Joint Information Meeting

TOWN COUNCIL & COUNTY COMMISSIONER MEETING

July 6, 2022
1:30 PM
County Chambers and via Zoom and Swagit
Chair: Natalia Macker

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

I. ZOOM LINK FOR PUBLIC PARTICIPATION

To join, click the link or copy to your browser: https://us02web.zoom.us/j/85330985121
If the link does not work, join at zoom.com with Webinar ID **853 3098 5121**
or join by phone **+1 669 900 6833** with Webinar ID **853 3098 5121**

II. CALL TO ORDER, ROLL CALL, AND ANNOUNCEMENTS

III. PUBLIC COMMENT

This section is reserved for comments on items that are not otherwise included in this agenda. Public comment is limited to 3 minutes. As a general practice, the Electeds will not hold discussion or debate these comments. Nor will they make any decisions presented during this time, but rather refer to staff for follow-up. If you would like to communicate with the Electeds during the meeting, please address them during this open public comment, when public comment is called for on a specific agenda item or send an email to council@jacksonwy.gov and commisioners@tetoncountywy.gov.

IV. CONSENT CALENDAR

A. Meeting Minutes
   1. June 6, 2022 Special JIM
   2. June 13, 2022 Special JIM
   3. June 27, 2022 Special JIM
   4. June 28, 2022 Special JIM

B. Housing Nexus Study and Needs Assessment Contract Amendment (Sinclair, Neubecker & Norton)

V. DISCUSSION/ACTION ITEMS

A. Housing Rules and Regulations - Continued (April Norton & Stacy Stoker)

B. SPET Ballot Resolution (Roxanne Robinson)

VI. MATTERS FROM COUNCIL, COMMISSIONERS AND STAFF

VII. PROPOSED ITEMS FOR FUTURE JOINT INFORMATION MEETINGS

8/1 Quarterly Human Service Updates
8/1 Quarterly BUILD Grant Update
8/1 Housing Rules and Regs - Release for 45-day comment period & Town first reading

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.

VIII. 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.

JOINT INFORMATION PROCEEDINGS – UNAPPROVED
TOWN COUNCIL AND BOARD OF COUNTY COMMISSIONERS MEETING

JUNE 6, 2022 **JACKSON, WYOMING**

The Jackson Town Council and the Teton County Board of County Commissioners met in a special joint information meeting (JIM) in the Town Council Chambers located at 150 East Pearl Avenue in Jackson. This meeting was held in-person and through the Zoom platform. Upon roll call the following were found to be present at 1:00 p.m.:

TOWN COUNCIL: Mayor Hailey Morton Levinson, Arne Jorgensen, Jim Rooks, Jessica Sell Chambers, and Jonathan Schechter.

COUNTY COMMISSIONERS: Vice-chairman Luther Propst, Greg Epstein, Mark Newcomb, and Mark Barron. Chairwomen Natalia Macker was absent.

STAFF: Larry Pardee, Roxanne Robinson, Lea Colasuonno, Tyler Sinclair, Johnny Ziem, Paul Anthony, Tyler Valentine, Floren Poliseo, Michelle Weber, April Norton, Carl Pelletier, Susan Scarlata, Steve Ashworth, Michael Palazzolo, Lynsey Lenamond, Riley Taylor, Alyssa Watkins, and Maureen Murphy.

PUBLIC COMMENT. There was no public comment.

CONSENT CALENDAR. On behalf of the Town, a motion was made and seconded to approve consent calendar item A-B as presented with the following motion. On behalf of the County, a motion was made and seconded to approve consent calendar item A-E as presented with the following motion. No public comment was given on the Consent Calendar.

A. **Meeting Minutes.** To approve Joint Information Meeting (JIM) minutes for the May 2nd JIM, May 9th Special JIM, May 10th a.m. Special JIM, May 10th p.m. Special JIM, and May 23rd Special JIM.

B. **TVA Agreement/JHMR Agreement.** To 1) Approve the Transit Funding Agreement Between the Town of Jackson/START and Teton Village Association ISD as negotiated and tentatively agreed to by the parties and as attached hereto; and B) approve the Transit Funding Agreement Between the Town of Jackson/START and Jackson Hole Mountain Resort as negotiated and tentatively agreed to by the parties and as attached hereto.

On behalf of the Town, Mayor Morton Levinson called for the vote. The vote showed all in favor and the motion carried for the Town.

On behalf of the County, Vice-chairman Luther Propst called for the vote. The vote showed all in favor with Chairwoman Natalia Macker absent and the motion carried County.

Continued SPET Discussion. Roxanne Robinson made staff comment. Council and Commission held discussion with staff. Council and Commission discussed the Jackson Outreach College project. Council discussed the County: Transportation Alternatives project. Heather Overholser responded to questions on behalf of the applicant. Council and Commission discussed the Teton County School District: Housing and Facilities project. Gillian Chapman responded to questions on behalf of the applicant. Kevin Cochary, Mike Gierau, Laura Bonich, Candra Day, Jack Crow, Mary Ponce, Anna Olson, Tom McKinny, Rebecca Bextel, Tim Reeser, Mark Sullivan, Phil Cameron, Camille Obering, Blair Maus, and Meghan Quinn made public comment. No motion was made.

Council and Commission recessed at 2:50 p.m. and reconvened at 3:00 p.m.

Northern South Park Neighborhood Plan Presentation. Ryan Hostetter, Drew Finke, and Sean McAtee gave a presentation on behalf of the consultant. Council and Commission held discussion. Chris Neubecker made staff comment. Gillian Chapman, Chris Deming, and Niki Gill made public comment. No motion was made.

TTB/ECW Budgets. Cory Carlson, Erik Dombroski, and Katheryn Brackenridge with the Travel and Tourism Board made comments. Council and Commission held discussion. There was no public comment.

On behalf of the Town, a motion was made by Jonathan Schechter and seconded by Arne Jorgensen to continue the items to the next available meeting. Mayor Morton Levinson 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 Greg Epstein and seconded by Mark Barron to continue the items to the next available meeting. The vote showed all in favor with Chairwoman Natalia Macker absent and the motion carried County.

Adjourn. On behalf of the Town, a motion was made by Jonathan Schechter and seconded by Arne Jorgensen to adjourn. Mayor Morton Levinson 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 Greg Epstein and seconded by Mark Barron to adjourn. Vice-chairman Luther Propst called for the vote. The vote showed all in favor with Chairwoman Natalia Macker absent and the motion carried County.

The meeting adjourned at 5:01 p.m. Minutes:rt

TOWN OF JACKSON

____
Hailey Morton Levinson, Mayor

ATTEST:

____
Riley Taylor, Town Clerk

TETON COUNTY BOARD OF COUNTY COMMISSIONERS

____
Natalia D. Macker, Chairwoman

ATTEST:

____
Maureen E. Murphy, County Clerk

Publish JH News & Guide: June 15, 2022

JOINT INFORMATION PROCEEDINGS – UNAPPROVED
TOWN COUNCIL AND BOARD OF COUNTY COMMISSIONERS MEETING

JUNE 13, 2022 **JACKSON, WYOMING**

The Jackson Town Council and the Teton County Board of County Commissioners met in a special joint information meeting (JIM) in the Town Council Chambers located at 150 East Pearl Avenue in Jackson. This meeting was held in-person and through the Zoom platform. Upon roll call the following were found to be present at 1:00 p.m.:

TOWN COUNCIL: Mayor Hailey Morton Levinson, Arne Jorgensen, Jessica Sell Chambers, and Jonathan Schechter. Jim Rooks joined at 1:30.

COUNTY COMMISSIONERS: Vice-chairman Luther Propst, Greg Epstein, and Mark Newcomb. Chairwomen Natalia Macker. Mark Barron joined at 1:13pm.

STAFF: Larry Pardee, Roxanne Robinson, Lea Colasuonno, Tyler Sinclair, Paul Anthony, Johnny Ziem, April Norton, Stacy Stoker, and Riley Taylor.

Travel and Tourism Board Budget. Council and Commission held discussion. Erik Dombroski answered questions on behalf of the Board. Rick Howe made public comment.

On behalf of the Town, a motion was made by Arne Jorgensen and seconded by Jessica Sell Chambers to approve the proposed FY23 budget of the Jackson Hole Travel and Tourism Board as presented. Mayor Morton Levinson called for the vote. The vote showed 4-0 in favor with Jim Rooks absent and the motion carried for the Town.

On behalf of the County, a motion was made by Greg Epstein and seconded by Mark Newcomb to approve the proposed FY23 budget of the Jackson Hole Travel and Tourism Board as presented. Vice-chairman Luther Propst called for the vote. The vote showed 3-1 with Luther Propst, Mark Newcomb, and Greg Epstein in favor, Mark Barron opposed, Chairwoman Natalia Macker absent and the motion carried County.

Energy Conservation Works Budget. Phil Cameron gave a brief presentation. Council and Commission held discussion.

On behalf of the Town, a motion was made by Arne Jorgensen and seconded by Jonathan Schechter to approve the proposed FY23 budget of the Energy Conservation Works as presented. Mayor Morton Levinson 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 Greg Epstein and seconded by Mark Newcomb to approve the proposed FY23 budget of the Energy Conservation Works as presented. Vice-chairman Luther Propst called for the vote. The vote showed all in favor with Chairwoman Natalia Macker absent and the motion carried County.

Housing Rules and Regulations Update. Stacy Stoker and April Norton gave a presentation. Council and Commission held discussion with staff.

Council and Commission recessed at 2:56pm and reconvened at 3:00pm.

Doug Hayden and Charisse Meadows Haws made public comment.

On behalf of the Town, a motion was made by Jonathan Schechter and seconded by Jim Rooks to continue the item to the July 11 JIM. Mayor Morton Levinson 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 Greg Epstein and seconded by Mark Newcomb to continue the item to the July 11 JIM. Vice-chairman Luther Propst called for the vote. The vote showed all in favor with Chairwoman Natalia Macker absent and the motion carried County.

SPET Discussion. Roxanne Robinson made staff comment. Council and Commission held discussion with staff. No motion was made.

Adjourn – County Commission. On behalf of the County, a motion was made by Greg Epstein and seconded by Mark Barron to adjourn. Vice-chairman Luther Propst called for the vote. The vote showed all in favor with Chairwoman Natalia Macker absent and the motion carried County.

Ordinance L. A motion was made by Jonathan Schechter and seconded by Arne Jorgensen to read the ordinance in short title. Mayor Morton Levinson called for the vote. The vote showed all in favor and the motion carried for the Town.

Ordinance L: An Ordinance Regarding Alcohol and Malt Beverage in Parklets

ORDINANCE L AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF ORDINANCE NOS. 90A, 172, 227, 375, 516, 544, 577, 987, 1063, 1072, 1185, 1245, AND 1286; SECTION 2 OF ORDINANCE NO. 227; SECTION 3 OF ORDINANCE NO. 90A; SECTION 6 OF ORDINANCE NO. 853; SECTIONS 8, 9, AND 13 OF ORDINANCE NO. 90; AND CHAPTERS 6.40.040 AND 6.40.050 OF THE MUNICIPAL CODE OF THE TOWN OF JACKSON REGARDING THE LOCATION OF ALCOHOL SERVICE AND CONSUMPTION 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:

A motion was made by Arne Jorgensen and seconded by Jonathan Schechter to approve Ordinance L: An Ordinance Regarding Alcohol and Malt Beverage in Parklets on third reading and designate it Ordinance No. 1318. Mayor Morton Levinson called for the vote. The vote showed all in favor and the motion carried.

Adjourn – Town Council. On behalf of the Town, a motion was made by Jonathan Schechter and seconded by Jim Rooks to adjourn. Mayor Morton Levinson called for the vote. The vote showed all in favor and the motion carried for the Town.

The meeting adjourned at 5:01 p.m. Minutes:rt

TOWN OF JACKSON

____
Hailey Morton Levinson, Mayor

ATTEST:

____
Riley Taylor, Town Clerk

TETON COUNTY BOARD OF COUNTY COMMISSIONERS

____
Natalia D. Macker, Chairwoman

ATTEST:

____
Maureen E. Murphy, County Clerk

Publish JH News & Guide: June 22, 2022

JOINT INFORMATION PROCEEDINGS – UNAPPROVED
TOWN COUNCIL AND BOARD OF COUNTY COMMISSIONERS MEETING

JUNE 27, 2022 **JACKSON, WYOMING**

The Jackson Town Council and the Teton County Board of County Commissioners met in a special joint information meeting (JIM) in the Town Council Chambers located at 150 East Pearl Avenue in Jackson. This meeting was held in-person and through the Zoom platform. Upon roll call the following were found to be present at 1:35 p.m.:

TOWN COUNCIL: Mayor Hailey Morton Levinson, Arne Jorgensen, Jessica Sell Chambers, and Jim Rooks. *Via Zoom:* Jonathan Schechter.

COUNTY COMMISSIONERS: Vice-chairman Luther Propst, Greg Epstein, and Mark Barron. Mark Newcomb joined at 1:43 p.m. Chairwomen Natalia Macker was absent.

STAFF: Larry Pardee, Roxanne Robinson, Lea Colasuonno, Tyler Sinclair, Susan Scarlata, Brady Hansen, Floren Poliseo, Lynsey Lenamond, and Riley Taylor.

SPET Discussion. Roxanne Robinson, Lea Colasuonno, Abigail Moore, and April Norton made staff comment. Council and Commission held discussion.

Council and Commission recessed at 3:23 p.m. and reconvened at 3:33 p.m.

Discussion of ballot language continued. No motion was made.

Adjourn to Executive Session – Town Council. A motion was made by Arne Jorgensen and seconded by Jessica Sell Chambers to adjourn to 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 in accordance with Wyoming Statute 16-4-405(a)(ii). Mayor Morton Levinson called for the vote. The vote showed all in favor and the motion carried.

Adjourn – County Commission. On behalf of the County, a motion was made by Barron and seconded by Newcomb to adjourn. Vice-chairman Luther Propst called for the vote. The vote showed all in favor with Chairwoman Natalia Macker absent and the motion carried County.

The meeting adjourned at 5:00 p.m. Minutes:rt

TOWN OF JACKSON

____
Hailey Morton Levinson, Mayor

ATTEST:

____
Riley Taylor, Town Clerk

TETON COUNTY BOARD OF COUNTY COMMISSIONERS

____
Natalia D. Macker, Chairwoman

ATTEST:

____
Maureen E. Murphy, County Clerk

Publish JH News & Guide: July 6, 2022

JOINT INFORMATION PROCEEDINGS
TOWN COUNCIL AND BOARD OF COUNTY COMMISSIONERS MEETING

JUNE 28, 2022 **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 9:06 A.M.

I. ROLL CALL. Upon roll call the following were present:

COUNTY COMMISSIONERS: Vice-Chairman Luther Propst, Mark Barron, Mark Newcomb, and Greg Epstein. Chairwoman Natalia Macker was absent.

TOWN COUNCIL: Mayor Hailey Morton Levinson, Vice-Mayor Arne Jorgensen, Jim Rooks, and Jessica Sell Chambers. Jonathan Schechter joined via Zoom

II. VOLUNTEER BOARD INTERVIEWS. The Town and County Conducted interviews for the Jackson Hole Travel and Tourism Board. The following applicants were interviewed:

1. Madison Webb
2. Paul Hansen
3. Julie Calder
4. Kris Shean
5. Larry Hartenstein – joined via Zoom
6. Ariel Koerber
7. Michael Geraci

The meeting recessed at 10:17 A.M. and reconvened at 10:26 A.M.

8. Melissa Turley
9. Sean Marx
10. Molly Fetters
11. Joe Madera – joined via Zoom
12. Jr Rodriguez
13. Samantha Danahy

III. EXECUTIVE SESSION

On behalf of the County, a motion was made by Commissioner Epstein and seconded by Commissioner Barron to enter executive session Pursuant to WY Statute §16-4-405(a)(ii) to consider appointments to a volunteer board, specifically the appointment of a board member as a public officer. Vice-Chairman Propst called for a vote. The vote showed all in favor ant the motion carried for the County.

On behalf of the Town, a motion was made by Councilmember Chambers and seconded by Councilmember Rooks to enter executive session Pursuant to WY Statute §16-4-405(a)(ii) to consider appointments to a volunteer board, specifically the appointment of a board member as a public officer. Mayor Morton Levinson called for a vote. The vote showed all in favor and the motion carried for the Town.

The meeting entered executive session at 11:33 A.M.

Commission Present: Luther Propst, Mark Barron, Mark Newcomb, and Greg Epstein.

