may apply to a customer at the same time. For example, a customer with a BOD value of 350 and a TSS value of 900 would pay a rate based on a classification of 2 for BOD (\$0.56) and a classification of 4 for TSS (\$0.87). These amounts, combined with the flow rate (\$1.67) would equal a rate of \$3.10 per 1,000 gallons.
(Ord. _____ § __, 2020; Ord. 1040 §1, 2013; Ord. 1019 §1, 2013; Ord. 1009 §1, 2012; Ord. 991 §1, 2011; Ord. 936, §1, 2009; Ord. 867 § 1, 2008.)
- D. The Wastewater Superintendent shall assign class designations to customers based upon the nature of the facility owned or operated by the customer, and estimates based on sample measurements taken from similar facilities or published industry standards. Any customer may, at the customer's expense, demonstrate that actual BOD or TSS discharges differ from the Wastewater Superintendent's estimates, and the Wastewater Superintendent shall assign such customer to a different class or classes, accordingly. Such actual measurements shall be conducted in accordance with procedures established by Section 13.08.014. Initial class designations are as follows:

E.

Customer Type	Customer Class	
	BOD	TSS
Residential	1	1
Non-Residential w/o Surcharge	1	1
Non-Residential w/ Surcharge		
Dry Cleaning (1)		
Meat Processing	4	3
Restaurants	3	3
Bakeries	3	3
Commercial Laundry	3	2
Fast Food Service	2	2
Fruit/Vegetable Canning	2	2
Hotel/Motel w/ Food Service	2	3
Market w/ Deli	2	2
Commercial Printing	2	1
Kennels	2	2
Auto Service/Repair	2	1
School Café	2	1
Hotel/Motel W/o Food Service	2	1

Mortuary	2	2
Photo Processing	2	1
Car Washes	1	2
Hospital w/o Food Service	1	2
Hospital w/ Food Service	2	3
Brewery	6	3

(1) Any customer in this category will be subject to separate sampling to determine specific loadings and corresponding rates.

(Ord. 1182 § 1, 2017)

F. Unusual wastes not covered by these rate schedules will be considered separately and may be assigned a special rate.

G. ~~Effective January 1, 2019, wastewater rates for the 3 Creek Ranch Subdivision in Teton County, Wyoming shall be as follows~~ **Wastewater rates for the 3 Creek Ranch Subdivision in Teton County, Wyoming shall include two charges to the applicable meter according to the following fee schedules:**

~~Base Charge, per connection, per year~~ ~~\$ 848.52~~

(Ord. _____ § __, 2020; Res. 18-19, 2018; Res. 17-03, 2017; Res. 14-02, 2014; Res. 13-22, 2013; Res. 11-12, 2011; Res. 10-24, 2010; Res. 09-29, 2009.)

3 Creek Base Charges			
Monthly fixed charge based on meter size	<u>Base</u>	<u>Replacement</u>	
	<u>Rate</u>	<u>Charge</u>	<u>Total</u>
3/4 inch	\$ 17.75	\$ 16.50	\$ 34.25
1 inch	22.45	16.50	38.95
1 1/2 inch	36.28	16.50	52.78
2 inch	48.62	16.50	65.12
3 inch	81.97	16.50	98.47
4 inch	124.51	16.50	141.01
6 inch	224.89	16.50	241.39
8 inch	345.73	16.50	326.23
Base charges include 2,000 gallon minimum usage.			

~~Volume Charge, per thousand gallons~~ ~~\$ 1.88~~

3 Creek User Charges

Customer					
Class	mg/l	Flow	BOD	TSS	Total
1	0 – 250	\$ 1.67	\$ 0.36	\$ 0.24	\$ 2.27
2	251 – 550	1.67	0.56	0.35	2.58
3	551 – 850	1.67	1.01	0.62	3.30
4	851 – 1,150	1.67	1.44	0.87	3.98
5	1,151 – 1,450	1.67	1.86	1.15	4.68
6	1,451 – 1,750	1.67	2.31	1.37	5.53
7 ¹	> 1,750				
¹ User Charges for Customer Class 7 are determined based on actual loading and strength data from sampling					

