

Special Joint Information Meeting

June 10, 2024

1:30 PM

County Commission Chambers

Chair: Luther Propst

NOTICE: THIS MEETING IS OPEN TO THE PUBLIC BUT WILL NOT BE STREAMED. PLEASE CONTACT THE TETON COUNTY CLERK'S OFFICE IF YOU WOULD LIKE TO VIEW THE RECORDING.

I. CALL TO ORDER AND ROLL CALL

II. VOLUNTEER BOARD INTERVIEWS

A. Travel & Tourism (1:30pm-2:15pm)

III. EXECUTIVE SESSION (if needed)

Pursuant to Wyoming Statute §16-4-405(a)(ii) To consider appointments to volunteer boards, specifically the appointment of a board member as a public officer.

IV. ADJOURN - COUNTY ONLY

V. ORDINANCES - TOWN ONLY

A. Ordinance S: CenturyLink Franchise Extension (Second Reading, Tyler Sinclair)

VI. ADJOURN - TOWN ONLY

STAFF REPORT



Meeting Date:	June 10, 2024	Meeting Title:	Special Joint Information Meeting
Submitting Department:	Internal Services	Presenter:	Riley Taylor
Agenda Item:	Travel and Tourism Board Interviews	Public Comment:	No

Purpose & Policy Considerations.

Pursuant to the Agreement Establishing the Jackson Hole Travel and Tourism Joint Power Board, the Board of County Commissioners and Jackson Town Council shall appoint seven (7) voting members to the Jackson Hole Travel and Tourism Board. A majority of board membership shall be comprised of representatives of the travel and tourism industry.

Requested Action.

To make appointments and/or re-appointments to the Travel and Tourism Board.

Recommendation.

Staff recommends the Town Council and County Commission interview the applicants for the expiring and vacant board positions and consider appointing and/or re-appointing applicants.

Background.

The Travel and Tourism Joint Power Board is a seven-member volunteer board appointed by the Town Council and County Commission. It was established in 2011 with a primary function of allocating Teton County's portion of lodging tax collected via of the implementation lodging tax. The Board's focus has expanded since and now includes visitor education and destination stewardship.

There are three open seats on the Board: Two seats with terms expire on June 30, 2024, and one seat, currently vacant, with a term that expires on June 30, 2025. Five applications were received for these vacancies, one of which is from a current member, Mary Bess, seeking reappointment.

Current Board Members:

Eric Dombroski	7/1/2021 - 6/30/2024
Mary Bess	8/2/2021 - 6/30/2024
(vacant)	6/30/2025
Julie Calder	7/5/2022 - 6/30/2025
Sam Pope	7/1/2023 - 6/30/2026
Sheila Isanaka	7/1/2023 - 6/30/2026
Shelby Scharp	7/1/2023 - 6/30/2026

Applicants:

Mary Bess
Johanna Holbrook
Mike May

Alyson Smith Klaczekiewicz
Cory Herrick

Possible Alternatives.

1. Make appointments to fill all three seats.
2. Make one or two appointments, but not all three, and direct staff to re-advertise for any remaining open seats.
3. Make no appointments, and direct staff to re-advertise for all three seats.

Comprehensive Plan & Priority Alignment.

Appointments to the Travel and Tourism Board relate to Section 6 of Common Value 3 of the Comprehensive Plan related to a diverse and balanced economy, and Section 8 related to quality community service.

Financial Impact.

No impact. These volunteer board positions are unpaid.

Staff Impact.

The Town Clerk has spent approximately one hour coordinating interviews and preparing meeting materials and the Town Attorney spent, approximately, 2 hours supporting this item for Council and staff.

Attachments or Links.

Interview Schedule

Suggested Motion.

I move to appoint _____ and _____ to the Jackson Hole Travel and Tourism Board for three-year terms expiring June 30, 2027, and _____ to the Jackson Hole Travel and Tourism Board to complete a term expiring June 30, 2025.