Town Council Present: Hailey Morton Levinson, Arne Jorgensen, Jim Rooks, and Jessica Sell Chambers were present in-person, and Jonathan Schechter was present via Zoom.

Others: Maureen Murphy, County Clerk, and Chalice Weichman, Deputy County Clerk.

On behalf of the County, a motion was made by Commissioner Barron and seconded by Commissioner Newcomb to exit executive session. Vice-Chairman Propst called for a vote. The vote showed all in favor and the motion carried for the County.

The Town exited executive session, and the meeting exited executive session at 11:39 A.M.

IV. ADJOURN. On behalf of the County, a motion was made by Commissioner Barron and seconded by Commissioner Epstein to adjourn. Vice-Chairman Propst 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 Councilmember Chambers and seconded by Councilmember Rooks to adjourn. Mayor Morton Levinson called for a vote. The vote showed all in favor and the motion carried for the Town.

The meeting adjourned at 11:41 A.M.

TETON COUNTY BOARD OF COUNTY COMMISSIONERS

Natalia D. Macker, Chairwoman

ATTEST:

Maureen E. Murphy, County Clerk

TOWN OF JACKSON

Hailey Morton Levinson, Mayor

ATTEST:

Town Clerk

TETON COUNTY WYOMING

BOARD OF COUNTY COMMISSIONERS

TOWN OF JACKSON WYOMING

TOWN COUNCIL

JOINT INFORMATION MEETING
AGENDA DOCUMENTATION

SUBMITTING DEPARTMENT: Joint Planning **PRESENTER**: Tyler Sinclair & Chris Neubecker

MEETING DATE: July 6, 2022

SUBJECT: **Housing Nexus Study, Regional Housing Needs Assessment - Contract Amendment**

STATEMENT/PURPOSE

The Teton County Board of County Commissioners ("Board") and Jackson Town Council ("Council") will consider amending the scope of work with WSW Consulting ("WSW") concerning the timeline, budget, and deliverables for the housing mitigation policy discussion. Staff proposes that WSW provide a final report from the recently completed Regional Housing Needs Assessment work with staff on suggested next steps, including linkage policy development and drafting Land Development Regulations ("LDRs") based on policy direction, and provide facilitation assistance through the policy adoption. The revised scope of work proposes that Economic and Planning Systems, as well as Logan Simpson, be included as subconsultants. As proposed, some funds previously approved would be reallocated to the Mitigation Policy Discussion & Facilitation and to Housing Linkage LDR Updates.

With this revision, WSW will not be involved going forward in the Community Housing Plan phase.

BACKGROUND/ALTERNATIVES

The Board and Council awarded the Regional Housing Needs Assessment ("HNA") and Housing Nexus Study ("HNS") contract to WSW on June 7, 2021. The HNS evaluates the impacts of new residential and commercial development on the need for affordable workforce housing. The HNS is not policy and does not set the housing mitigation rates for new development.

At the May 2, 2022, Joint Information Meeting, staff presented an amendment to the Housing Nexus Study and Housing Needs Assessment contract. In that meeting, staff recommended an amendment to the contract to obtain specific, actionable recommendations from WSW on the Housing Needs Assessment, and indicated that other members and groups in the community intend to take the lead on a collaborative community resourcing process that will create a community-wide housing plan. At that same meeting, staff also expressed concerns about staffing levels and workload, and advised delaying the housing mitigation policy discussion, facilitation, and LDR updates until after Northern South Park is completed. The Council and Board supported this approach and directed staff to return to a joint meeting with the updated contract and schedule.

Housing Needs Assessment Wrap Up

Instead of moving into the Housing Strategy Planning process this summer, staff recommends requesting a final report from the consultant team that will provide specific, actionable recommendations. This report will be used to inform a future collaborative community resourcing process that will create a community-wide housing plan. Over the summer, staff will collaborate with other stakeholders to help create a community process where the Town/County are participants and not leading the work, funding the work, and also trying to participate in the work. Staff requests that funds previously approved for this task be reallocated to work on the Mitigation Policy Discussion & Facilitation, and to the Housing Linkage LDR Updates.

Phase 1: Mitigation Policy Discussion & Facilitation

Staff recommends working with the consultant team to develop policy recommendations and then draft LDRs based on policy recommendations. The phase 1 portion of this work will include the following:

- Kickoff Meeting and Goal Setting with Staff to frame key policy components, work session content and project outcomes.
- Nexus Stakeholder Meetings (2) – Two work sessions with the nexus stakeholders to discuss linkage fee levels and primary policy components.
- Council and Board Discussions (up to 10) – Individual discussions with elected officials regarding linkage policy questions, concerns, and direction or desired policy goals. Outcomes will help frame the discussion for the JIM meetings and highlight where additional information may be needed to facilitate a productive discussion.
- JIM Policy Workshop (2 days, in person) – Two-day workshop to address primary policy components and facilitate policy direction for Town and County.

Timeline: Begin February 2023 completed by June 2023

Phase 2: Housing Linkage LDR Update

Based on the outcome of Phase 1, Phase 2 will involve drafting updated Land Development Regulations to reflect the desired policy direction. This will include drafting the housing exaction LDR text, reviewing with staff, and facilitating discussions with elected officials in future public meetings to prepare the policy for adoption.

Timeline: Begin July 2023 completed December 2023 (after the Policy Discussion)

COMPREHENSIVE PLAN ALIGNMENT

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.

STAKEHOLDER ANALYSIS

Stakeholders include Town and County taxpayers, local working families, business owners, developers, and visitors. Input has been solicited from the stakeholder group, Housing Supply Board, Jackson Hole Chamber of Commerce, Jackson Hole Working, Shelter JH, and Jackson Hole Conservation Alliance.

FISCAL IMPACT

The approved scope of work for the Housing Needs Assessment and Employee Generation by Land Use was $299,760. This was included as part of the FY 22 budget. Due to the reduction in scope for the collaborative community resourcing scope, $57,500 was saved from the original budget and only $242,260 was spent in FY 22. The original scope of work for the Mitigation Policy Discussion & Facilitation, and the Housing Linkage LDR Updates portion of the original scope was $57,500. The revised request reallocates the previous funding consistent with the revised scope and increases the total to $115,000. This represents a net increase from the original budget allocation of $57,500. Staff will provide needed budget amendments to reflect these changes in the FY 2023 budget.

STAFF IMPACT

This project has required significant staff time from multiple departments across the Town and County. These departments include Town & County Planning, Town Community Development, and Joint Housing.

Town and County legal teams will also be involved in the nexus study portion of the work.

LEGAL REVIEW

K. Gingery and L. Colasuonno

ATTACHMENTS (links)

WSW Consulting, Revised Scope of Work: Linkage Policy Development, May 26, 2022

RECOMMENDATION

Staff recommends moving forward with the scope of work as presented.

SUGGESTED MOTIONS

Town: I move to approve the revised Scope of Work for Linkage Policy Development with WSW Consulting dated May 26, 2022, to complete the Regional Housing Needs Assessment, develop a Residential Linkage Policy, and draft Land Development Regulations for a not to exceed amount of $115,000, with the Town reimbursing the County for 50% of the total amount.

County: I move to approve the revised Scope of Work for Linkage Policy Development with WSW Consulting dated May 26, 2022, to complete the Regional Housing Needs Assessment, develop a Residential Linkage Policy, and draft Land Development Regulations for a not to exceed amount of $115,000.

WSW CONSULTING

1124 Navahoe Dr.
South Lake Tahoe, CA 96150
www.wswconsult.com

To: Tyler Sinclair, Community Development Director, Town of Jackson
Chris Neubecker, Director of Planning & Building Services, Teton County
April Norton, Director, Jackson/Teton County Affordable Housing Dept.

From: Wendy Sullivan, WSW Consulting, Inc.

Subject: Scope of Work: Linkage Policy Development

Date: May 26, 2022

This memo outlines a requested revision to the original scope of work contracted on June 7, 2021, between WSW Consulting, Inc. and Teton County, WY. In lieu of the Community Housing Strategy Plan phase, the below scope proposes to:

(1) Draft more specific consultant recommendations and next steps for Teton County, WY, to wrap up the Housing Needs Assessment and provide information for potential community housing strategy planning in the future;

(2) Work with stakeholders, staff, and elected officials to develop a revised commercial and residential linkage policy, based on the 2022 Commercial and Residential Employee Generation and Affordable Housing Nexus Study and 2022 Teton Region Housing Needs Assessment; and

(3) Draft Land Development Regulations ("LDR") based on policy decisions.

WSW Consulting, Inc., will continue as Principal in Charge, with Economic and Planning Systems as Technical Advisory, and Logan Simpson for Facilitation and LDR drafting. The nexus policy and LDR work has been requested to begin in February 2023, at which time we will revisit the scope of work and budget for potential changes in light of client needs and project tasks.

We look forward to the opportunity to assist Teton County and the Town of Jackson with a linkage policy update and are happy to discuss any questions or potential revisions to the proposed scope.

Sincerely,

Wendy Sullivan

Wendy Sullivan, President
WSW Consulting, Inc.
(303) 579-6702
wendy@wswconsult.com

Revised Scope of Work

The following work components are proposed to:

(1) Wrap up the Housing Needs Assessment with more specific recommendations for Teton County, WY;

(2) Work with stakeholders, staff, and elected officials through work sessions and public meetings to develop linkage policy recommendations; and

(3) Draft LDR based on policy recommendations.

Housing Needs Assessment wrap up

Specific consultant recommendations and next steps for Teton County, WY, based on the 2022 Housing Needs Assessment research and findings. Recommendations in the March report were kept general with the intention of fleshing out specifics through the Community Housing Strategy Plan phase. Given the shift in scope, more specific, actionable recommendations from the consultant will be provided.

Who: WSW Consulting, Inc.; Williford, LLC; Navigate, LLC

Kickoff - Goal setting

Meeting with the client to frame key policy components, work session content, and project outcomes.

Who: WSW, EPS, Logan Simpson

Nexus stakeholder meetings: two

Two work sessions with the nexus stakeholders to discuss linkage fee levels and primary policy components. Stakeholders will include, at a minimum, participants that were involved during the Nexus study phase. Outcomes of these sessions will be framed as stakeholder recommendations for consensus items and as stakeholder considerations for other policy components. The input from these sessions will help frame the work session discussions with elected officials.

Who: EPS (technical), WSW (policy), Logan Simpson (facilitation)

Elected Official discussions: up to 10

Individual discussions with elected officials regarding linkage policy questions, concerns, and direction or desired policy goals. Outcomes will help frame the discussion for the JIM meetings and highlight where additional information may be needed to facilitate a productive discussion.

Who: Logan Simpson (facilitation/discussion), WSW and EPS (content/question input)

JIM Policy Work Session: two days (in-person)

Two days of linkage policy discussion in a public JIM work session to address primary policy components and facilitate policy direction for the town and county. It is anticipated these sessions will be conducted in-person.

Who: Logan Simpson (facilitation), WSW (policy/framing), EPS (technical)

Linkage Policy LDR Update

Drafting an updated linkage policy LDR based on JIM work session outcomes. This will include drafting the policy and reviewing with staff.

Who: Logan Simpson (LDR drafting, facilitation), WSW and EPS (technical assistance, as needed)

Management Component

We anticipate holding regular weekly meetings with the client to stay apprised of policy development needs. This is in addition to general team and project coordination.

The budgeted component, below, refers to management needs through the JIM sessions. Management for the LDR and continued facilitation phase is incorporated into the budget for that line item.

Deliverables

We propose to provide:

- Recommendations and next steps for the Teton County, WY, Housing Needs Assessment section;
- Presentations and materials created for each of the stakeholder meetings and JIM sessions; and
- Revised LDR linkage policy based on JIM policy decisions.

Town/County Staff Support

Client will assist and support the consultant team with the following tasks:

- Coordinating Stakeholder Group Members. To the extent that members of this group need to be confirmed, client will identify and recruit the community members and staff to participate in this group.
- Stakeholder Group/Consultant Communication. Forwarding materials, relaying issues that may arise, sending reminders of meetings and presentation schedules, setting up Zoom/video sessions.
- Meeting Support. Organizing and providing the meeting place/venue for in-person meetings, refreshments for participants, public notice when applicable, work session materials (white boards, projectors, etc.) as needed by consultants.
- Media Outreach/Publicity. Press releases, public notice, and other notification as required for this study.

Schedule

We anticipate beginning this work in May, holding the JIM work shop in August, and wrapping up the LDR drafting and ongoing facilitation support phase by the end of the year (Dec. 2022), as follows:

- Needs Assessment recommendations/next steps: end of May/early June 2022
- Stakeholder meetings: February 2023
- Elected official meetings: March-April 2023
- JIM: May 2023
- Draft policy: May – August 2023

Estimated Budget

We propose a not-to-exceed budget of $115,000 for this work. We will only bill for actual time spent, not to exceed the budget amount. This includes:

- $7,500 for the Housing Needs Assessment recommendations (completed June 2022);
- $57,500 for the nexus policy work (beginning February 2023);
- and $50,000 for drafting the LDR in 2023.

The nexus policy and LDR work has been requested to begin in February 2023, at which time we will revisit the scope of work and budget for potential changes based on client needs and project tasks before commencing work.

TASK	Est. Budget
Housing Needs Assessment recommendations	$7,500
Linkage policy kickoff meeting	$2,500
Stakeholder meetings (2)	$13,000
Elected Official discussions	$10,000
JIM work session (2 days)	$18,000
Management (through JIM work session)	$14,000
LDR Update and Ongoing Facilitation	$50,000
TOTAL	$115,000

TETON COUNTY WYOMING
BOARD OF COUNTY COMMISSIONERS

TOWN COUNCIL

JOINT INFORMATION MEETING
AGENDA DOCUMENTATION

SUBMITTING DEPARTMENT: Joint Affordable Housing **PRESENTER**: Stacy Stoker

MEETING DATE: June 13, 2022,

SUBJECT: **Annual Update to Jackson/Teton County Housing Department Rules and Regulations**

STATEMENT/PURPOSE

The Board and Council will consider 10 policy topics in the Jackson/Teton County Housing Department Rules and Regulations and provide direction to staff. These topics include seventeen policy questions.

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. Staff brings proposed changes to the Council and Board annually for approval.

On February 28, 2022, the Town Council and Board of County Commissioners identified a list of topics that they requested to be discussed at the annual Rules and Regulations Update. The attached list encompasses the entire list of identified topics with the exception of one, which was a request to add the topic of requiring energy efficient appliances in the Livability Standards for restricted units. Energy Star appliances is already a requirement in the Livability Standards so this topic was removed.

The complete list of topics and policy questions along with staff analysis is attached.

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. The process for making changes to the Housing Rules and Regulations provides ample opportunity for stakeholders to make public comment and includes the following:

- January 31, 2022: Housing Department sent out an email to over 4,000 community members, highlighting the opportunity to provide suggested upgrades or changes to the Rules and Regulations.
- February 28, 2022: Joint Information Meeting – Topic Identification
- May 4, 2022: Housing Authority Board Meeting, Rules and Regulations Annual Update Recommendations
- June 6, 2022: Joint Information Meeting – Rules and Regulations Annual Update Discussion and Direction to staff.

- Beginning in July 2022: The Rules and Regulations are enacted as an ordinance in the Town of Jackson Municipal Code and undergo three ordinance readings, each of which include a public comment opportunity, that take place on three different days, that span, at minimum, ten days. The anticipated dates of the ordinance readings are July 5, July 19, and August 16. Should Council and the Board elect to continue this item, the anticipated ordinance reading dates will shift and new anticipated dates will be provided in the future staff report.
- The Housing Department began receiving public comment January 31st. The public will be able to comment throughout the process to the Housing Department or to the Town Council and Board of County Commissioners via email or at public meetings.

All public comment received so far is attached.

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 both legal and housing staff time.

LEGAL REVIEW

A. Moore and L. Colasuonno

ATTACHMENTS

- Topic List and Staff Analysis

RECOMMENDATION

Staff and Housing Authority Board recommendations are included as part of the attached Topic List and Staff Analysis.

SUGGESTED MOTION

County motion:

I move to direct staff to make the changes to the Housing Rules and Regulations, as proposed today, and bring the proposed redlined Housing Rules and Regulations document back to the July 11 JIM for approval and release for the 45-day public comment period.

Town motion:

I move to direct staff to make the changes to the Housing Rules and Regulations, as proposed today, and bring the proposed redlined Title 16 of the Town of Jackson Ordinances back to the July 11 JIM for approval and to begin the 3 readings of the ordinance changes prior to adoption.