(Ord. _____ § __, 2020; Res. 18-19, 2018; Res. 17-03, 2017; Res. 14-02, 2014; Res. 13-22, 2013; Res. 11-12, 2011; Res. 10-24, 2010)

~~Capital Replacement Charge, per connection, per year — \$288.12~~

(Ord. _____ § __, 2020; Res. 18-19, 2018; Res. 17-03, 2017; Res. 14-02, 2014; Res. 13-22, 2013; Res. 11-12, 2011; Res. 10-24, 2010)

~~The rates set forth in this subsection shall be effective until December 31, 2009.~~

~~Effective January 1, 2010, and each year thereafter, the base charge, volume charge and replacement charge will be recalculated, using the budget in effect at the time of recalculation and other appropriate reference material, by the Town of Jackson Finance Department for adoption by council resolution. The formulas for recalculation will be those presented by Red Oak Consulting on March 28, 2005.~~

(Ord. _____ § __, 2020; Ord. 1009 § 1, 2012; Ord. 1000 § 1, 2011; Ord. 991 § 1, 2011; Ord. 936 § 1, 2009; Ord. 834 § 1, 2006; Ord. 805 § 1, 2005; Ord. 745 § 2, 2003; Ord. 677 § 2, 2000; Ord. 558 § 6, 1996, Ord. 259 § 2 (part), 1979.)

13.08.020 Wastewater Capacity Fees.

Any customer desiring to obtain service from the town's wastewater treatment facilities shall make application in writing to the town planning department and file an acknowledgment that the customer shall be governed by the laws and regulations as may be provided by the mayor and town council pertaining to wastewater facilities. If the application is granted, the Public Works Department shall be authorized to extend the sewer mains to include the property. All expenses related to any extension from the sewer main to a private lot or within a private lot shall be borne by the property owner(s) or their designated representative. All connections to the sewer mains shall be done by or under the supervision of the Public Works Department. The ~~applicant~~ **customer** shall **pay the total of the applicable wastewater capacity fees according to the following fee schedule** ~~pay a wastewater capacity fee based upon the applicable assessment unit as shown below:~~

Description	Assessment Unit	Capacity Fee
Residential Unit, House, Condominium with Laundry,		
—Townhouse, Apartment (2-Bedroom or more)	Per Unit	\$ 2,172
Apartment, Studio or 1-Bedroom (with Laundry in Apt)	Per Unit	1,088
Apartment, Studio or 1-Bedroom (w/out Laundry in Apt.)	Per Unit	869
Bars and Taverns (No Food Service [60 gpd/seat])	Per 15 Sq. Ft.	297
Restaurant (80 gpd/seat)	Per 15 Sq. Ft.	399
Motels and Hotels (200gpd/room)	Per Room	985
Bed and Breakfast (226 gpd/room)	Per Room	1,116
Churches (No Food Preparation/Dishwashing)	Per Seat	24
Churches (with Food Preparation/Dishwashing)	Per Seat	36
RV Parks (with individual sewer hookups [100 gpd/site])	Per Site	493
Camp Parks, Campgrounds (Service Building only [75 gpd/site])	Per Site	369
Mobile Home Park	Per Site	2,174
Laundry (Self-Service [300gpd/machine])	Per Machine	1,486
Laundry (Commercial [\$375/100# per day capacity])	Min./Machine	5,435
Dental Offices (128 gpd)	Per Dental Chair	614
Offices (30 gpd/employee [1 Occupant/100 sq. ft.])	Per Employee	147
Retail Stores (@0.05 gpd/sq. ft. [sq. ft./100 x 21 = Fee])	Per 100 Sq. Ft.	24
Service Stations (220 gpd/two-nozzle gasoline pump)	Per Pump	1,088
Car washes (1,000 gpd)	Per Bay	4,927
Day Care (10 gpd/student)	Per Student	49
Public Spas	Per 1,000 Gal. Capacity	652
Schools (with Gym)	Per Student	98

For businesses that are not listed in the table above, the wastewater capacity fee amount will be assigned by the public works department

