

Special Town Council Meeting

August 2, 2023

11:00 AM

Town Council Chambers

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/87518437956?pwd=bFB0NFVidVBGUfZOZ1I5ZW0xN2VzZz09>

If the link does not work, join at zoom.com with Webinar ID **875 1843 7956** Password: **83001**

or join by phone **+1 253 205 0468** with Webinar ID **875 1843 7956** and Password: **83001**

II. CALL TO ORDER AND ROLL CALL

III. RESOLUTIONS

- A. Resolution 23-15: Local Government Project ARPA Grant Application (Kristi Malone)

IV. 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.

STAFF REPORT



Meeting Date:	August 2, 2023	Meeting Title:	Special Town Council
Submitting Department:	Joint Affordable Housing	Presenter:	Kristi Malone
Agenda Item:	Consideration of Application for ARPA Affordable Housing Grant	Public Comment:	Yes

Purpose & Policy Considerations.

The Town Council ("Council") will consider a Resolution and Certification Statement required for application to the US Department of Treasury's ARPA Affordable Housing grant for a local government project. The Housing Department requests Council approval of these documents to apply for \$1.25 million for development costs at Flat Creek Apartments.

Requested Action.

Staff request Council consider the Resolution and Certification Statement.

Recommendations.

Staff recommends Council approve the Resolution and Certification Statement attached to this staff report, and that Council authorize Mayor Morton-Levinson to sign these documents.

Background.

As part of the Town of Jackson's work with Sustainable Strategies DC, this ARPA grant funding opportunity for local government affordable housing development was brought to the Affordable Housing Department for consideration of applicability to ongoing or upcoming developments. The Flat Creek Apartments development meets the criteria for the grant and the \$1.25 million being applied for is within the reasonable and appropriate range of awarded grants according to Sustainable Strategies. If approved by Council, this application will be administered by the Housing Department on behalf of the Town of Jackson. This funding opportunity is part of the American Rescue Plan (ARPA) and \$10 million was allocated by the U.S. Treasury to the Wyoming Office of State Lands and Investments for distribution through this application process.

Since notification and application deadline of this opportunity came between regularly scheduled Town Council meetings, this special meeting was requested to ensure Council consideration of this application.

Analysis.

If granted, this funding saves the Town of Jackson \$1.25 million toward completion of the Flat Creek Apartments development. To date, the Town has provided the land for the development via a long-term ground lease and \$2,250,000 toward construction costs. An additional \$12,872,075 was secured for construction costs via Low Income Housing Tax Credits (LIHTC) and an additional \$2,325,000 was secured for construction costs via the HOME & National Housing Trust Fund. The Housing Department also previously made application for block grant funding to acquire \$1.25 million for this project that was denied. Due to changes in the median income rate for the census tract in which Flat Creek Apartments is located, the development no longer qualifies to make another application to that funding source. If awarded, this \$1.25 million ARPA funding would replace the \$1.25 million federal funding previously denied and bring Town of Jackson's cash investment down to \$1 million. Since the \$2,250,000 Town of Jackson cash investment was already distributed to Flat Creek Apartments LLC in FY23, any ARPA funds awarded would be directly reimbursed to Town of Jackson and can be spent elsewhere.

No match for awarded funding is required, although consideration of the value of the land contribution (\$5 million appraisal) made by Town of Jackson does exceed the \$1.25 million requested in this grant application. Award of this grant does not change the standards or demographics served by the Flat Creek Apartments development. Rental residents will still be required to be within the 30-60% local Median Family Income range with rental rates proportioned accordingly, as

previously determined for this development. Flat Creek Apartments was selected for this grant application because it meets the expanded presumptive eligibility as defined by the U.S. Department of Treasury and Wyoming Office of State Lands and Investments. As a project that meets the core requirements of resident income restrictions, affordability period, tenant protections and housing quality standards already demonstrated to meet LIHTC criteria, Flat Creek Apartments is considered eligible for this application.

If awarded, Housing Department staff will be responsible for ensuring compliance with the funding criteria and reporting as required throughout the lifetime of the grant. The Town Finance and Administration Departments would also be responsible for some grant and audit reporting requirements.

Comprehensive Plan & Priority Alignment.

This item is in alignment with Section 5 of the Comprehensive Plan by providing housing (Principle 5.1), strategically locating a variety of housing types (Principle 5.2), reducing the shortage of housing affordable to the workforce (Principle 5.3), and using a balanced set of tools to meet our housing goal (Principle 5.4)

Fiscal Impact.