Travel & Tourism Board Interview Schedule – June 10, 2024

#	Time	Name
1	1:30 p.m.	Mary Bess
2	1:35 p.m.	Johanna Holbrook
3	1:40 p.m.	Mike May
4	1:45 p.m.	Alyson Smith Klaczekiewicz
5	1:50 p.m.	Cory Herrick

STAFF REPORT



Meeting Date:	June 10, 2024	Meeting Title:	Special Joint Information Meeting – Town Only Item
Submitting Department:	Administration	Presenter:	Tyler Sinclair
Agenda Item:	Second Reading of Three-Month Extension CenturyLink Franchise Agreement	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of this item is for Council to review and consider a three-month extension of the current franchise agreement between the Town and CenturyLink.

Requested Action.

Staff requests Council review and consider the ordinance extending the franchise agreement between the Town and CenturyLink for a three-month period attached to this staff report.

Recommendations.

Staff recommends Council approve the ordinance extending the franchise at second reading.

Background.

This ordinance was approved by Council on first reading during the June 3, 2024 Regular Town Council Meeting. If approved on second reading, third reading will occur during the June 17, 2024 Regular Town Council Meeting.

Analysis & Key Policy Questions.

Key Policy Question: Is Council willing to extend the CenturyLink franchise for 90 days?

- **Policy Considerations.** Important policy issues associated with this item include that 1) Telecommunications services are a critical service to residents and businesses within the Town of Jackson and the service will be able to continue during the extension; and 2) CenturyLink will continue to pay the franchise fee during the extension.
- **Staff Recommendation.** Staff recommend Council approve the ordinance granting the three-month extension, during which time the Town Attorney will negotiate appropriate terms and conditions for CenturyLink to operate within the rights-of-way of the Town and bring back a contract for Council to consider.

Possible Alternatives.

Council may elect to reject the extension, thus terminating the franchise, and direct the Town Attorney to provide options for next steps with respect to CenturyLink.

Comprehensive Plan & Priority Alignment.

This item aligns with Section 8, quality service delivery to the public, as reliable and quality communications infrastructure is critical to, not only economic health, but general health, safety, and welfare of residents and visitors alike.

Fiscal Impact.

The fiscal impact of this item is neutral, CenturyLink will continue to pay the agreed-upon franchise fee in the 2019 Agreement during the extension period. The fee is \$25,000 per year, paid in quarterly installments.

Staff Impact.

The staff impact of this item has been focused in the Legal Department, estimated at 30 hours, and Public Works and Administration, estimated at a combined 12 hours.

Attachments or Links.

First Reading staff report.
Ordinance S.

Suggested Motion.

I move to approve Ordinance S, an ordinance granting a 3 month extension of the current CenturyLink Franchise, on second reading.

STAFF REPORT



Meeting Date:	June 3, 2024	Meeting Title:	Town Council Regular - Consent
Submitting Department:	Administration	Presenter:	Tyler Sinclair
Agenda Item:	Three-Month Extension CenturyLink Franchise Agreement	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of this item is for Council to review and consider a three-month extension of the current franchise agreement between the Town and CenturyLink.

Requested Action.

Staff requests Council review and consider the ordinance extending the franchise agreement between the Town and CenturyLink for a three-month period attached to this staff report.

Recommendations.

Staff recommends Council approve the ordinance extending the franchise at first reading.

Background.

The Town and CenturyLink last entered into a franchise, pursuant to which CenturyLink provides telecommunications services to residents and businesses within the Town, in 2019. The term of the franchise was four years, or until December 31, 2023, after which time the franchise became a “holdover” franchise on a month-to-month basis through June 30, 2024. If a new franchise is not entered by June 30, 2024, or an extension granted, then general principles of law control with respect to termination of the franchise.

In accordance with the provisions of the existing franchise, the Town Attorney contacted CenturyLink in May of 2023 to enter “good faith negotiations regarding renewal of the franchise.” The parties are still in negotiations at this time.