		<u>Assessment</u>	<u>Capacity</u>
Description	GPD	Unit	Fee
Apartment, Studio or 1 Bedroom¹	140	Per Dwelling	\$2,274
Residential Unit (2 Bedroom)¹	210	Per Dwelling	3,410
Residential Unit (3 Bedroom)¹	280	Per Dwelling	4,547
Residential Unit Each Additional Bedroom¹	70	Per Dwelling	1,137
Unfinished Habitable Space¹	70	Per 400 sq. ft.	1,137

Bars, Taverns, Cocktail Lounge (no food)² (15 sq. ft. /Seat	20	Per Seat	325
Restaurants (full service)² (15 sq. ft./Seat Net)	64	Per Seat	1,039
Restaurants (paper service only - no dishes)	50	Per 100 sq. ft. Gross	812
Restaurants (single service) (15 sq. ft./Seat Net)	30	Per Seat	487
Caterers	80	Per 100 sq. ft. Gross	1,299
Motels and Hotels/Bed and Breakfast	140	Per Room	2,274
Assembly (w/o food)	3	Per 5 sq. ft. Net	49
Assembly (w/ food)	5	Per 15 sq. ft. Net	81
RV Park (w/ sewer connection)	100	Per Site	1,624
Campground/RV Park (w/comfort station)	75	Per Site	1,218
Mobile Home Park	210	Per Site	3,410
Laundry (self service)	450	Per Machine	7,308
Laundry (commercial 100#/day capacity)	1,000	100#/Machine	16,240
Breweries (per annual barrel production)	20	Per Gallon Annual Beer Capacity	325
Fitness (gyms, dance studios, yoga, karate)	50	Per 100 sq. ft. Net	812
Medical Offices and Dentists	250	Per Seat	4,060
Veterinary Offices (not including boarding)	250	Per Treatment Room	4,060
Animal Boarding	20	Kennel, Pen, Cage, or Stall	325
Offices	15	Per 100 sq. ft. Gross	244
Retail Stores	5	Per 1,000 sq. ft. Gross	81
Unfinished Commercial Space	5	Per 1,000 sq. ft. Gross	81
Service Stations (220 GPD/two nozzle fuel pump)	220	Per Gas Pump	3,573
Car Wash	1,000	Per Bay	16,240
Public Spas, Pools, Hot Tubs	10	Per 50 sq. ft. Gross	162
Schools (w/ cafeteria, gym, and showers)³	20	Per Student	325
Schools (w/ cafeteria, no gym, and no showers)³	15	Per Student	244
Schools (w/o cafeteria, no gym, and no showers)³	10	Per Student	162
Day Care and Pre School	20	Per Student	325
Others Not Listed Wastewater Service	1	Building Permit	16.24

¹Definitions are set forth in the Town of Jackson Land Development Regulations, as amended.

²Indoor and Outdoor seat areas. Kitchen, employees, and bathroom included.

³Includes teachers and staff.

The Town Engineer shall have the responsibility for interpreting the provisions hereof. If in the opinion of the Town Engineer unique circumstances exist making the strict application of the schedules set forth in the section inapplicable to a listed Description, the Town Engineer may assess an appropriate fee. If a particular business does not have an applicable Description listed in the table above, the wastewater capacity fee amount will be assigned by the Town Engineer. ~~An applicant aggrieved by a determination of the Town Engineer with respect to the fee to be charged pursuant to this section shall have a right of review before the Town Council.~~

(Ord. _____ § __, 2020; Ord. 991 §1,2011; Ord. 936, §1, 2009; Ord. 867 § 1, ~~July~~ 2008; Ord. 745 §2 ,2003; Ord. 677 §7, 2000; Ord. 576 § 1, 1997, Ord. 122 § 2, 1969.)

13.08.030 Connection required.

As nearly as practicable every occupied property in the Town, which is capable of being served by the sewerage system, shall be connected with the system. A written or printed notice to connect with the system shall be given to all owners or occupants of properties which are not connected with the system but which are capable of being connected therewith, and unless the time for connection is extended by the Town Council, all connections shall be made within ninety days after the mailing date of the notice. ~~Connections shall be charged to the property owner in conformance with the following schedule:~~

All expenses related to any extension from the sewer main to a private lot or within a private lot shall be borne by the property owner(s) or their designated representative. All connections to the sewer mains shall be done by or under the supervision of the responsible department at the Town. The cost for service line provisions, including but not limited to, saddles, tapping saddles, labor and necessary appurtenances thereto procured from the Town is the cost paid by the Town for those materials, appurtenances, and labor.