`

TOPIC LIST AND STAFF ANALYSIS

HOUSING RULES AND REGULATIONS UPDATE 2022

1. COMPLIANCE

How should the Housing Department perform compliance on restricted rental units?

Currently, for restricted ownership and rental units under the Affordable and Workforce housing programs, the Housing Department reaches out to owners annually to request verification documentation. Restrictions recorded on the properties provide the Housing Department with the authority to request documentation needed to verify that the owner or tenant is a Qualified Household. For rental units, the Housing Department requests the following:

1. Tenant Application. This application provides information about the tenant. The tenant fills in their place(s) of employment, income, banking information, and signs a Certification and Oath stating that the information they have provided is true and correct.

2. Qualification Worksheet. This is a worksheet that the landlord completes. It has a place for tenant's Local Income, non-local income, and hours worked. This helps the Housing Department to see how the landlord qualified the tenant and is used as a comparison when the Housing Department calculates these criteria.

3. Affidavit of Current Employment. This form is completed by the employer(s) of the tenants. It provides income, hours worked, hire date, work period (seasonal or year-round), and bonuses. This form helps the Housing Department to determine if the tenant is currently employed, the hours they are working, and what they are getting paid.

4. Prior year tax returns and W-2s. These are used to determine whether there are other sources of income such as dividends, rental income, self-employment income, etc. This is the only way the Housing Department can verify non-local income or the lack thereof.

5. Authorization to Release Information. This form is signed by the tenant and allows the Housing Department to get further information from the employer if the Affidavit of Employment is not completed correctly.

6. Most recent one-month bank statements. The Housing Department no longer asks for bank statements because to get accurate information, at least 3 months of statements would be required. Staff believes that tax returns are enough and bank statements are an option when there are questions or red flags. An example of this would be a full-time server at Bubba's who makes $10,000 per year. It would be evident that tips are not being claimed.

The Housing Department has reached out to Housing Departments and organizations locally and in other communities to inquire about their processes.

Following are processes used to qualify and requalify tenants by other entities:

<u>Aspen Pitkin County Housing Authority</u>
1. Bi-annual requalification
2. Copy of ID
3. Tenant Application
4. Most recent pay stub and Affidavit of Employment completed by employer(s).
5. 2 years of W-2s. and 2 years of Tax returns and current year's W-2s and tax return on Tax Day.
6. Statements for all assets and liabilities (bank statements, investment accounts, car loans, credit cards, etc)

<u>Snow King Apartments – LIHTC Funds</u>
1. Annual Requalification
2. Tenant Application
3. Affidavit of Employment completed by Employer
4. Most recent W-2s and Tax Returns
5. Bank statements

<u>Jackson Apartments – USDA Rural Development Funds</u>
1. Annual Requalification
2. Tenant Application
3. Affidavit of Employment completed by Employer
4. Bank Statements
5. W-2s and Tax Returns if there are questions about the application
6. Tenant is required to report any changes to income or a change in household size immediately and may be evicted with 30-day notice if they exceed the income limit.

Legal Opinion: Public comment at the Housing Authority Board Meeting indicated that owners requiring tenants, who are also employees, to provide personal information is coercion and unconstitutional. Both Town and County legal have indicated that requiring this type of documentation for restricted units in Teton County is typical and common practice in all types of government benefit programs. I

Option 1. Keep the status quo. Continue to request the above listed documentation and require all owners to obtain the documents from their tenants to provide to the Housing Department.

Option 2. Staff and Housing Authority Board Recommendation: Staff recommends continuing to ask for the current required documentation with exception of the one month of bank statements. The bank statements do provide another layer of information. However, one month is not enough to tell if a deposit is consistent. The Housing Department recommends only asking for bank statements when there is uncertainty about the applicant's income. The community expects the Housing Department to thoroughly vet the tenants of restricted housing units. The documentation currently requested by the Housing Department is not different from what other government agencies use to verify income and employment. This documentation is the only way that the Housing Department can calculate and verify other sources of income and non-local income. Without this documentation, we would simply be taking the word of the tenant, which would allow them to easily hide income, assets, and ownership of other residential real estate.

To lighten the burden on landlords and lessen the number of people with access to tenants' sensitive information, the Housing Department recommends qualifying tenants directly instead of having landlords collect the documentation. The landlord would inform the potential tenant to go to the Housing Department to get qualified. The potential tenant will provide all documentation to the Housing Department. Once qualified, the Housing Department will provide the tenants with a Qualified Tenant Letter, which can then be delivered to their landlord prior to signing a lease. This method of qualifying tenants would not significantly increase the work of the Housing Department. It would, however, eliminate requiring the landlord to obtain the documentation, which would be helpful to landlords and tenants. In addition, this method of obtaining verification documents removes the concern raised by public comment that employees may feel coerced and uncomfortable by requiring them to provide personal information to their employers to keep their housing.

Option 3: Require all the current required documentation except for tax returns. In lieu of tax returns, have employers and tenants sign an affidavit stating all sources of income have been disclosed to the Housing Department. Staff does not recommend this option because an affidavit is not verification of income. There is no way to verify that the employer and/or tenant has been truthful in the signed affidavit, so it bears no weight. There is also not way for an employer to know if their tenant has a second job or other sources of income.

Option 4: The Housing Department performs compliance checks every two or three years instead of every year. Staff does not recommend this option because there is too much turnover in many units and the system would easily be gamed. It would provide leeway for misuse of the units between compliance checks. If it is found that an owner was out of compliance last year but is now in compliance, there is no penalty because the default has already been cured. Owners could short term rent the units for a year or two and then rent long term for the year of the compliance check.

2. WORKFORCE HOUSING

Should some of the rules for Workforce Housing be changed?

A. At least 75% income must be from a Local Business.
B. Definition of Household.
C. ARUs restricted as Workforce Housing.
D. Allowing co-signers and/or guarantors.

A. Should the current rule requiring a minimum of 75% of a household's total gross income be earned from a Local Business be changed?

Currently, households must earn a minimum of 75% of their gross income from a Local Business. The Workforce Housing Program is intended to serve people who work for Local Businesses and earn too much to qualify for the Affordable Housing Program but still cannot afford to purchase a market home. The Program does not have income and asset limits. The 75% of local income rule is intended to ensure a household is working locally but still allow them to have 25% of their income from other non-local sources. These non-local sources could include dividends, rental income, child support, etc. The 75% rule is also intended to prohibit households who work remotely or otherwise earn their income outside of Teton County from owning or renting Workforce housing. If a household can do their job from a location outside of Teton County, there is no need for the community to provide Workforce housing for them. Over the past two years, an increasing number of people have been moving to Teton County who work remotely. Households who work remotely can qualify only if their employer qualifies as a Local Business.

The Housing Department has received feedback from the public concerning this policy. Specifically, St. John's Health has indicated that when they recruit employees, the employee's spouse often works remotely for a company that does not qualify as a Local Business. There have also been a few instances where a household employed at other Local Businesses have not qualified to enter a drawing for a Workforce unit because a spouse is working remotely.

Option1. Staff and Housing Authority Board Recommendation: Staff recommends keeping the status quo. For the most part, the 75% of local income requirement has been working well. The Workforce Housing Program is intended to provide housing for working households who fill local jobs. It is not intended to house people who could be filling local jobs and choose not to. Working remotely is a choice.

St. John's Health is a unique employer in Teton County who desires to build a Workforce housing development to house their employees. Staff recommends working with them to design a Workforce restriction that meets their needs. This would be a similar process as was successfully used for Lower Valley Energy's employee housing development.

Option 2: Lower the 75% local income requirement. Staff does not recommend this option for the following reasons:

- The 75% income requirement ensures that adults living in Workforce housing provided by the community are supporting the community by working for Local Businesses.
- The number of households who have been unable to qualify at the 75% local income requirement have been rare.
- The number of Workforce units is limited, and they should be utilized to their maximum potential for housing the local workforce.
- While the units are meant to house the workforce, households who can afford to buy a market home should buy in the market. Keeping the 75% local income requirement decreases the likelihood that a large income earner with large sources of non-local income will buy a Workforce unit.

Option 3: Remove the 75% local income requirement and only require that 1 person in the household be employed at a Local Business. Staff does not recommend this option for the same reasons listed in Option 2 above.

B. Should the definition of Household be changed for the Workforce Program?

Definition of Household: a social unit composed of those living together in the same dwelling.

In 2020, the first Workforce units under the 2018 regulations began coming online. Many of these units are either master leased by employers as rental units for their employees, owned by employers, or are housing roommates who can't afford the rent living on their own.

The current definition of household requires that everyone living in the unit gets qualified as one household. Employers and Landlords often need to qualify tenants separately as they may be signing leases at different times. In addition, qualifying roommates as one household often gives roommates information about each other's income, etc. that they would not normally wish to disclose to one another.

Option 1. Keep the status quo. All persons occupying a unit are considered one household.

Option 2. Staff and Housing Authority Board Recommendation: Allowing unrelated tenants of rental units to qualify separately would not have a negative impact on the Workforce Housing Program. Since there is not an income limit, it doesn't adversely affect the program if the incomes are combined with the other adults in the household to qualify or separated. Qualifying unrelated tenants separately would be more restrictive because the income requirement would be per person instead of per household. Staff recommends changing the definition of Household for Workforce rental units as follows:

Household Definition for Tenants of Workforce Rental Units: One person or a group of two or more persons living together in the same dwelling that comprise a social unit composed of at least one adult that have established ties and familiarity with each other, including but not limited to, by marriage, domestic partnership, blood, or guardianship. More than one household can occupy one Workforce rental unit.

C. Should Accessory Residential Units (ARUs) that are secondary to non-residential uses ("Commercial") continue to be included in the Workforce Housing Program?

An accessory residential unit (ARU) is a dwelling unit that is secondary to a principal use of the property. The intent is that accessory residential units provide workforce housing. In reference to Commercial ARUs, the Town and County Land Development Regulations state, "The occupants shall be employed within Teton County, in accordance with the Jackson/Teton County Housing Rules and Regulations." The County LDRS go on to state, "the mechanism, and its specific provisions, for achieving the restriction shall be acceptable to the Teton County Housing Authority and shall be enforceable by the Teton County Housing Authority." This use standard has been in place and enforceable by the Town and County LDRs since at least 2005.

In this context, "mechanism" means a restriction that will be recorded on the property.

In 2018, the Jackson/Teton County Housing Rules and Regulations were updated to make Commercial ARUs a part of the Workforce Housing Program, and a Workforce Rental Restriction is now recorded on them to ensure compliance with this use standard and to notify future owners and tenants of the use standard. Prior to 2018, a restriction was recorded on County Commercial ARUs that had an employment requirement only.

Workforce Housing Restriction key points:

- At least one person in the household must work a minimum of 30 hours per week for a Local Business.
- No one in the household may own any 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.
- The unit must be occupied by the household a minimum of 80% of the lease term.
- The unit may not be vacant more than 60 consecutive days.
- There is no income or asset limit for tenants.
- There is no maximum rent cap and no caps on rent increases.

It is important to note that ARUs that are accessory to residential uses ("Residential ARUs") do not get restrictions recorded because LDR use standards allow these units to be occupied by family members or nonpaying guests of the main house. Only if the unit is rented to a paying tenant must the use standard for local workforce occupancy referenced above be followed. The Residential ARUs are accessory to a private residence. Due to the absence of a restriction, the LDR rules for these Residential ARUs are only enforceable by the Planning Department. The Housing Department does not do compliance to ensure these ARUs are being used as intended. It is the Housing Department's understanding that the Town and County Planning Departments to not have the bandwidth to perform the compliance either. The restriction on the ARUs that are accessory to non-residential uses allow the Housing Department to do compliance and ensure that these units are being used to house the local workforce as intended by the program.

How are Commercial ARUs created?

1. To satisfy a development's housing mitigation requirement. The LDRs allow Commercial ARUs to be used to mitigate a development's housing requirement. In these cases, the Commercial ARUs will receive a restriction in accordance with their requirement. The restriction will be an Affordable or Workforce restrictions. For example, if a commercial building is required to provide one Affordable 80 – 120% MFI 2-bedroom unit, a Commercial ARU can be built within the building to meet the obligation. It will receive an Affordable Deed Restriction. This type of Commercial ARU would not be considered voluntary because it is satisfying a housing requirement.

2. Using the free floor area bonus and added use tools. Another way Commercial ARUs are created is by utilizing a floor area incentive tool that allows the developer to get additional (extra) floor area for the Commercial ARU(s). The Land Development Regulations allow developers to build Commercial ARUs and receive free floor area in their development. This allows the development to build residential rental units within their development that cause their total floor area to exceed the maximum floor area allowed by the LDRs. In this case, the Commercial ARUs will receive a Workforce Rental Restriction. Also, these types of Commercial ARUs are exempt from housing mitigation requirements because they are permanently deed restricted. This type of Commercial ARU is considered voluntary only because the developer is not required by the LDRs to build it. The developer is taking advantage of incentives in the LDRs to get approval to build it. It is a win for the community because the unit is required to house the workforce and a win for the developer because it will generate cash flow. It is notable that these types of apartments would not otherwise be allowed in commercial zones if not for the workforce requirement.

3. Unrestricted residential units. If a developer wants an option for an unrestricted residential unit, they need to build an apartment, attached dwelling unit or single dwelling unit that is classified as a primary use on the property. The owner would be allowed to use the apartment in whatever way they wish. If it was in the lodging overlay, it could be short term rented. Outside of the lodging overlay, it would have the requirement to be rented for at least 31 days. It would not be required to be rented to someone in the local workforce. The apartment could also be sold off as a separate unit if platted accordingly. These types of apartments are not considered ARUs because they are not secondary to another use.

Option 1. Staff and Housing Authority Board Recommendation: Staff recommends keeping the status quo. The Workforce Rental restriction for Commercial ARUs is consistent with the standards in the Land Development Regulations and ensures that the units are being used to serve households that are working for Local Businesses. The incentives for Commercial ARUs exist in the LDRs to increase housing for the workforce in our community. The restrictions allow the Housing Department to do compliance and ensure they are being used as intended.

Option 2. Don't require Workforce restrictions on Commercial ARUs. This option keeps commercial ARUs restricted solely by the LDRs. The Housing Department would not have compliance enforcement authority. The Planning Department(s) would be responsible for compliance enforcement, which they have not historically had the bandwidth to perform.

D. Should co-signors or guarantors be allowed on loans for Workforce Ownership Units?

A co-signer is equally responsible for the monthly mortgage payments along with the borrower on a loan and is typically put on the title for the property. A guarantor will be liable for payments only after the borrower defaults and is unable to pay (typically used on business loans where the business is the primary borrower, and the owner of the business guarantees the loan but can be used for conventional residential loans as well). A guarantor's name does not appear on the title or deed. Currently, co-signors and guarantors are not allowed on loans for Affordable or Workforce units without granting of a Request for Exception. The Housing Department has only granted exceptions for co-signers if the co-signer is NOT on title to the property.

The Rules and Regulations require that a household have the financial ability to purchase the unit on their own. A co-signor would affect the household income and/or assets if they are providing funds to make mortgage payments. Affordable units have income and asset limits and therefore, co-signers are not allowed. Workforce units are different.

Key Points to Consider:

1. Workforce Ownership units do not have an income or asset limit.
2. 75% of a household's income must be from a Local Business.
3. Households are allowed to receive gifts for down payments. Gifts are counted as assets, not income. There is not a limit on the gift that can be given for a Workforce unit because there are not asset limits. A household could receive a gift large enough to purchase the home without needing a mortgage, for example.
4. Households may not exceed 45% debt to income (DTI) (i.e., they can spend no more than 45% of income towards total debt including mortgage payment). Notably, this is in line with general lending practices, though some lenders will loan money at a maximum of 50% DTI.
5. Owners of Workforce Ownership units must requalify annually.
6. Initial sales prices are set by developers. We are seeing the initial sales prices on Workforce units being sold as follows:
   a) Last year, initial prices were $650,000 to $710,000 for 2-bedroom ownership units
   b) Last year a 2-bedroom rental unit sold for $1,495,000
   c) This year, 2-bedroom units at Kelly Place Condos are set around $835,000. 105 Mercill 2-bedrooms are around $526,000 – $800,000 Glenwood-Gill 3-bed condos are listed at $1,849,000 - $2,099,000 (it is undetermined whether these will be ownership or rental units at this time.)
7. Allowing cosigners and gifts increases purchasing power for households. This contributes to higher sales prices.
8. Reasons a household might need a co-signer/guarantor to get a loan are:
   a. Cannot afford the payment on their own.
   b. Bad credit.
   c. No credit history.