Analysis & Key Policy Questions.

Key Policy Question: Is Council willing to extend the CenturyLink franchise for 90 days?

- **Policy Considerations.** Important policy issues associated with this item include that 1) Telecommunications services are a critical service to residents and businesses within the Town of Jackson and the service will be able to continue during the extension; and 2) CenturyLink will continue to pay the franchise fee during the extension.
- **Staff Recommendation.** Staff recommend Council approve the ordinance granting the three-month extension, during which time the Town Attorney will negotiate appropriate terms and conditions for CenturyLink to operate within the rights-of-way of the Town and bring back a contract for Council to consider.

Possible Alternatives.

Council may elect to reject the extension, thus terminating the franchise, and direct the Town Attorney to provide options for next steps with respect to CenturyLink.

Comprehensive Plan & Priority Alignment.

This item aligns with Section 8, quality service delivery to the public, as reliable and quality communications infrastructure is critical to, not only economic health, but general health, safety, and welfare of residents and visitors alike.

Fiscal Impact.

The fiscal impact of this item is neutral, CenturyLink will continue to pay the agreed-upon franchise fee in the 2019 Agreement during the extension period. The fee is \$25,000 per year, paid in quarterly installments.

Staff Impact.

The staff impact of this item has been focused in the Legal Department, estimated at 30 hours, and Public Works and Administration, estimated at a combined 12 hours.

Attachments or Links.

First Reading Staff Report.
Ordinance S.

Suggested Motion.

I move to approve Ordinance S, an ordinance granting a 3 month extension of the current CenturyLink Franchise, on first reading.

ORDINANCE S

AN ORDINANCE AMENDING ORDINANCE 1243 EXTENDING THE TERM OF THE FRANCHISE GRANTED TO QWEST CORPORATION D/B/A CENTURYLINK QC ON BEHALF OF ITSELF TO OPERATE AND MAINTAIN A TELECOMMUNICATIONS SYSTEM FOR THE PURPOSE OF SUPPLYING SERVICE TO THE TOWN OF JACKSON AND GRANTED ON DECEMBER 18, 2019.

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

SECTION I.

WHEREAS, the Franchise previously granted to Qwest Corporation dba CenturyLink QC ("Grantee") for the purpose of providing Telecommunication Services to the Town of Jackson, Wyoming ("Franchising Authority"), will expire on June 30, 2024. This Amendment extends the current Franchise Agreement for an additional three (3) months, extending the Franchise by its terms through September 30, 2024. The Parties are willing to be bound by the terms and conditions of this Amendment.

WHEREAS, the extension will not constitute a waiver or compromise of any right or claim either party may have under the current Franchise or applicable law as of the effective date of this Amendment, and during the remaining Franchise term.

IN WITNESS WHEREOF, the parties hereto have entered into this Franchise Extension Agreement on _____, _____.

Town of Jackson, WY

Quest Corporation, d/b/a CenturyLink QC, Grantee

By: _____

By: _____

Title: _____

By: _____

SECTION II.

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

SECTION III.

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

SECTION IV.

This ordinance shall become effective after its passage, approval, and publication.

PASSED 1ST READING THE _____ DAY OF _____, 2024.

PASSED 2ND READING THE _____ DAY OF _____, 2024

PASSED AND APPROVED THE _____ DAY OF _____, 2024.

TOWN OF JACKSON

BY: _____
Hailey Morton Levinson, Mayor

ATTESTATION OF TOWN CLERK

STATE OF WYOMING)
) ss.
COUNTY OF TETON)

I hereby certify that the foregoing Ordinance ____ was duly published in the Jackson Hole News and Guide, a newspaper of general circulation published in the Town of Jackson, Wyoming, on the ____ day of ____, 2024. I further certify that the foregoing Ordinance was duly recorded on page ____ of Book ____ of Ordinances of the Town of Jackson, Wyoming.

Riley Taylor, Town Clerk

ATTEST:

Riley Taylor, Town Clerk