Service Line Provision Fees						
Saddle Size	4-x-6-12	4-x-14-24	4-x-24-48	6-x-12	6-x-14-24	6-x-24-48
Saddle Fee	\$104.00	\$131.00	\$245.00	\$138.00	\$165.00	\$275.00
Labor	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00	\$117.00
Total	\$221.00	\$248.00	\$362.00	\$255.00	\$282.00	\$392.00

(Ord. _____ § __, 2020; Ord. 991 §1,2011; Ord. 936, §1 ,2009; Ord. 867 § 1, ~~July~~ 2008; Ord. 758 § 2, 2004; Ord. 745 § 2, 2003; Ord. 683 § 1, 2001;; Ord. 122 § 3, 1969.)

SECTION II.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION III.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of the ordinance.

SECTION VI.

This Ordinance shall become effective on July 1, 2021.

PASSED 1ST READING THE _____ DAY OF _____, 2020.

PASSED 2ND READING THE _____ DAY OF _____, 2020.

PASSED AND APPROVED THE _____ DAY OF _____, 2020.

TOWN OF JACKSON

BY: _____
Pete Muldoon, Mayor

ATTEST:

BY: _____
Sandra P. Birdyshaw, Town Clerk

ATTESTATION OF TOWN CLERK

STATE OF WYOMING)
) ss.
COUNTY OF TETON)

I hereby certify that the foregoing Ordinance No. was duly published in the Jackson Hole News and Guide, a newspaper of general circulation published in the Town of Jackson, Wyoming, on the _____ day of _____, 2020.

I further certify that the foregoing Ordinance was duly recorded on page _____ of Book _____ of Ordinances of the Town of Jackson, Wyoming.

Sandra P. Birdyshaw, Town Clerk

STAFF REPORT



Meeting Date:	October 19 th , 2020	Meeting Title:	Workshop
Submitting Department:	Administration	Presenter:	Larry Pardee, Town Manager
Agenda Item:	Budget Update #2	Public Comment:	No

PURPOSE & POLICY CONSIDERATIONS:

The purpose of this item is to update Council on the year-to-date overview of FY21 budget revenues and expenditures.

In addition, staff will introduce a few areas in the FY22 Priority Driven Budget Process (PDB) needing time for discussion. The 3 areas are: 1) prioritization metrics, 2) 39-Program worksheets: (mission statements, level of service, performance metrics, desired outcomes to be achieved) and 3) establishment of Public Peer Review Committee.

REQUESTED ACTION:

None at this time.

RECOMMENDATION:

None at this time.

BACKGROUND:

For Fiscal Year 2021, the Town projected a 50% reduction in sales tax and a 50% reduction in lodging tax since COVID-19 began in late March. The below table shows actual reductions for current year when compared to prior year:

	<u>Sales Tax</u>	<u>Lodging Tax</u>
April	-15%	-74%
May	-20%	-64%
June	-28%	-47%
July	-16%	- 4%
August	- 2%	- 5%
September	-20%	+ 6%

The tax collections to date for FY21 are \$3.7M ahead of our reduced budget. As a result, the General Fund recurring expenditures are still exceeding recurring revenues by \$1.1M to fund FY2021. The \$1.1M deficit is currently funded by reserves in the approved budget.

ANALYSIS:

Priority Driven Budget:

Last month Council requested we begin setting up discussions relating to the Fiscal Year 2022 budget process. In future budget check ins, we will begin to lay the groundwork for our Priority Driven Budget process for Fiscal Year 2022. Specifically:

- Review of Prioritization Matrix – What scoring system should be used by Council to begin the Priority Driven Budget process.
- Review of 39-Program worksheets: (mission statements, level of service, performance metrics, desired outcomes to be achieved)
- Creation of a Public Peer Review Committee potentially comprised of nonprofit, business, human services and other community leaders to provide perspective and input on budgeting and prioritization Staff

recommends we wait and first finish prioritization and program worksheet reviews prior to organizing a new committee to help assist Council and staff.