If granted, this funding saves the Town of Jackson \$1.25 million toward completion of the Flat Creek Apartments development.

Staff Impact.

Housing Staff spent approximately 2 hours meeting with Sustainable Strategies, another hour preparing the required documentation for consideration by the Council and an additional hour preparing this staff report. If awarded, Housing Department staff will be responsible for ensuring compliance with the funding criteria and reporting as required throughout the lifetime of the grant.

Attachments or Links.

1. A Resolution Authorizing Submission of a Local Government Project ARPA Grant
2. Office of State Lands and Investments Local Government Project ARPA Grants Certification Statement

Suggested Motion.

I move to approve the Resolution Authorizing Submission of a Local Government Project ARPA Grant and the Office of State Lands and Investments Local Government Project ARPA Grants Certification Statement for application to access \$1.25 million from the US Department of Treasury's ARPA Affordable Housing grant for Flat Creek Apartments and authorize the mayor to execute all necessary documents.

RESOLUTION 23-15

A RESOLUTION AUTHORIZING SUBMISSION OF AN LOCAL GOVERNMENT PROJECT ARPA GRANT APPLICATION TO THE STATE LOAN AND INVESTMENT BOARD ON BEHALF OF THE GOVERNING BODY FOR THE FLAT CREEK APARTMENTS FOR THE PURPOSE OF BUILDING 48 AFFORDABLE RENTAL APARTMENTS FOR HOUSEHOLDS EARNING 30-60% OF MEDIAN FAMILY INCOME IN TETON COUNTY, WYOMING

WITNESSETH

WHEREAS, the Town Council for the Town of Jackson desires to participate in the LOCAL GOVERNMENT PROJECT ARPA GRANT program to assist in financing this request; and

WHEREAS, the Town Council of the Town of Jackson recognizes the need for the request; and

WHEREAS, the Local Government Project ARPA Grant program requires that certain criteria be met, as described in the State Loan and Investment Board's Rules and Regulations governing the program, and to the best of our knowledge this application meets those criteria; and

WHEREAS, if any of the disbursed grant funds are later deemed to not comply with the SLIB criteria or the criteria of the American Rescue Plan Act (ARPA), the grant applicant agrees to repay the ineligible grant funds within 15 days of such finding to the Office of State Lands and Investments.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF JACKSON that a grant application in the amount of \$1.25 million be submitted to the State Loan and Investment Board for consideration at the next Board meeting after application processing to assist in funding the Flat Creek Apartments Affordable Housing Development.

BE IT FURTHER RESOLVED, that April Norton (Jackson/Teton County Affordable Housing Director) and Kristi Malone (Jackson/Teton County Housing Supply Specialist) are hereby designated as the authorized representatives of the Town of Jackson to act on behalf of the Town Council on all matters relating to this grant application.

PASSED, APPROVED AND ADOPTED THIS _____ day of _____, 2023.

TOWN OF JACKSON

Hailey Morton Levinson, Mayor

ATTEST:

Riley Taylor, Town Clerk

OFFICE OF STATE LANDS AND INVESTMENTS

Local Government Project ARPA Grants

Certification Statement

WHEREAS, the Town Council for the Town of Jackson hereby certifies that the funding being applied for under the AFFORDABLE HOUSING ARPA GRANTS program will be used in accordance with all requirements and conditions of the ARPA, 2022 Wyo. Sess. Laws Ch. 50, and this Chapter. If it is determined that the funds were not used as intended, the recipient shall refund disbursed funds to the Office within fifteen (15) Business Day following notification. Furthermore, it is certified that I have read the information on evidence-based interventions and project demographic distributions. If my project has either, I have included the requirements and the dollar amount of the total project spending that is allocated towards evidence-based interventions and/or project demographic distribution in the verbiage of the project description.

BE IT FURTHER RESOLVED, that April Norton (Jackson/Teton County Affordable Housing Director) and Kristi Malone (Jackson/Teton County Housing Supply Specialist) are hereby designated as the authorized representatives of the Town of Jackson Certification Statement to act on behalf of the Town Council on all matters relating to this grant application.

PASSED, APPROVED AND ADOPTED THIS _____ day of _____, 2023.

TOWN OF JACKSON

Hailey Morton Levinson, Mayor

ATTEST:

Riley Taylor, Town Clerk