Option 1: Keep the status quo. Staff is not against keeping the status quo; however, staff provides the recommendation in Option 2 to help buyers in the 120% - 200% MFI income range to be able to afford

Workforce units with some limitations. The 120 – 200% income range households do not qualify for Affordable units because their income is too high.

Option 2: Staff and Housing Authority Board Recommendation: Developers of Workforce units are allowed to set the initial sales prices. Most prices are being set higher than what is affordable for most households in the 120 – 200% income range. (a 2-person household earning 160% of MFI could afford a loan of approximately $530,000 at current interest rates). To help households in the 120 – 200% MFI income range to have the ability to purchase Workforce units, staff recommends allowing cosigners or guarantors only if the household cannot afford the loan on their own with the following conditions:

a. The cosigner or guarantor is not allowed to be on title to the home.
b. If a cosigner is needed because a household is not able to afford the payment on their own (max. 45% DTI), the cosigner will be considered by the Housing Department to be providing supplemental income. This income will be counted as non-local income.
c. The supplemental income will be calculated based on the amount of supplemental income needed to lower the household's DTI down to 45%.
d. If the amount of supplemental income needed to lower the household's DTI to 45%, is so high that it causes the household's non-local income to exceed 25%, the household will not qualify for a co-signer or guarantor.

In **Chart A** below, the supplemental income needed from a cosigner to get the borrower to 45% DTI is low enough that it doesn't put the household under the minimum requirement of 75% of Local Income.

Chart A - qualifies

Purchase Price	$720,000		**Household's Local Income**	$80,000
Down Payment	$ 35,000		**DTI (using total monthly debt)**	58%
Loan Amount	$685,000		**Cosigner Supplemental Income**	$24,000
Monthly Payment	$ 3,886		**DTI w/Cosigner**	**45%**
Total Monthly Debt with mtg. payment	$ 4,500		**Local Income**	**77%**
			Non Local Income	**23%**

In **Chart B** below, the supplemental income needed to get the borrower to 45% DTI is too high and puts the household under the minimum of 75% income earned locally.

Chart B – Does NOT qualify

Purchase Price	$720,000		**Household's Local Income**	$60,000
Down Payment	$ 35,000		**DTI (using total monthly debt)**	58%
Loan Amount	$685,000		**Cosigner Supplemental Income**	$43,000
Monthly Payment	$ 3,886		**DTI w/Cosigner**	**45%**
Total Monthly Debt with mtg. payment	$ 4,500		**Local Income**	**58%**
			Non Local Income	**42%**

All reasons for having a co-signer or guarantor besides affordability would require a Request for Exception.

3. LOCAL BUSINESS

Should the definition for Local Business be changed to ensure that businesses meet the intent of the local requirement?

A. Town of Jackson Business License to verify location.

B. Add part C to include private residence with one employee.

Current Definition of **Local Business**: A business must meet either A or B of the definition.

A.) (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) A minimum of seventy-five percent (75%) of the business' clients or customers are physically located in Teton County, Wyoming, AND (3) the employees/owners must work in Teton County, Wyoming to perform their job.

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.

Definition of **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).

A. Should Town of Jackson Business License be eliminated as a method to verify a business is physically located in Teton County?

Part A of the definition for Local Business allows businesses to use a Town of Jackson Business License to verify that they are physically located in Teton County, Wyoming. However, a business is not required to be physically located in Teton County to obtain a Town of Jackson Business License. In addition, businesses located in Teton County but not in the Town of Jackson are not required to obtain a Town of Jackson Business License. There are other ways that businesses can verify that they are physically located in Teton County. These include but are not limited to the following:

- Copy of a lease or deed to the property where the business is located and,
- Copies of utility bills with the name and address of the business.
- For businesses that are not brick and mortar
  - Local vehicle registration to business, and
  - Client list

Option 1: Keep the status quo. Don't remove Town of Jackson Business License as a method for verifying that a business is physically located in Teton County, Wyoming.

Option 2: Staff and Housing Authority Board Recommendation: Staff recommends removing Town of Jackson Business License as a method for verifying the business is physically located in Teton County because businesses do not need to be physically located in Teton County to obtain a business license.

B. Should a part C be added that allows Private Residences to qualify if they have one employee that is required to be physically located in Teton County, Wyoming to perform their job?

In this context, private residence means a single family detached dwelling that is not a commercial business but has employees or subcontracts labor.

Pursuant to the Town of Jackson and Teton County Land Development Regulations, newly constructed private residences are required to mitigate for housing via a housing fee determined per square foot of habitable space (Teton County exempts houses under 2,500 square feet). Fees are based on employees generated both during construction and post construction (maintenance, household, emergency responders).

Private residences often hire the following types of employees:

1. Contracted Labor. These are companies or self-employed individuals that are not employed personally by the private residence. They do their work as contracted labor and must qualify as a Local Business for their employees to qualify for Workforce or Affordable Housing. These businesses include landscaping, window washing, snow plowing, etc.
2. Personally Employed: Some private residences hire individuals personally to work for them. These could include private chefs, house managers, cleaners, grounds keepers, nannies, and caretakers. Some of these employees travel with the families who hire them and do not work a minimum of 1,560 hours locally per year. These employees would not qualify for Affordable or Workforce housing.

Private residences do not qualify under Part A of the Local Business definition because they do not serve clients or customers physically located in Teton County, Wyoming.

Private residences do qualify under Part B of the definition if they hire a minimum of two qualified employees who must be physically located in Teton County to perform their job. If they only have one qualified employee, they will not qualify as a Local Business under the current definition.

Option 1: Keep the status quo. Do not add a part C that allows a private residence to qualify as a Local Business.

Option 2: Staff and Housing Authority Recommendation: Private residences pay housing mitigation fees so their employees should qualify for Affordable and Workforce Housing. Staff recommends adding part C to the definition of Local Business to read:

C.) A private residence physically located in Teton County, Wyoming who employs a minimum of one Qualified Employee who must be physically located in Teton County, Wyoming to perform their job.

Option 3: Add language to the definition of Local Business that would exclude private residences. Staff does not recommend this option because private residences' employee generation numbers are included in the Housing Nexus Study. In addition, new construction of private residences and additions to private residences are required to pay housing fees (over 2,500 square feet in the County).

4. HOMEOWNERS ASSOCIATION (HOA) FEES

Should HOAs consisting of both restricted and market units be limited on the amount they can charge for dues and special assessments on restricted units?

Key points to consider:

- Restricted units are often a part of a larger homeowner's association consisting of mostly market homes.
- Because they are the minority, owners of restricted homes do not have power in their vote in the association.
- Market owners sometimes want expensive amenities, which cause assessments to be levied on all the owners. Historically, these items have included bronze statues, specialty landscaping, heated roads, and upgrades to insurance policies (adding earthquake insurance, terrorist insurance), and upgrades to siding or building décor.
- Market home values are higher than restricted home values. Restricted homes have caps on appreciation. Increased amenities, upgrades to landscaping, etc. can increase the value of market homes but do not increase the value of restricted homes.
- Aspen-Pitkin County and Park City, Utah both have regulations for HOA's consisting of restricted homes mixed with market homes. Both communities impose limitations on dues, annual increases, and special assessments.

Option 1: Keep the status quo. Town and County government are not involved in how HOAs assess dues on restricted units. Staff does not recommend this option because we have seen cases where unnecessary and unfair HOA assessments and dues are making restricted units unaffordable to their owners.

Option 2: Staff and Housing Authority Board Recommendation Staff has consulted both Town and County Legal on this issue. Staff recommends adding regulations for HOAs that have restricted units mixed with market units to the Housing Department Rules and Regulations to address this issue. The regulations will contain limits to allowed monthly dues based on square footage comparisons to market units, value comparisons to market units, as well as limits on annual increases and special assessments. They will also require that the Housing Department approve CCRs and all changes to CCRs that affect assessments to restricted units.

If you choose to move forward with staff recommendation, staff will work with Town and County Legal to create a policy.

5. EMPLOYMENT

Should some of the current employment criteria be changed?

A. Definition of full-time employment.

B. Number of adults in a household required to work.

C. Interruption of Employment allowance.

A. Should the definition of full-time employment be changed? Full-time employment is defined as 30 hours per week or 1,560 hours per year. Teachers are given an extra 250 hours per year to make up for hours worked outside of a normal workday (preparing assignments, grading papers, obtaining ongoing certifications, etc.) Typically, a teacher works 1,480 hours per year plus 250 = 1,730.

The job environment in Teton County is such that many businesses close based on seasons. Examples of this are landscaping, ski industry, fishing/hunting and other types of guiding, wildlife touring, restaurants, hotels, schools, etc. The current definition of full-time employment is intended to include individuals who have dual seasonal jobs or have jobs that close during the off-season.

Option 1: Staff and Housing Authority Recommendation:

Staff recommends keeping the status quo. The definition of full-time employment should remain at 30 hours per week or 1,560 hours per year to include individuals who work dual seasonal jobs or jobs that close in the off season.

Option 2: Raise required hours to 40 hours per week or 2,000 hours per year. Staff does not recommend this option because it would likely preclude the majority of dual-seasonal workers.

B. Should the number of adults in the household required to work be changed? Currently, one person in the household must be employed full time for a Local Business for the household to qualify.

Key points to consider:

- Caregivers' hours are included meaning if someone is a stay at home parent or caring for an immediate family member, they can qualify as being employed. Hours during the times school aged children are attending school may not be counted unless the children are being officially home schooled. Hours can be counted between 8:00 am and 5:00 pm. Children must be younger than school age or homeschooled. After school hours can be counted for school aged children until 5:00 pm.
- Disabled individuals can be exempt through the Reasonable Accommodation Process. This is a no fee request made to the Housing Department that requires verification from a healthcare provider of the inability to be employed.
- Verifiable volunteer hours can be counted as employment.

- Adult children under the age of 25 and attending school are exempt.

Option 1: Housing Authority Board Recommendation. Keep the status quo. One person in the household is required to work full-time at a Local Business.

Option 2: Staff Recommendation. Staff recommends requiring all adults in a household to be employed in an aggregate amount per household rather than per person as follows:

Two adult household: 60 hours per week.

Three adult household: 90 hours per week.

Additional 30 hours per week added per household adult.

The intent of the Affordable and Workforce Housing Programs is to house our workforce locally. Unique situations that are not contemplated by the Housing Rules and Regulations can be handled through the Exception process.

Option 3: All adults in the household are required to meet the minimum work requirement. Staff does not recommend this option because it is too restrictive. Households should be allowed some flexibility.

C. Should the period a household is allowed to have an interruption of employment be changed?

Currently, a household may have an interruption of employment for a maximum of 2 years to 1.) leave for post-secondary education, 2.) care for an ailing family member, and 3.) hospitalization.

Prior to 2018, when a household entered a drawing for a restricted home, they were given a "Preference" in the drawing if they had at least four consecutive years working full time in Teton County immediately prior to entering the drawing. Households in the four-year preference were offered a home before households who had less than four years. This meant that you needed to have four years of employment history, or you had little or no chance of getting a home.

In 2018, the drawing process was changed to a Weighted Drawing. The Weighted Drawing process is point based. Households receive one point for each verifiable consecutive year working full time in Teton County immediately prior to entering the drawing. One-point equals one entry in the drawing. Households must have one full year of full-time employment to receive one point and become eligible to enter the drawing. While households with more points have more chances of being selected, all households entered in the drawing have at least one chance to be selected for the home.

Households who leave for a maximum of two years for qualified reasons are not allowed to count the two years they were gone, however, if they have a minimum of two consecutive years of full-time employment immediately prior to leaving, they can count years employed prior to the interruption of employment. They must return immediately after the reason for their interruption of employment and obtain a job within one month of returning to Teton County.

When the Weighted Drawing process was adopted in 2018, the elected officials confirmed the two-year maximum interruption of employment and felt that households who leave to attend school for more than two years would still have a chance of getting chosen but should not have the same chance as households who remain working in Teton County.

Option 1: Keep the status quo: A 2-year interruption of employment is allowed for 1) hospitalization, 2) school, 3) taking care of a sick family member.

Option 2: Staff Recommendation: Staff recommends allowing an interruption of employment to attend post-secondary education for a maximum of four years and keeping the two-year maximum for caring for a family member or hospitalization. Bachelor and master's degrees typically can be obtained within four years, which includes taking a break during summer semesters. Two years is only long enough to obtain an associate degree. Individuals who need to be gone longer than four years to obtain their desired degree can still return to Teton County and begin entering drawings for a home once they have been working full time for one year.

The individual attending post-secondary education would be required to be a full-time student as defined by the educational institution consecutively during the interruption of employment.

Option 3: Housing Authority Board Recommendation: Change the allowed interruption of employment for secondary education to five years. If someone is required to be in school for longer than five years to complete their degree, do not require them to wait one year before being eligible to enter a drawing.

6. INCOME

How should income from a rental property and non-local income be calculated?

A. Calcualtion of rental income.

B. Local vs. Non-Local income.

A. How should rental income be calculated? When an applicant or owner owns a residential rental unit located outside of the 150-mile radius of Teton County, it is counted as an asset, and the rental income is counted as well. Currently, the policy is to count all rental income towards the household's gross income. It is counted as non-Local income. The IRS allows certain deductions for expenses so the calculation on the household's tax return is different that the Housing Department's calculation. In some cases, there are enough deductions that the household is not taxed at all on the income generated by the rental unit. The Housing Department's calculation assumes that the expenses are already being passed on to the renter and therefore does not allow any deductions.

Common deductions on tax returns for rental income are as follows:

a. Mortgage interest
b. Property tax
c. Operating expenses (advertising, utilities, insurance, property management)
d. Depreciation
e. Repairs/maintenance

Option 1: Staff and Housing Authority Board Recommendation:
Staff recommends keeping the status quo. Income from an investment property should be counted 100% toward a household's gross income when applying for restricted housing. Tax shelters for investment properties should not be included when calculating income.

Option 2: Allow deductions of some expenses including mortgage payment, taxes, insurance. Staff does not recommend this option because rental properties are often used as a source of income that have many tax-sheltered deductions. Mortgage payments can be used as a loophole if someone wants to leverage the home to pull cash out.

B. What qualifies as Local vs. non-Local income? The Workforce program requires that households earn a minimum of 75% of total income from a Local Business. Currently, any income other than income earned from a Local Business is considered non-local income. Typical income that is not from a Local Business is as follows:

a. Dividends
b. Income from a business that does not meet the definition of a Local Business.
c. Child Support
d. Alimony
e. Rental income from a residential unit.
f. Retirement (unless over the age of 62)
g. Social Security for reasons other than retirement
h. Disability (Reasonable Accommodation Process is available to exempt disabled individuals)
i. Unemployment (Unemployment has not been used against a household during COVID if it can be demonstrated that the reason for unemployment is due to COVID)
j. All other consistent sources of income

The current Rules exempt individuals who have reached the legal age of retirement as determined by the Social Security Administration, currently 62, from qualifying under employment or income requirements.

Staff has received feedback from the public relating to retirement and child support. Some individuals who are eligible for Wyoming State Retirement after 20 years of service (such as government employees, and law enforcement officers) have complained because their 20 years of employment was local, and they feel their retirement should be considered local as well. Comments have also been received from individuals who earned their retirement while working in other communities and feel it should not be counted as non-local income as long as they are currently employed in Teton County, WY. Public feedback has also included the opinion that child support should not be considered non-local income. To date, child support has never been the cause of non-qualification of an applicant.

Option 1: Keep the status Quo: All retirement income and child support should be counted as non-local income because it is not earned from a Local Business.

Option 2: Staff Recommendation
Staff recommends counting retirement as local only when the retirement is connected to a job working for an organization that qualifies as a Local Business. The retirement will count as Local Income if the individual continues to be employed at a Local Business until they reach age 62 or the legal retirement age allowed by the Social Security Administration.

Staff recommends counting child support as Local Income only if it can be demonstrated that the individual paying child support is working for a Local Business.

Option 3: Housing Authority Board Recommendation: The Housing Authority Board recommends the staff recommendation for retirement accounts but keep the child support as non-local income.
Option 4: Remove the following items from the non-local income list: (get direction from Boards).

7. WEIGHTED DRAWING

Should special consideration be given in the Weighted Drawing for individuals who have graduated from High School and/or were born and raised in Teton County?

Chapter 3 of the Jackson/Teton County Comprehensive Plan describes generational continuity as a common value that contributes to a "healthy community with a high Quality of Life and visitor experience". The Comprehensive Plan goes on to say that "the stability and cultural memory brought by long-term residents aids in achievement of the community's Common Values by integrating understanding and appreciation of where we have been with efforts for the future."