At the workshop staff will ask for Council's initial thoughts and ideas on these three areas including what one area should be prioritized to be looked at first.

FY21 Budget Frozen Positions:

In addition, Council requested staff provide information on the 13 frozen FTE positions and costs for each position unfunded in the current FY21 budget. A list of this positions is provided below:

- Joint Principle Long Range Planner (Professional Service) = \$47,000
 - o Currently hired & funded by Teton County, works only on county projects but we could split 50% TOJ/50% TC
- Information Coordinator (Part time – 20hrs/per wk.) = \$23,170
- Code Enforcement Officer (1-FTE) = \$79,805
- Patrol Officer (1-FTE) = \$88,420
- Associate Engineer (1-FTE) = \$94,349
- Seasonal Winter Plow Driver (Part time - FTE) = \$21,300
- Seasonal Winter Bus Drivers (8 - Part time – FTE's) =
 - o October 5th Joint Information Meeting Town and County Elected Officials approved increased winter level of service with 2,100 additional hours of service for \$151,000.

Staff have also attached individual position descriptions and level of service (los) impacts for each position for Council review.

Future Funding of Local Government Options:

Finally, staff is seeking direction on whether Council would like to review and discuss additional funding options identified at your January 2020 Town Council retreat as a result of the unsuccessful General Penny ballot measure. Below staff has provided current and future funding options for local government for possible consideration

Currently allowed and utilized

- Sales & Use Tax – 4 cents general
- Sales & Use Tax – 1 cent local option (*split 50% General Fund & 50% Capital Fund*)
- Sales & Use Tax – 1 cent SPET
- Lodging Tax currently 2%,
 - 10% Local Government
 - 30% Guest Visitor Impacts
 - 60% Travel & Tourism Board
- Fees
- Exactions

Currently allowed but not yet Utilized

- Additional Sales Tax – 1 cent general local option *voted down November 3rd, 2020*
- Property Tax up to 8 - Mills
- Additional 2% Lodging Tax up to a max of 4%
- Enterprise Fund – Stormwater
- New Exactions on Development
- Downtown Manage Parking
- Other

Not currently allowed

- Real Estate Transfer Tax
- Other

Should Council choose to want to discuss any or all of the three items discussed above staff and Council will need to identify when and in what format they should be considered in relation to other prioritized items. Options for consideration include regular scheduled workshops, special workshops, annual retreat, etc.

ALTERNATIVES (Optional):

COMPREHENSIVE PLAN & PRIORITY ALIGNMENT:

Common Value #3 - Quality of Life, Section 8. Quality Community Service Provision

- Principle 5.4 – Use a balanced set of tools to meet our housing goal.
 - o Policy 5.4.e: Establish a reliable funding source for workforce housing provision.
- Principle 7.1 Meet future transportation demand through the use of alternative modes.
 - o Policy 7.1.g: Establish a permanent funding source for an alternative transportation system
- *Principle 8.1*- Maintain current, coordinated service delivery
 - o Policy 8.1.e: Budget for service delivery
- *Principle 8.2* - Coordinate the provision of infrastructure and facilities needed for service delivery
 - o Policy 8.1.S.1: Use budgeting to affirm desired service levels from government service providers that address all policies of Principle 8.1.

FISCAL IMPACT:

None at this time.

STAFF IMPACT:

Town Manager and Directors spend about 20 hours per month reviewing budget and revenue figures. Individual departments spend time as well and those hours are not included in this estimate.

ATTACHMENTS OR LINKS:

Please see the attachments to the Town Managers report regarding sales and lodging tax for November.
Frozen FTE Position Descriptions

SUGGESTED MOTION:

(Council always has the option to adopt, approve with conditions, continue, or deny items.)

None requested

FY2021 Frozen Staff Positions

Position Title: Joint Principle Long Range Planner

Fiscal Impact: \$47,000

Current Level of Service: Projects included in the FY20 Work Plan that are currently delayed or will not be completed due to the vacancy in this position include:

- Town Hillside Regulations
- Town Flat Creek Corridor
- Joint Business Park Zoning Update
- Joint Housing Nexus Study
- Biannual Land Development Regulations clean up
- Land Use standardized data collection (data base development and management)
- Community Development Director and Planning Director time has been shifted to Project Management and Oversight of active Long-Range Projects including: Comp Plan Update, Historic Preservation and Town Square regulations, Integrated Transportation Plan update, Housing Mitigation requirements.

Increased Level of Service: The Annual Comprehensive Plan Work Plan is approved each year assuming full staffing in Joint and Town planning positions. The ability of staff to complete the projects identified in the Work Plan is dependent on full staffing levels. The currently frozen Joint Principle Long Range Planer position has historically been funded 50/50 between the Town and County, providing a total of 2,080 hours annually to complete long-range projects for both Town and County.

Position Title: Information Coordinator (Part Time – 20 hours per week)

Fiscal Impact: \$23,170

Current Level of Service: Much of the work in the Personnel/Town Clerk Department is related to internal services and not necessarily captured in one of the programs in the priority driven budget. Staff in the Personnel/Town Clerk Department are struggling to meet the workload demands. Additional hours are spent to meet deadlines and this leaves little time for larger projects including Values and Professional Development, overall Town management assistance around Council priorities, purposeful public information/media relations on Town topics, agenda prep and staff report review, employee development, staff performance accountability/coaching, organizational development, and training. New projects came online during the pandemic including parklet development and processing and virtual meeting prep and follow up.

Increased Level of Service: If this position were to be restored, it would again give some breathing space to this small team working to keep up with the demands of increased document production requests, administrative record keeping including organization-archival-destruction-retrieval, backup assistance during absences, public email requests, website information transparency, employee records organization, etc.

Position Title: Code Enforcement Officer

Fiscal Impact: \$79,805

Current Level of Service: Weekly response to code enforcement violations/ Diminished quality of life due to more frequent violations/ More direct-enforcement approach to problem solving due to time constraints/ With nobody in this position, there is no follow-up on short term rental complaints. Building code violations and Town of Jackson Land Development Regulations code violations/complaints are forwarded to Building and Planning Department.

Increased Level of Service: Timely response to code enforcement violations/ Enhanced quality of life for residents and neighborhoods/ Adequate time to work with violators to gain compliance through community policing.

Position Title: Patrol Officer

Fiscal Impact: \$88,420

Current Level of Service: Call stacking awaiting available officer/ Minimal staffing of 2 officers per shift compromising safety of officer and public during multi-calls for service/ Reactive policing resulting in less prevention and increased crime rates.

Increased Level of Service: Under 5-minute response times to 911 calls/ 4 officers per shift for safety/ Proactivity to prevent and reduce possible crime.

Position Title: Associate Engineer

Fiscal Impact: \$94,349

Current Level of Service: Residential permit review – 90% within 2 weeks / Non-residential permit review – 90% within 4 weeks / Required inspection turnaround – 95% within 48 hours / Other permits – 90% within 2 weeks / Customer inquiry turnaround – 95% within 48 hours

Increased Level of Service: Residential permit review – 90% within 2 weeks / Non-residential permit review – 90% within 4 weeks / Required inspection turnaround – 95% within 24 hours. Other permits – 90% within 2 weeks / Customer inquiry turnaround – 95% within 24 hours

Position Title: Winter Seasonal Plow Driver

Fiscal Impact: \$21,300

Current Level of Service: Plowing and sanding conducted 7 days per week by 9AM. Snow removal conducted on roadway edges and sidewalks for 50% of service area with focus (100%) on downtown core and arterial streets. Thursday through Sunday: No alleyway plowing. Monday-Tuesday: No parking lot plowing.

Increased Level of Service: Plowing and sanding conducted 7 days per week by 9AM. Snow removal conducted on roadway edges and sidewalks for 100% of service area.

START Seasonal Drivers: 8 winter seasonal positions – approved October 5th Joint Information meeting to increase Winter Level of Service to Teton Village.

Fiscal Impact: \$151,000