The current rules do not give any extra points or preference for people who were born and raised in Jackson or who graduated from a local high school. The Weighted Drawing is set up so that each full year of full-time employment receives one point (entry) in the Weighted Drawing. People who were born here and/or graduated from high school here can enter the drawing after one year of full-time employment.

County and Town Legal have expressed some concern that treating households differently because they were born in Jackson or graduated from high school here is against the U.S. Constitution. Legal has requested that if there is interest in pursuing this topic by the Town Council and Board of County Commissioners, they be given more time to research this and provide an opinion.

Option 1: Staff and Housing Authority Board Recommendation: Keep the status quo: The intent of the housing program is to house the local workforce. The intent of the Weighted Drawing system is to prohibit preferences for anyone in the drawing. Instead of preferences, points or entries are given for each year of full-time employment. An extra point is given to qualified Critical Services Providers. All households who enter the drawing have a chance to be chosen for the home. Individuals who grew up and/or graduated in Teton County, WY can enter the drawing if they have one or more years working full-time in Teton County.

Option 2: Direct Legal to look further into the legality of giving those born in or graduated from High School in Teton County special consideration and bring back to the JIM at next year's update. Legal has indicated that they have concerns about this rule because it could be seen as discrimination if you give extra weight in the drawing to someone based on residency.

8. MAXIMUM RENTS

How much should an owner of an Affordable Housing Unit be allowed to charge for rent when they are away on an approved leave of absence?

Owners of Affordable Housing Units are required to occupy their homes a minimum of ten (10) months each year. They can request approval for a leave of absence in cases of illnesses, education, training, or other exigent circumstances. Leaves of absence can be granted by the Housing Manager for up to one year.

It is encouraged for owners who are taking a leave of absence to rent their home to qualified tenants while they are away. This is preferred rather than having the unit sit vacant. The qualified tenants are verified and approved by the Housing Department

Currently, the maximum rent the owners can charge is 30% of the low end of the income range the home is classified under or the owner's housing costs, whichever is less.

Example:

For a 2-bedroom 80 – 120% income range home, 30% of the low end of the income range is $1,850 per month.

Housing costs would include mortgage, taxes, insurance, and HOA dues. If the home was purchased for $300,000 with a 3.5% down payment (required by the Housing Department) and $300 per month HOA dues, the payment would be $1,965 per month.

Key Points to Consider:

1. If owners cannot rent their unit for an amount to cover their housing costs, they may not be able to make their mortgage payment. This could cause the home to become at risk for foreclosure. The restrictions on the unit have provisions allowing the restrictions to be stripped if the unit is foreclosed upon and sold at Sheriff's Sale.

2. Homeowners who continue to refinance and use their equity to take out funds to pay off credit cards, pay medical bills, do home improvement or other reasons may have a higher housing cost which would translate to a higher maximum rental rate.

3. Owners will not be able to find tenants who qualify to rent their Affordable home if the rent is too high.

Option 1: Keep the status quo. Maximum rent should be 30% of the low end of the income range for the unit.

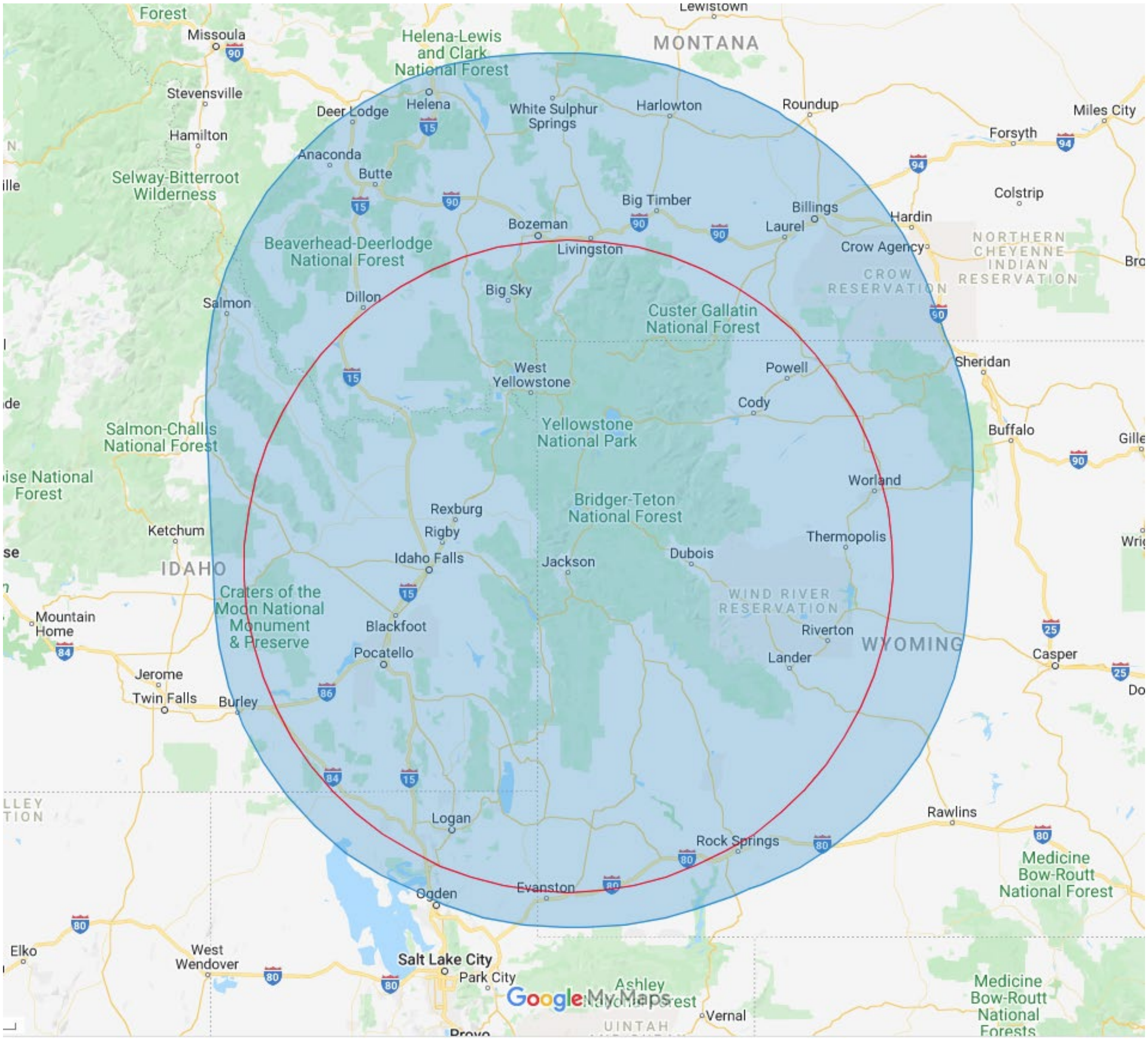
Option 2: Staff and Housing Authority Board Recommendation: Staff recommends changing the current maximum rent rate to the amount that covers the owner's housing costs (mortgage payment, HOA dues, taxes, insurance, and utilities as defined by the Rules and Regs. if included in rent). If the owners ask too much in rent, households who qualify for the Affordable unit will not be able to afford the rent and will choose not to rent the unit. This will regulate the maximum rent rate.

If the owner is allowed to rent the unit to cover the housing costs, it lessens the risk to the Housing Department that the unit will fall into foreclosure and potentially be lost to the program.

9. OWNERSHIP OF RESIDENTIAL REAL ESTATE

Should the rule prohibiting ownership of residential real estate within 150-mile radius of Teton County be changed?

Owners of Affordable and Workforce housing units are not allowed to own other Residential Real Estate within 150 miles of Teton County. The map below shows the 150-mile radius from the borders of Teton County, WY in blue. The red circle shows 150 miles from the town of Jackson.



<u>Current Definition of Residential Real Estate:</u> 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.

Public comment has indicated that for owners of restricted units who are trying to move into the market, it is more financially feasible to purchase a vacant lot with the intention to build a home later than to purchase a house that is already built. The current definition of Residential Real Estate does not allow owners to do this.

Recently, an owner requested an exception to be allowed to purchase a vacant lot so they could build on it in the future. The exception was granted with conditions that included a timeline to start construction, a timeline to complete construction, and conditions on use of the lot (non-income or residential use) prior to completion of the home.

Option 1: Staff and Housing Authority Board Recommendation: Keep the status quo. This topic was vetted during last year's Rules and Regulations with the same members of the Town Council and Board of County Commissioners. It was decided to keep the prohibition of owning Residential Real Estate within 150 miles of Teton County.

Option 2: Allow ownership of vacant land with the stipulation that it is non income earning.

Option 3: Change the rule to no residential real estate within 150 miles of the Town of Jackson.

Option 4: Option 2 and Option 3.

10. CENTRAL WYOMING COLLEGE (CWC) STUDENTS

Should CWC students or other students attending college qualify to rent restricted housing units?

Central Wyoming College has written to the Housing Department, Town Council and Board of County Commissioners requesting help with housing their students. They have asked to allow their students to qualify to rent restricted housing units.

Their letter indicates that many of their students work 30 hours a week as part of programs like Hospitality and Culinary. Other students would have a challenge working 20 hours per week due to their course workload. CWC has indicated that changing the rules in this manner would allow Teton County students to stay in Teton County while attending CWC.

Key Points to Consider:

1. The housing program in Teton County is structured to serve the local Workforce. The Housing rules and Regulations state, "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" The Jackson/Teton County Comprehensive Plan ("Comp Plan") Chapter 5. Local Workforce Housing states that the community should, "Ensure a variety of workforce housing opportunities exist so that at least 65% of those employed locally also live locally."

2. The current Weighted Drawing Process is set up as a point system. Households must have one full year of full-time employment to receive 1 point in the Weighted Drawing. Students who are working 30 hours per week can qualify if they can show one full year of employment (1,560 hours).

Option 1: Staff and Housing Authority Board Recommendation: Keep the status quo. The housing program in Teton County is structured to serve the local Workforce. Part time workers do not qualify for Housing Department programs. If CWC Students work 30 hours per week for a full year, they are eligible for Affordable or Workforce housing. In addition, if CWC students can verify they work full-time, they can qualify to rent any of the Affordable or Workforce units that do not go through a Weighted Drawing without having a full year of employment. Staff recommends keeping the status quo and requiring students at CWC to qualify for housing in the same manner as other working households in the community.

Option 2: Allow CWC students to qualify for Workforce and Affordable housing even if they don't meet the employment criteria. Staff does not recommend this option because the Workforce and Affordable units are intended to be used for people who are working full-time at Local Businesses. There is limited supply of housing units and plenty of people who meet the employment criteria and applied but haven't yet been chosen in the weighted drawing. This option would make the pool larger and add more competition for the people who meet the employment criteria.

From: X X
To: Stacy Stoker
Subject: Comments
Date: Saturday, February 12, 2022 7:00:26 AM

Hi and thank you for taking public comments. My comment is related to the rules and regulations of housing communities once occupied…not necessarily rules and regs for getting in. I live near a low rent development and it's been my observation over the last 10 years that because the occupants are mostly renters and not owners, they don't seem to care about following the rules. There is dog feces everywhere. The front and back of the property looks like a garbage dump. The tenants dont care about the level of noise they make during the late evening and night which impacts several people within the building and surrounding neighborhood. It's very frustrating. It's also frustrating that the Jackson/Teton County Housing Department doesn't enforce the rules and regs. Please consider in the future mostly ownership and not rentals…it makes a difference.

From:	Bonnie Self
To:	Stacy Stoker
Subject:	Rules and Regulation Comments
Date:	Sunday, February 13, 2022 10:52:14 AM

Dear Ms. Stoker,

Thank you for the opportunity to comment on the following two rules and regulations under Workforce Housing Programs.

1. The rules restrict workforce housing to anyone who owns residential real estate 150 miles from Teton County.

This rule seems to imply that someone who owns a home in Pocatello, Idaho or just north of Kemmerer, Wyoming but works in Jackson cannot secure workforce housing. With intense transportation challenges due to weather, roads and population growth, the rules are exacerbating the situation by requiring people to commute long distances instead of living in the County where they work. With astronomical housing prices and a challenging market in Jackson, these individuals do not have incentive to sell their homes, a long-term investment, in order to rent locally. This rule also implies that someone could own a multi-million dollar home in Park City but secure workforce housing without selling since it is over 150 miles away.

I suggest that you review and adjust these regulations to the immediate vicinity of Jackson Hole to get local workers back in the valley without them being required to sell their home.

2. The rules restrict workforce housing to anyone who does not earn a minimum of 75% of their household income from a local business.

Though we have two employees out of our three person household that work in the Town of Jackson (one full-time at a nonprofit organization and one part-time at a local cafe), we are still shy of the 75% threshold since our third member works for local government in Idaho. Though this individual does not work in Jackson, they are involved in regional issues that affect Jackson Hole.

I would recommend that this percentage be decreased or reviewed on a case by case basis to not exclude households that give back to the community.

I appreciate the opportunity to comment and hope the regulations can change to keep people living closer to where they work or go to school. This will only help other county crises such as transportation and workforce shortages.

Sincerely,
Bonnie Self
Teton County, WY

Central Wyoming
College - Jackson
240 S. Glenwood St Jackson, Wyoming 83001 307.733.7425 jackson.cwc.edu

July 30, 2021

Dear Mayor Morton Levinson, Vice-Mayor Jorgensen, and Town Councilors,

We appreciate all the work you are doing this summer and year-round to keep our Town and community safe.

As you know, Central Wyoming College (CWC) is respectfully requesting consideration to revise the Teton County/Town of Jackson Housing Rules and Regulations to enable CWC Jackson students to live in workforce subsidized rentals while attending school.

At your Monday, August 2nd meeting, we hope you will make suggestions during the First Reading to reflect this change.

We feel this is important because programs such as nursing, accounting, and education are intensive and do not have the required working hours of some of the CWC programs such as the Culinary and Hospitality. Despite the fact that our students are 95% local, they face the same housing challenges that everyone does with reasons ranging from their current housing (parents) situation has changed, or they need to move out for personal or space reasons.

For example, most students entering the nursing program at CWC will take full time college classes for at least three years, and in order to succeed in the coursework it is not possible to work long hours. Access to subsidized housing will enable these students to prepare for jobs that are in high demand in our community and become one of our local workforce living in affordable, stable housing. We need an opportunity for these students to look forward to opportunities and careers in our community. One that allows local children the ability to grow their careers and contribute to their town after graduating high school.

Students would have to show they are enrolled at CWC no less than 24 credits a year and be employed, volunteer or have an internship in Jackson Hole for
no less than an average of 15 hours per week over the year. CWC can work with the Housing Authority to adjust these calculations for students that have only a semester to complete their program. There can also be stipulations that those applying for subsidized workforce housing as a CWC student can show they have been Wyoming residents for at least one year.
We also request that CWC internship hours be counted towards the work requirement hours.

This proposal is a path forward to providing an opportunity to these students and indicates an important priority of supporting local residents through a means to develop, nourish, and create a sustainable life here. We look forward to working together with you and staff.

I appreciate your consideration.

Sincerely yours,

Susan Durfee
CWC Jackson
Director

cc: April Norton, Jessica Jaubert, Willie Noseep

From: Debby Hathcock
To: Stacy Stoker
Subject: Housing Rules & Regs Annual Update
Date: Monday, January 31, 2022 1:59:45 PM

Dear Stacy,

I have lived and worked in Teton County, WY for over 10 years collectively. I recently applied to be included in a drawing for a one-bedroom affordable condo for sale only to be told I couldn't apply because I changed my financial status AFTER I found out that the condo was available. I am single, have my 84-year-old mother living with me with a fixed income, and my 22-year-old daughter who is going to college online. I am in a position where it is VERY RARE that anything comes up that I can afford long term. My mother is in line to become a Pioneer Homestead resident and my daughter is at the age where she could move out any time. People like me should be able to apply for different opportunities like this if they arise. It is not fair to exclude me from getting long-term affordable housing for just me if it arises or for all three of us if something comes up.

Again, it is so rare that something comes available that I can afford, I should be able to determine if it is a good fit for just me or for my entire little family. Please suggest that this process be changed for those of us that are not in the typical categories (ex. family with 2 kids, single mom, single, etc).

Thank you for your consideration!

Debby Hathcock

From: Doug Hayden
To: Stacy Stoker
Subject: Housing Rules and Regs March mtg
Date: Wednesday, February 9, 2022 9:28:34 PM

Hi Stacy,

I would like to submit a recommendation for a policy change to the rules and regs. This is for the meeting that will take place March 7.

My proposed policy change is to allow community members the option to leave town in pursuit of education if they have 2 years of county work experience prior to departure and if they return to the county following their education to begin contributing to the local workforce. The education leave would have no timeline cap as opposed to the current 2 year cap. In this situation, individuals and families would be allowed to maintain their years of county employment eligibility and apply them to their housing application upon return from school. It is imperative that you not penalize our community members for investing in education that helps fill essential jobs in this town. Getting an education and returning to Teton County should be viewed as in investment in the town and its well being.

Thank you,
Doug Hayden
gdhayden83@gmail.com

From: melissa kryger
To: Stacy Stoker
Subject: Rules and Regs
Date: Wednesday, February 2, 2022 12:09:27 PM

Dear Stacy,

Hope you are having a great day.

I think we should allow lower hours this year for full time employment and possibly the prior year. I know I will not qualify as my employer decided to shut down numerous times directly related to COVID.

Also, my landlord is amazing, and has not raised my rent in three years. I think there should be a program for fair landlords. Maybe a tax break?

I truly appreciate the opportunity to put ideas out there.

Sincerely,
Melissa Kryger

From:	Mike Hazlett
To:	Stacy Stoker
Subject:	Re: Housing Qualifications Feedback, Remove 150 Mile Ownership Restriction.
Date:	Wednesday, February 16, 2022 2:45:37 PM
Attachments:	image001.png

OK,

In that case, I would like to request discussion about removing the 75% local income rule inside Teton Co for law enforcement and Fire/EMS personnel.

Some of us have had previous careers, received pensions, and are bringing forward years of experience to the job. Living in Teton Co, as I mentioned earlier, would provide for local assistance during periods of large events or multiple calls for service when both agencies are having difficulty with retention.

Thanks again, Mike

Mike Hazlett
Fire Captain/Paramedic
Jackson Hole Fire EMS
http://www.jhfire-ems.org/
307-413-2066

From: Stacy Stoker <sstoker@tetoncountywy.gov>
Sent: Wednesday, February 16, 2022 12:29 PM
To: Mike Hazlett <mhazlett@tetoncountywy.gov>
Subject: RE: Housing Qualifications Feedback, Remove 150 Mile Ownership Restriction.

No, but that is on the list to be discussed in June. The March 7 meeting has been moved to February 28. The electeds will be deciding whether they want to take anything off of our list or add anything to it. The 75% local income rule has been requested by them so I am assuming it will stay on the list.

Stacy Stoker
Manager I Jackson/Teton County Affordable Housing Department
(o) 307-732-0867
www.jhaffordablehousing.org
Follow us on Facebook & Instagram
#housingjh #communityfirstresortsecond

JH JACKSON/TETON COUNTY AFFORDABLE HOUSING

TETON COUNTY 100 WYOMING — 1921 ★ 2021 —

From: Mike Hazlett <mhazlett@tetoncountywy.gov>
Sent: Wednesday, February 16, 2022 12:26 PM
To: Stacy Stoker <sstoker@tetoncountywy.gov>
Subject: Re: Housing Qualifications Feedback, Remove 150 Mile Ownership Restriction.

Stacy,

I guess I was unaware of that option.

Are the any drawing with only 40% on my income from inside Teton Co?

Thanks, Mike

Mike Hazlett
Fire Captain/Paramedic
Jackson Hole Fire EMS
http://www.jhfire-ems.org/
307-413-2066

From: Stacy Stoker <sstoker@tetoncountywy.gov>
Sent: Wednesday, February 16, 2022 8:09 AM
To: Mike Hazlett <mhazlett@tetoncountywy.gov>
Cc: MIKE HAZLETT <mikehazlett@comcast.net>
Subject: RE: Housing Qualifications Feedback, Remove 150 Mile Ownership Restriction.

Hi Mike,
Thank you for your email. I will include this as public comment. Please note that you can still apply for housing even though you own a place in Lincoln County. If you were to get picked for something and wanted to move forward with purchasing, you would be required to sell the home in Lincoln County.
Have a great day!

Stacy Stoker
Manager I Jackson/Teton County Affordable Housing Department
(o) 307-732-0867
www.jhaffordablehousing.org
Follow us on Facebook & Instagram
#housingjh #communityfirstresortsecond

From: Mike Hazlett <mhazlett@tetoncountywy.gov>
Sent: Wednesday, February 16, 2022 7:25 AM
To: Stacy Stoker <sstoker@tetoncountywy.gov>
Cc: MIKE HAZLETT <mikehazlett@comcast.net>
Subject: Housing Qualifications Feedback, Remove 150 Mile Ownership Restriction.

Stacy,

Thank you for managing the challenging job of housing in Teton County.

I have been a Jackson Hole Fire/EMS Fire Captain/Paramedic for over four years and have been unsuccessful in purchasing housing in Teton County.

I purchased a small cabin in Lincoln Co a couple of years ago as rents were just as high as a mortgage. I commute 1 1/2 hours to work in Jackson, traveling up the Snake River Canyon.

If housed in Teton County, I would also be available, when not on shift, to provide backfill and emergency response when staffing issue are unable to provide manpower for emergency calls. Unfortunately, this issue of inadequate staffing has become more common place when multiple calls for service are pending.

I would like the requirement of home ownership within 150 miles removed so that if a workforce home comes available, I would be able to apply and possibly purchase.

Thanks, Mike

Mike Hazlett
Fire Captain/Paramedic
Jackson Hole Fire EMS
http://www.jhfire-ems.org/
307-413-2066

From:	Shelby Read
To:	Stacy Stoker
Subject:	Recommended Change
Date:	Tuesday, February 1, 2022 2:47:59 PM

Hi Stacy,

I would like to suggest that we be able to own property within a closer proximity than 150 miles. I don't want to buy a new house (because haha we couldn't afford anything close anyway), but there is an opportunity to purchase land within a couple of hours of Teton County that could be an investment for my family. I know that the Housing Trust has different rules and I'm just wondering if the Housing Department could revisit the rule for our housing program.

Respectfully,
Shelby Read

--
Cheers,
Shelby
she/her

Jackson/Teton County Housing Department Rules and Regulations Topic Identification List

	Topic	Background	Include – Yes/No
1.	Accessory Residential Units (ARUs)	Currently, ARUs that are secondary to a commercial use are restricted with a Workforce Housing Rental Restriction. Should we continue to restrict these as Workforce Housing?	
2.	Local Business	Can private residences qualify as a Local Business?	Y
3.	Local Business Q HERE IS WHETHER IT IS IMPORTANT TO QUALIFY THE OWNER ! OCCUPANT OR JUST THE OCCUPANT. I PREFER THE LATTER	Staff has experienced some issues with the Local Business Definition. Should it be revisited? For example, currently a business can use a Town of Jackson (TOJ) Business License to verify they are physically located in Teton County, however, a business does not have to be physically located in Teton County to get a TOJ Business License.	
4.	Cosigners and Guarantors	Currently, cosigners are not allowed on Affordable or Workforce loans without granting of an exception. Should cosigners and guarantors be allowed on Workforce units?	
5.	Employment	Currently, full-time employment is defined as 30 hours per week (1,560 hours per year). Should this number be changed?	N
6.	Employment	Currently, only one person in the household is required to work full-time in Teton County. Should this be changed?	N 75% SHOULD COVER IT
7.	Income	Rental income is currently included in a household's income for qualification. Which expenses, if any, should be allowed as deductions?	SAME AS ON TAX RETURN
8.	Income	The Rules and Regulations are not clear on what sources of income are considered non-local. Should this be added?	
9.	Weighted Drawing	Should additional consideration be given in a Weighted Drawing for households who were born or graduated from high school in Teton County, Wyoming?	Y GOOD IDEA
10.	Homeowner Associations (HOA)/Covenants, Conditions, & Restrictions (CCRs)	The Rules and Regulations do not include rules concerning HOAs and, CCRs, and a) how much either can charge or assess restricted homeowners or b) upon what grounds they can assess or charge restricted homeowners. Should this be added?	TOUGH - SHOULD BE A MIN. STD THAT WKFSE PAYS IF HOA GOES ABOVE, MAKE IT A SUB HOA
11.	Definition of Household	Should the definition of household for Workforce units be changed to allow roommates in rental units to be qualified as separate households?	N IT NEGATES THE POWER of 75%.
12.	Interruption of Employment	Should the current rule allowing interruption of employment for a maximum of 2 years be changed?	N - UNLESS YOU SHORTEN IT

13.	Workforce Housing	The current requirement is that 75% of a household's income must be from a Local Business. Should this percentage be changed?	N
14.	Maximum Rents	When Affordable homeowners request a leave of absence and to be allowed to rent their home, what costs should be included in the maximum rent allowed?	RENT / POWER
15.	Ownership of Residential Real Estate	Should the current rule that prohibits ownership of other residential real estate within 150 miles of Teton County be changed?	Y FOR HOG ISLAND ALSO
16.	Central Wyoming College (CWC) Students	Should CWC students qualify to occupy Workforce Housing?	

SHOULD ALLOW FOR SOMEONE TO BUY A LOT AND BUILD - OR IF THEY OWN A BUSINESS HAVE EMPLOYEE HOUSING (MAYBE REQUIRE IT TO BE ~~EE~~ WKFS RESTRICTED WHILE THEY OWN/LIVE IN THEIR UNIT)

From:	Shannon Murray
To:	Stacy Stoker
Subject:	Rules and Regulations Comments
Date:	Friday, February 25, 2022 11:08:46 AM

[NOTICE: This message originated outside of the Teton County's mail system -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Hello,

I would like the committee to revisit the land ownership rule of 150 miles to allow for retirement planning. As an affordable home owner we would like to be able to plan for our future and purchase land in the area that we can afford in order to at some point make a retirement plan. Without this option, we will likely continue to utilize the workforce housing once retired rather than allowing another working family to occupy the space. The real estate market seems to be moving out of reach for middle income families in our outer communities at this time. Thank you for your time and consideration.

Best,
Shannon Gutwein

Central Wyoming College
2660 Peck Avenue Riverton, Wyoming 82501 307.855.2000 www.cwc.edu

February 22, 2022

Dear Director Norton,

We hope you are all doing well, and we appreciate all your work to address Teton County's housing needs.

As you know, Central Wyoming College has been in discussions with local elected leaders and yourself regarding students' hours counting towards the 30 hours a week requirement from the Housing Department.

Many of our students work 30 hours a week already as part of programs like Hospitality and Culinary. Some would have a challenge to meet even a 20-hour workweek during their courses. Those would include Nursing, Accounting, Computer Tech and business classes, where the curriculum requires more time in the classroom.

We want to work with you and your staff and Town and County elected officials to amend the Housing Rules & Regulations to provide a pathway for CWC students. These changes would allow students in higher education programs to be able to apply for rental and ownership housing while attending CWC and other college programs locally. Keeping our Teton County students in Teton County after graduation is vital to the health of our community.

Thank you for your work, and we look forward to working with the Housing Department on ways to support students.

Please feel free to reach out with any questions. Thank you.

Sincerely,

Brad Tyndall
President, Central Wyoming College

Susan Durfee
Director, Central Wyoming College Jackson

Received from Stephanie Thomas 2/25/2022

Jackson/Teton County Housing Department Rules and Regulations
2022 Topic Identification List

	Topic	Background	Include – Yes/No
1.	Accessory Residential Units (ARUs)	Currently, ARUs that are secondary to a commercial use are restricted with a Workforce Housing Rental Restriction. Should we continue to restrict these as Workforce Housing?	
2.	Local Business	Can private residences qualify as a Local Business?	
3.	Local Business	Staff has experienced some issues with the Local Business Definition. Should it be revisited? For example, currently a business can use a Town of Jackson (TOJ) Business License to verify they are physically located in Teton County, however, a business does not have to be physically located in Teton County to get a TOJ Business License.	
4.	Cosigners and Guarantors	Currently, cosigners are not allowed on Affordable or Workforce loans without granting of an exception. Should cosigners and guarantors be allowed on Workforce units?	
5.	Employment	Currently, full-time employment is defined as 30 hours per week (1,560 hours per year). Should this number be changed?	
6.	Employment	Currently, only one person in the household is required to work full-time in Teton County. Should this be changed?	
7.	Income	Rental income is currently included in a household's income for qualification. Which expenses, if any, should be allowed as deductions?	
8.	Income	The Rules and Regulations are not clear on what sources of income are considered non-local. Should this be added?	
9.	Weighted Drawing	Should additional consideration be given in a Weighted Drawing for households who were born or graduated from high school in Teton County, Wyoming?	
10.	Homeowner Associations (HOA)/Covenants, Conditions, & Restrictions (CCRs)	The Rules and Regulations do not include rules concerning HOAs and~~,~~ CCRs, and a) how much either can-charge or assess restricted homeowners or b) upon what grounds they can assess or charge restricted homeowners. Should this be added?	

11.	Definition of Household	Should the definition of household for Workforce units be changed to allow roommates in rental units to be qualified as separate households?	
12.	Interruption of Employment	Should the current rule allowing interruption of employment for a maximum of 2 years be changed?	
13.	Workforce Housing	The current requirement is that 75% of a household's income must be from a Local Business. Should this percentage be changed?	
14.	Maximum Rents	When Affordable homeowners request a leave of absence and to be allowed to rent their home, what costs should be included in the maximum rent allowed?	
15.	Ownership of Residential Real Estate	Should the current rule that prohibits ownership of other residential real estate within 150 miles of Teton County be changed?	
16.	Central Wyoming College (CWC) Students	Should CWC students qualify to occupy Workforce Housing?	

My comments on the Topics above vary and I believe you can fit my comments in where you see they fit.

#1. We tend to base quite a bit of people's "value" in this community based on how much money they make vs the more holistic way in which people may contribute to this community. When I think about the rules around employment (5 or 6 above) we value full time, employment in JH more then we do other contributions (volunteerism, raising children, participating on volunteer or non-profit boards, etc) This mostly comes into play when we talk about people who have gotten to the age of retirement (should retired people who contribute a ton of time though volunteerism and dedication to the community) or households where you have young kids and the cost of sending them to daycare is too high to maintain until they are of an age where it becomes more affordable. I'm sure there are other circumstances as well but I think these rules negatively impact people who are contributors to this valley in incredible ways and we aren't giving them the recognition they deserve or at least the opportunity to qualify for affordable housing.

#2. I have a comment on #13. I believe the current definition of how people qualify for workforce housing could be discriminatory against traditionally female or underpaid jobs (teachers, therapists, nurses, etc). We must value people and what they are bringing to this community, OR we somehow need to convince employers they need to make a lot more money (that probably isn't going to happen). Say for an example, if a therapist in this valley (something we desperately need) is making significantly less money than her spouse who works for the federal govt (who's income comes from DC) or for a consulting group out of Denver is that therapist job not make them worthy of being here? What if he volunteers to coach kids soccer and sits on a local board? Do those hours not count? It's not really the therapist fault that their job doesn't make as much as their spouse. And because Teton County is a small community with limited opportunity for certain types jobs, remote working is just how the world is moving. So I would consider moving this requirement that 50% of the household be employed in Jackson Hole vs putting any sort of income contingency on this aspect of the application.

#14 Since I'm currently in the position of having the opportunity to leave the valley for a few months, I've been intimately involved with #14. I absolutely understand that rules around leaving your home unattended need to be in place but the current rendition of them needs review and revision based on the global economy, the changing demographics of our homeowners (retiring people), and the length of time one is attempting to leave the valley and their intentions upon returning. I don't have all the answers on this one here but believe it needs an examination and analysis on how to make this rule fit the changing times in our world. I would be happy to help sit on this committee to look at this aspect of our housing regulations.

In general I know compliance is important but I also know that valuing our community members as holistic beings who are living, working, and possibly raising families in this community is just as important. The rules on paper must be weighed against the realities of the people contributing to our community. I believe it’s been ingrained in our brains that people who live in affordable homes are the lucky ones. Somehow they “won the lottery” (literally in this case) but we don’t often talk about how important these people are to our community. That our community is SO Lucky to have these great people making our community what it is. Where would we actually be without them? And with the scarcity of housing, the incredibly increase in price of living and the squeezing out of the working community, in general we need to flip the script to stop the message “you’re lucky to get that house/rental/apartment” to “we are so fortunate to have you, how can we help you stay”.

From: Stacy Stoker
To: Stacy Stoker
Subject: RE: Question for Housing Authority
Date: Tuesday, March 22, 2022 1:48:10 PM

From: Ainslie Mintz <ainsliet88@gmail.com>
Sent: Monday, March 21, 2022 4:24 PM
To: Billi Jennings <bjennings@tetoncountywy.gov>; Billi Jennings <bjennings@tetoncountywy.gov>
Subject: Question for Housing Authority

Hi Billi, I emailed this to you because you're the only housing authority email I have! Can you pass this on to whomever would be the right recipient? I hope that you are doing well!
Thanks,

Ainslie

Dear Housing Authority,

I have lived in the Millward Redevelopment since 2015 and I am so grateful for the time I have been able to spend in this neighborhood. In the time since we bought it we have thrived in this community, both my husband and I are small business owners, I own Teton Yoga Shala which is just a two minute drive and he has a care-taking business in the village. He works for the resort in the winter and is a fish guide in the summer in addition to being a volunteer firefighter. We also have two toddlers. Without the house in this neighborhood I don't think our lives here in Jackson would be possible.

That said we have outgrown our small two-bedroom house and every day I am tripping on someone or trying to work on my computer from my dresser. Zoom calls from home are completely unprofessional and it has really started to affect my mental health. It's been great but the past few years with two kids have been cramped to say the least. When we moved into this neighborhood we were so excited to learn that we could grow within the community because you could upgrade when a neighbor moved. While I understand why the rules got changed I also think there was a reason that benefit was in place and I am wondering if that would ever be reinstated as I would love to pass my house on to someone else and keep everything moving.

Our neighborhood is a very tight community- our four year old plays with her best friends every day after pre-school and is looking forward to attending kindergarten with them next fall. It would break her heart to leave but I can't see us living in the same place for many more years like this. We also really love the neighborhood and I have served on the HOA board and we both take the time to make sure that things are going smoothly and that people are getting along.

The purpose of this email is to ask if you would consider honoring the rules that were in place when we purchased our house the next time a bigger house in the neighborhood goes for sale. Many things have been "grandfathered" in in the past and I hope that this could be added to the list. I know that is a complicated thing to ask but after speaking with several people about it I figured I would give it a shot.

Thank you, I am truly, from the bottom of my heart grateful for everything you are doing to try to keep this community in tact with all of the crazy changes that have happened the past few years.

Sincerely,

Ainslie and Nathan Mintz

From: Brigid Mander
To: Stacy Stoker
Subject: Affordable Housing Qualification Comments
Date: Monday, June 6, 2022 2:38:56 PM

[**NOTICE:** This message originated outside of the Teton County's mail system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Hi Stacey,

Thanks for speaking with me the other day and answering my questions about housing eligibility in Teton County. I know it is a difficult balancing act and a difficult problem, but I do believe it seems there are some important gaps in your qualifications.

For example, I do not qualify, though I have lived here for a long time (15 years) and have built my own career as an independent journalist and writer, with plenty of coverage of this area. I work with publications based all over the world and in the US, but only a small amount of my work is from a Teton County, WY, media organization. I used to work in restaurants, or summers toiling around gardening (on the grounds of mostly empty mansions), and other service jobs to the ultra-wealthy and the tourism economy. Yet the fact I've graduated from serving other people, and built my career in the arts and media nationally means I now longer qualify for housing in this very expensive market is a mixed message. Are community members more valued if they are digging for a garden company, or folding at a hotel, than anyone in the arts or entrepreneurial spaces? The message this sends is not for a healthy, well-rounded, community, but simply one that provides for a labor force of service.

A hotel, which creates many low wage jobs and puts intense pressure on this county and the environment can have employees housed by the county? People who work for property managers who run the ever-increasing industry of short term rentals, and that take up ever more local housing stock? People who serve absentee homeowners? These are jobs, frankly, that are perpetuating your housing problem. I understand you have to have rules and parameters for who qualifies, but you are nonetheless failing a large part of your community. I know there are many deserving people who do qualify already and who work in many parts of the community: banks, nonprofits, the library, for example, but, you are still leaving out a vast swath of what makes a real, rich community of people, not just a "workforce." I encourage you to work on fixing this issue.

Thanks for your time,
best
Brigid

--

Brigid Mander
www.brigidmander.com

PO Box 1666
Wilson, Wyoming 83014
917.847.8734

From: Tim Miller
To: Stacy Stoker
Subject: Gap in affordability / income ranges
Date: Wednesday, March 23, 2022 2:54:55 PM

Hey Stacy thanks for the time taking my call and talking housing with me.

I wanted to just send ya that email and let you know I'm concerned that there is a gap in the housing program for people who aren't broke, but aren't rich. We're told to go to highschool, get good grades, get a career and that that will put us in a position financially to buy a home, etc.

Given the housing market, there are quiet a few normal people who make good but not great money here in the valley and therefore do not afford the ultra low affordable units but don't make enough to buy a market home. Some are even in a position where they make too much for 'workforce' housing but still cannot buy a market home. There is a real section of people who are not rich, who are not broke, (maybe the word here is middle class) and cannot afford to be here any longer. Obviously, this is all made much worse by lack of inventory.

I also want to mention the workforce housing - i know that current stipulations mandate 75% of income must be made in the valley, but why is there no income cap? In my perspective, it is far too easy to financially manipulate this system. Why on earth is there no income cap? We could very reasonable cap income on a couple at 250 or 300k, although that is a ton of cash. It makes 0 sense to me that there is no income cap, and I believe the asset caps also need to be adjusted. Again, I am writing because i think there is a gap in the current system where middle class folks are getting the hardest squeeze. One could argue it is easier to get a house right now if you are broke, rather than having modest success by following what we were taught in the school system right here in this county.

Cheers, and I truly hope we can find solutions to these things as soon as possible.

Tim Miller

T: 307-690-3534
@TimJames.Miller
TreeAndMountain.co

From: Tricia Clarke
To: Stacy Stoker
Subject: Information for public comment
Date: Friday, March 4, 2022 12:13:59 PM

Hi Stacy,

Billi shared that I could add my opinion to the public comment for the upcoming meeting about workforce housing requirements pertaining to owning residential real estate so if that is the case, here is my 2 cents:

If the rule about owning "residential real estate" includes un-built lots, I don't think it should.

I thought the rule was that you are not allowed to own residential property that you can actually live in - with a house on it.

We do own a lot in Victor Idaho which is our "retirement plan" to build on later in life and retire there (and would then sell our Workforce unit and move there).

If we were to sell it right now, it does not help provide more housing here and does not affect the purchasing or basic rules of the unit we are hoping to purchase - it just means we would only be able to live in Jackson until we don't work here any more and then we would be forced to sell the workforce unit and be back to square one and not be able to live here anymore.

It is NOT an option for us to live there right now with building costs so high and there is currently not a structure on the property that we could live in instead of the Workforce Unit we are hoping to purchase.

I don't believe that owning a Workforce Ownership Unit should be contingent upon us selling land that is empty with no residential structure.

This is our situation:

My husband and I have worked in Jackson for over 25 years - me mostly in non-profits (St. John's Hospital for 10 years and Curran Seeley Foundation for 11 years) and him as an insurance agent.

We spent 12 years living in Victor and commuting, but I couldn't stand the commute any more and we wanted our daughter to go to school here so we moved back.

The house we live in has sold twice during the time we have lived there and has gone from $1650/month to $4000/month. It is now for sale for $2.4 million dollars and there are showings every week.

Our lease expires on April 30th and at this moment we don't have anything secured, but we were hoping we would only have to find something for May - October when the workforce unit was going to be ready.

There is literally nothing in Jackson we can afford at this time on the free market and even Victor is a stretch and I would 100% quit my job here if I had to commute every day again.

And now we may not qualify to buy a $735k apartment if we own an empty lot in Victor? I don't think that should be a rule.

Thanks!!

Tricia

`

1. COMPLIANCE – Addendum to 6/13/22 Staff Report

How should the Housing Department perform compliance on restricted rental units?

At the June 13th JIM, staff was requested to bring back an option relating to some flexibility on requiring tax returns as verification documentation. Staff is recommending the following:

The compliance documentation requirements should be a written internal Housing Department policy based on direction from the Town Council and Board of County Commissioners. This provides the ability to have some flexibility and discretion in unique situations between landlords and tenants.

Policy for requirement of providing tax returns:

1. If a tenant has not filed tax returns, they need to provide a reasonable explanation (they were in school, they came here from another country). The Housing Department will make a determination based on the explanation:
   a. In school: No tax return needed until next year. Required to sign an income affidavit that states they have no other jobs or sources of income.
   b. They have not filed because they didn't have income enough to require them to file. Same as a.
   c. They have been negligent in filing. Require them to file within 30 days.
   d. They are from another country with a work visa, or lawful permanent resident. If they came in the previous year and were working, require then to file within 30 days. If they came in current year, require them to sign and income affidavit and must file next year.
   e. Undocumented: Must sign an Income Affidavit and file for an ITIN number. They have 30 days to file for an ITIN and verification that they have filed for an ITIN must be provided to the Housing Department. Once they receive the ITIN, they are required to file taxes.

BOARD OF COUNTY COMMISSIONERS — **TOWN COUNCIL**

JOINT INFORMATION MEETING
AGENDA DOCUMENTATION

SUBMITTING DEPARTMENT: Town and County Administration **PRESENTER**: Roxanne Robinson

MEETING DATE: July 6, 2022

SUBJECT: **Public Comment, SPET Dialogue, Decision on Affidavits and/or MOUs and Final Edits to Amounts and Draft Ballot Language**

STATEMENT/PURPOSE

The purpose of the July 6 SPET item is for the Town Council and County Commission to, take public comment, complete their dialogue regarding the SPET items, decide on the requirement for affidavits and/or MOUs, and make final edits to the ballot resolution language and amounts. Public Comment will be taken at this meeting.

BACKGROUND/ALTERNATIVES

Below is a summary table of the straw polls conducted through the June 27 meeting.

SPET Compilation				
			Council	Commission
Project	SPET Request	Straw Poll for Ballot	Straw Poll	Straw Poll
Projects Generally Agreed Upon for Ballot for July 11 Ballot				
Teton Youth and Family Services: Building Brighter I	$ 2,000,000	$ 2,000,000		
Water Quality Master Plan Implementation	$ 10,000,000	$ 10,000,000		
CWC: Jackson Outreach College	$ 10,000,000	$ 10,000,000		
TCSD: Bronc Achievement Center	$ 16,505,139		$ 16,505,139	split
Transportation Alternatives	$ 20,000,000	$ 15,000,000		
ECW: Community Energy Leverage Fund	$ 10,000,000	$ 5,000,000		
Fire Stations Hoback and Wilson	$ 15,000,000	$ 11,000,000		
Walkable Community	$ 3,000,000	$ 3,000,000		
Teton Conservation Fund-County Wide	$ 10,000,000		$ 8,000,000	split
TCSD Housing	$ 16,000,000	$ 16,000,000		
St. John's Health: Rentals & Overnight Lodging	$ 24,000,000	$ 24,000,000		
Town Employee Housing Projects	$ 20,000,000		Yes on ballot and list separately @ $10M	Yes on ballot and list separately - no dollar decided
County Employee Housing	$ 20,000,000		Yes on ballot and list separately @ $10M	Yes on ballot and list separately - no dollar decided
Community Housing Fund	$ 20,000,000	$ 20,000,000	Yes on ballot and list separately @ $25M	Yes on ballot and list separately @$20M
Projects Removed from Ballot Consideration				
Good Samaritan Mission: Transitional Housing for F	$ 10,000,000	Removed	No on ballot listed separately	Yes on ballot and list separately
Senior Center: Assisted Living & Adult Day Care	$ 20,000,000	Removed	No on ballot listed separately	No on ballot listed separately
Totals	**$ 226,505,139**	**$ 116,000,000**		

Prior to further dialogue about the outstanding key questions, public comment should be taken.

OUTSTANDING KEY QUESTIONS:

A possible order of items for dialogue/action are listed below:

1. **Determine Undecided Amounts for Projects Generally Agreed Upon for Ballot Placement.** There are four projects in this category including the Bronc Achievement Center, the Teton Conservation Fund – County-Wide, Town Employee Housing Projects, and County Employee Housing Projects.

   Key Question and Decision: What is the total amount the Council and Commission choose to place on the ballot for these SPET initiatives?

2. **Number of Pennies of SPET.** Teton County currently imposes 1 penny of SPET. The Town Council and County Commission could choose to put forward the same amount or could increase that to 2 pennies of SPET. That might require more than one ballot (one for each penny) and there is a limit of the total tax that can be imposed (SPET and General) of 3 pennies. An increase in SPET above 1 penny would foreclose or limit any increase for the general fund above its current rate of 1 penny. In an email from the County Treasurer to County Commissioners, there was an estimate for 4 years of collection of SPET that would total approximately $120M utilizing 1 penny of SPET.

   Key Question and Decision: Do the Council and Commission wish to approve a resolution that proposes an additional 1 penny of SPET beyond the already agreed upon 1 penny of SPET?

3. **Further Edit the Ballot Resolution Language.** The DRAFT ballot resolution is attached to this staff report and was prepared by Town and County staff. The resolution as presented contains blanks for several initiatives. Staff recommends the final ballot resolution not be adopted until the issue of the affidavit has been resolved and, if required, signed affidavits are collected prior to that adoption. Any additional updates to the draft ballot language will be shared on screen at the meeting on Wednesday, July 6.

   Key Question and Decision: Do the Council and Commission wish to amend the DRAFT SPET ballot resolution language prior to presentation for final adoption at a meeting to be held ________________________?

4. **Affidavit to Ensure Compliance with Town and County Land Development Regulations and Building Permit Requirements and/or Memorandum of Understanding.** The application indicated that non-Town or non-County applicants must provide an affidavit to participate in the public Planning & Review process for development and construction of the project. However, the Town and County did not provide the final form for that affidavit. In addition, during the SPET process, the Council and Commission have discussed requiring a memorandum of understanding to address specific issues associated with housing SPET proposals. The Town Attorney and County Attorney's Office have a draft affidavit and draft memorandum of understanding in the appropriate form.

   Key Question and Requested Direction: Do the Council and Commission support a requirement for non-Town and non-County entities to supply, prior to final adoption of the ballot resolution, an executed affidavit and/or memorandum of understanding?

The process moving forward is as follows:

2022 SPET Timeline	
Monday July 6, 2022	Public Comment, Dialogue on Outstanding Key Questions, Direction to Staff on Affidavits/MOUs, and Direction to Staff for Final Ballot Resolution Language and Amounts

Additional Special Meeting or Adoption at Separate Council/Commission Meetings Between July 6 and July 20, 2022 DATE MUST BE SET	Final Dialogue and Ballot Resolution Adoption
Education and Information Period	July 20, 2022 - November 7, 2022
Tuesday, November 8, 2022	Election

COMPREHENSIVE PLAN ALIGNMENT

Utilizing SPET to gain community support for funding community priorities and initiatives is in alignment with the Comprehensive Plan specifically including the following principles and policies:

- **Policy 1.4.d:** Establish a funding source for open space
- **Strategy 1.2.S.3:** Develop a water quality enhancement plan that includes consideration of additional County funding for water quality and commits to joint Town and County coordination.
- **Strategy 1.4.S.4:** Explore the establishment of a dedicated funding source for the acquisition of permanent open space for wildlife habitat protection, scenic vista protection, and agriculture preservation.
- **Policy 5.4.e:** Establish a reliable funding source for workforce housing provision
- **Strategy 5.4.S.10:** Explore the dedication of more staff and funding to the Housing Supply Program
- **Policy 7.1.e:** Establish a permanent funding source for an alternative transportation system
- **Policy 10.3.c:** Elected Officials will set and fund the Plan
- Other

STAKEHOLDER ANALYSIS

Stakeholders include those paying sales tax in Teton County, residents and guests of Teton County that will benefit from new projects and facilities, and Town and County governmental organizations that will receive funding from SPET thereby reserving other Town and County funds for other priorities.

FISCAL IMPACT

There is no direct fiscal impact to continuing dialogue about SPET ballot initiatives or providing direction to staff on key decision points. Once final ballot initiatives are successfully passed by the voters, staff will have a better idea as to the fiscal impact of those items. Some items may be a positive impact on the Town and County annual budgets by providing SPET funding for projects that would not need to be funded from other Town or County revenue. Some items may result in additional staffing needs, operational costs, or cost overruns that may occur during construction. Some projects may not have any fiscal impact on the Town or County budgets as they are for outside entities.

STAFF IMPACT

The staff impact of preparation of this staff report was approximately 4 hours combined and the estimated time to be spent at the July 6 meeting is approximately 18 hours combined. As noted in a previous staff report, the comprehensive staff impact of moving forward with placing SPET initiatives on the ballot in November is approximately 437 hours.

LEGAL REVIEW

L. Colasuonno
A. Moore

ATTACHMENTS

DRAFT Ballot Resolution.

RECOMMENDATION

Staff recommends the Town Council and County Commission take public comment, and, if possible, make final edits to the ballot resolution language and amounts, and decide on the requirement for an affidavit.

SUGGESTED MOTIONS

Should the Council and Commission make motions regarding the outstanding key questions:

- *I move to set the dollar figure for the outstanding items for ballot placement at:*
    1. *$______________ for the Bronc Achievement Center*
    2. *$______________for the Teton Conservation Fund*
    3. *$______________for the Town Employee Housing Projects*
    4. *$______________for the County Employee Housing Projects.*
- *I move to propose an additional 1 penny of SPET beyond the already agreed upon 1 penny of SPET.*
- *I move to agree to propose revisions to the DRAFT ballot language as follows_____________ and present final language at a special Joint Information Meeting to be held ______________________.*
  OR
  I move to agree to propose revisions to the DRAFT ballot language as follows___________and present final language at separate meetings of the Council and Commission prior to the July 20 deadline.

Should the Council and Commission make a motion regarding requiring an affidavit:

- *I move to direct the Town Attorney and Teton County Attorney's Offices to draft an affidavit pursuant to which St. John's, TCSD, and CWC agree to 1) comply with the Town or County's Land Development Regulations and Building Codes, and participate in the public process required by the Town or County, and 2) waive any exemptions, statutory or otherwise, that would enable them to forego compliance and direct the Town Clerk to present executed affidavits from said parties at the meeting to be held _________________before adoption of the final SPET ballot resolution.*

Should the Council and Commission make a motion regarding requiring memorandums of understanding between the Town, County, St. John's and/or TCSD:

- *I move to direct the Town Attorney and County Attorney's Offices to:*
    1. *Draft a Memorandum of Understanding with St. John's requiring that a) it comply with the Town or County's Land Development Regulations and Building Codes, and participate in the public process required by the Town or County; b) it waive any exemptions, statutory or otherwise, that would enable them to forego compliance with those items listed in condition a; and c) that any housing built with money received from a successful SPET will be subject to deed restrictions limiting the use of the housing to employees of St. John's Health.*
    2. *Draft a Memorandum of Understanding with TCSD requiring that a) it comply with the Town or County's Land Development Regulations and Building Codes, and participate in the public process required by the Town or County; b) it waive any exemptions, statutory or otherwise, that would enable them to forego compliance with those items listed in condition a; c) housing built with money received from a successful SPET will be subject to deed restrictions limiting the use of the housing to employees of TCSD; and d) that the amount equivalent to the SPET money provided be reinvested and spent on the maintenance and operation of the housing.*
    3. *Present executed versions of said agreements at the meeting to be held _________________before adoption of the final SPET ballot resolution.*

JOINT RESOLUTION APPROVING PROPOSITIONS FOR CONTINUATION OF A 1% SPECIFIC PURPOSE EXCISE TAX IN TETON COUNTY, STATE OF WYOMING, SAID PROPOSITION TO BE PLACED ON THE GENERAL ELECTION BALLOT ON NOVEMBER 8, 2022

WHEREAS, Wyo. Stat. Ann. §§39-15-204(a)(ii) and 39-15-204(a)(iii) authorize a county to impose an excise tax not to exceed two percent (2%) upon retail sales of tangible personal property, admissions and services made within the county, the revenue from which excise tax shall be used in a specified amount for specific purposes authorized by the qualified electors; said specific purposes not to include ordinary operations of local government except those operations related to a specific project; and

WHEREAS, the Board of County Commissioners of Teton County and the Mayor and Town Council of the Town of Jackson, Wyoming (hereinafter sometimes referred to as the "Governing Bodies") have agreed upon a procedure to be utilized in Teton County for the submission of specific purpose excise tax project questions to the voters of the County; and

WHEREAS, Teton County is presently imposing one percent (1%) sales and use tax for specific purpose tax authorized by Wyo. Stat. Ann. §§ 39-15-203(a)(ii) and (iii) as well as Wyo. Stat. Ann. §§ 39-15-204(a)(ii) and (iii) which tax is estimated to expire in September 2024 (the "Prior 1% Tax"); and

WHEREAS, the Town of Jackson is a first-class city but commonly refers to itself as the Town of Jackson. The use of the word "town" in this document does not denote an official statutory designation as a "town." The use of the word "town" means "city" for purposes of legal statutory designation; and

WHEREAS, the Governing Bodies have further determined that it is necessary to submit to the qualified electors of the County the proposition for the continuation of the one percent (1%) tax (hereinafter sometimes referred to as the "Tax Proposition"); and

WHEREAS, the Governing Bodies hereby notify the Teton County Clerk prior to July 20, 2022, of their intention to place the Tax Proposition for specific purposes on the November 8, 2022, general election ballot; and

WHEREAS, the Governing Bodies have further determined that the Tax Proposition should be made available for the following projects in the specific principal amounts and specific purposes set forth below and the language suggested to the County Clerk is as follows:

Shall Teton County, State of Wyoming, be authorized to adopt and cause to be continued a one percent (1%) specific purpose excise tax (the "Tax") within Teton County for the purpose of raising and collecting the amounts set forth below, the proceeds from which, and the interest earned thereon, to be used and applied for specific projects, and to the extent necessary and allowed by law, the pledge to or payment of debt service and/or lease payments thereon:

Teton Youth & Family Services Facility Improvements
$2,000,000.000 for designing, constructing, upgrading, remodeling, rebuilding, and improving Teton Youth & Family Services' existing facilities at Hirschfield Center, Van Vleck Group Home, and Red Top Meadows.

This project is sponsored by Teton County.

FOR the Proposition ____________

AGAINST the Proposition ___________

Multimodal Transportation Projects
$15,000,000 for projects to improve multimodal transportation in Teton County and the Town of Jackson, such as pathways and sidewalks for safe routes to school and commuting as well as recreational use, transit center and park-n-ride facilities, traffic signals, and public transit infrastructure. Any unexpended funds, including any unused contingency funds, shall be placed into a designated account, the principal and interest of which shall be used for operations and maintenance of these projects.
This project is sponsored by Teton County.

FOR the Proposition ____________

AGAINST the Proposition ___________

St. John's Health Housing
$24,000,000 for planning, design, engineering, and construction of workforce rental housing, as well as overnight lodging, for on-call hospital staff and patients/families.

This project is sponsored by the Town of Jackson.

FOR the Proposition ____________

AGAINST the Proposition ___________

Central Wyoming College Campus
$10,000,000 for planning, designing, engineering, and constructing an approximately 21,000 square foot permanent campus for providing higher education opportunities in fields such as healthcare, early childhood education, hospitality, and language for Central Wyoming College in Teton County.

This project is sponsored by the Town of Jackson.

FOR the Proposition ____________

AGAINST the Proposition ___________

Energy Conservation Works Projects
$5,000,000 for funding community solar and/or other local renewable energy generation; alternative fuel transportation projects; energy audits; planning, design, and construction of energy conservation and emission reduction projects.

This project is sponsored by the Town of Jackson.

FOR the Proposition ____________

AGAINST the Proposition ___________

Teton County Land Conservation Opportunities
$X,000,000 for the Teton County Scenic Preserve Trust to acquire interests in state trustowned land to conserve wildlife habitat, preserve open space, preserve historic agricultural uses, preserve scenic values, and preserve public access.
This project is sponsored by Teton County.

FOR the Proposition ____________

AGAINST the Proposition ___________

Jackson Hole Fire/EMS Fire Station
$11,000,000 for planning, designing, and constructing a new fire station in Hoback and/or Wilson and for demolishing the existing stations that will be replaced.
This project is sponsored by Teton County.

FOR the Proposition ____________

AGAINST the Proposition ___________

Teton County School District Bronc Achievement Center
***$X,000,000** for designing, constructing, and equipping a new school facility that will include indoor recreational space for community youth sports programs, academic classrooms, and laboratories.*
This project is sponsored by the Town of Jackson.

FOR the Proposition ____________

AGAINST the Proposition ___________

Teton County School District Employee Housing
***$16,000,000** for designing and constructing a 24-unit multi-family housing project for Teton County School District employees.*
This project is sponsored by the Town of Jackson.

FOR the Proposition ____________

AGAINST the Proposition ___________

Town of Jackson Sidewalks and Pedestrian Accessibility
***$3,000,000** to improve walkability and accessibility in the Town of Jackson, including planning, designing, constructing, replacing, and installing sidewalks, accessibility features consistent with the Americans with Disabilities Act, pedestrian and bike safety features, mobility, and wayfinding signs.*
This project is sponsored by the Town of Jackson.

FOR the Proposition ____________

AGAINST the Proposition ___________

Teton County Water Quality Projects
***$10,000,000** to fund water quality projects that will protect and improve surface and ground water resources in Teton County, such as the Wilson sewer project, the Town of Jackson stormwater pollution prevention project, and projects to be identified in the Teton County Water Quality Master Plan.*
This project is sponsored by Teton County.

FOR the Proposition ____________

AGAINST the Proposition ___________

Town of Jackson Employee Housing
***$X,000,000** for planning, design, engineering, and construction of Town of Jackson employee rental housing.*

This project is sponsored by the Town of Jackson.

FOR the Proposition ____________

AGAINST the Proposition ___________

Teton County Employee Housing
***$X,000,000** for planning, design, engineering, and construction of Teton County employee rental housing.*

This project is sponsored by Teton County.

FOR the Proposition ____________

AGAINST the Proposition ___________

Community Workforce Housing
$20,000,000 for the purchase of land to develop permanently deed restricted workforce housing, for partnerships with public or private entities to develop permanently deed restricted workforce housing, or for projects identified in the Capital Projects Portfolio in the Housing Supply Plan and/or the Housing Needs Assessment. The Jackson Town Council and the Teton County Board of County Commissioners must authorize and direct the expenditure of these funds.

This project is sponsored by Teton County.

FOR the Proposition ____________

AGAINST the Proposition ___________

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF TETON COUNTY, WYOMING AND THE TOWN COUNCIL OF THE TOWN OF JACKSON, STATE OF WYOMING, THAT:

1. Having determined that the Tax Proposition should be made available for the projects listed above in the specified principal amounts and for the specified purposes therein set forth, the parties hereto endorse, adopt and approve the procedures set forth in Wyo. Stat. Ann. §§ 39-15-203(a)(ii) and (iii) and §§ 39-15-204(a)(ii) and (iii).

2. No proposition shall be placed on a ballot at any election for approval by the voters of the County pursuant to Wyo. Stat. Ann. §§ 39-15-203(a)(iii) and §§ 39-15-204(a)(ii), except under the following conditions:

(a) A majority of the members of the Board of County Commissioners and a majority of the members of the Town Council must approve each ballot question to be submitted for approval prior to it being placed upon the ballot. There shall be a random drawing to determine the order in which each ballot question appears on the ballot. The Board of County Commissioners and the Town Council approve the propositions listed above to be placed on the ballot.

(b) No tax shall be imposed pursuant to Wyo. Stat. Ann. §§ 39-15-203(a)(ii) and (iii), §§ 39-15-204(a)(ii) and (iii) until the proposition to impose the tax for specific purposes in specific amounts is approved by the vote of the majority of the qualified electors voting on the proposition. All propositions to be approved by the voters at any election may be combined and contained within one or more ballot questions to be approved or disapproved by a "for" or "against" vote or each proposition may be submitted to the voters as an independent ballot question to be approved or disapproved by a "for" or "against" vote. The Board of County Commissioners and Town Council agree that each proposition shall be submitted to the voters as independent ballot questions.

(c) The revenue from the Tax shall be used in a specified amount for specific purposes authorized by the qualified electors. Specific purposes shall not include ordinary operations of local government except those operations related to a specific project.

(d) The amount of revenue to be collected and the purpose or purposes for which it is proposed shall be specified in the proposition.

(e) The election shall be held in accordance with Wyo. Stat. Ann. §§ 22-21-101 through 22-21-112.

(f) In the event a ballot question authorizing the continuation of a tax is approved by the voters, all revenue collected by the Department of Revenue from the tax shall be transferred to the State Treasurer who shall deduct one percent (1%) to defray the costs of collection of the tax and administrative expenses incident thereto, and deposit the remainder into the trust and agency fund for monthly distribution to the Teton County Treasurer.

(g) Any interest earned from the investment of the revenues may only be used for costs related to the purposes approved on the ballot, including operation and maintenance costs, and shall be distributed to each sponsoring entity in the same proportion as its cost is to the total cost of all purposes identified on the ballot.

(h) Each entity receiving revenues from the specific purpose excise tax shall:
i) Maintain its accounting in records in accordance with generally accepted accounting principles as promulgated by the American Institute of Certified Public Accountants and the Governmental Accounting Standards Board.
ii) Establish separate interest-bearing ledger accounts into which the revenues will be deposited;
iii) Deposit and record all tax receipts within the appropriate ledger account;
iv) Retain and record interest earned on each account; and
v) At the end of each fiscal year, prepare and forward to the governing bodies a report on each account showing a reconciliation of all tax receipts and the amount of interest earned thereon, and a reconciliation showing all expenditures from the account or fund, grouped by major categories or classifications.

(j) All specific projects funded by the Tax Proposition that involve construction shall be subject to a planning review pursuant to the Land Development Regulations of Teton County or the Town of Jackson, depending on where the project is located.

3. In the event the taxes collected for any project exceed the amount necessary for the approved purpose or the project does not get executed, the excess funds shall be retained by the Teton County Treasurer for one (1) year for a refund of overpayments of the Tax Revenue. After one (1) year, any interest earned on the excess funds and the excess funds less any refunds ordered shall be applied to future specific purpose excise tax projects that are approved by the voters in subsequent elections in the respective ratio which the principal amount of each future project approved bears to the total principal amount of all future projects approved. In the event that there are not future specific purpose excise tax projects that are approved by the voters in subsequent elections, to which any interest earned on the excess funds and the excess funds less any refunds ordered can be applied, then any interest earned on the excess funds and the excess funds less any refunds ordered shall be distributed to each sponsoring entity based upon the respective ratio which the principal amount of each project approved bears to the total principal amount of all projects approved. Such excess funds shall be expended for the needs of the projects for which the tax was approved by the voters, including but not limited to the payment of additional unanticipated construction costs, related financing costs or for operating, equipping, and maintaining the specified projects.

4. Any project not directly sponsored by the Town of Jackson or the Board of County Commissioners of Teton County may be funded in part or in whole by revenues generated through Wyo. Stat. Ann.§§ 39-15-203(a)(ii) and (iii) and §§ 39-15-204(a)(ii) and (iii) provided that such funding shall be based upon the authority granted in the statutes of the State of Wyoming for the project and upon a Cooperative Services Agreement governing the project entered into between the Town of Jackson and/or the Board of County Commissioners of Teton County and the agency sponsoring the project.

5. At the November 8, 2022, between the hours of 7:00 am and 7:00 pm, there will be submitted to the qualified electors of the County those matters more particularly set forth on the official ballot and the Proclamation and Notice of Election. .

6. The election shall be held at those vote centers as more particularly set forth in the Proclamation and Notice of Election.

7. Any qualified elector in the County shall be entitled to vote in person at any vote center regardless of the precinct in which they reside, or by absentee ballot. A qualified elector includes every citizen of the United States who is a bona fide resident of the State of Wyoming and Teton County, who has registered to vote and who will be at least eighteen (18) years of age on the day of the election.

8. There shall be provided at each vote center, one (1) ballot box and one (1) set of ballots for each district and precinct in the County. The official ballot shall set forth each proposition to be approved by the vote of the majority of the qualified electors.

9. The results disclosed by the canvass of voters shall be certified by the Canvassing Board of Teton County. Only if the majority of votes cast on one or more of the Tax Propositions at the election is in favor of imposition of the Tax shall the Board of County Commissioners, in the manner provided by law, then proceed to declare the results of the election, and complete all steps necessary for the imposition of the Tax.

10. Should any part of or provision of this Resolution be judicially determined to be invalid or unenforceable, such determination shall not affect the remaining parts and provisions hereof, the intention being that each part or provision of this Resolution is severable.

PASSED, APPROVED AND ADOPTED this ________ day of __________, 2022.

TOWN OF JACKSON, WYOMING

____
Mayor Hailey Morton Levinson

Attest:

____
Riley Taylor, Clerk

PASSED, APPROVED AND ADOPTED THIS ______________ day of ________, 2022.

BOARD OF COUNTY COMMISSIONERS
OF TETON COUNTY, WYOMING

____
Natalia D. Macker, Chair Board of Board of County Commissioners

Attest:

____
Maureen E. Murphy, Teton County Clerk