

Jackson Town Council Regular Meeting

November 2, 2020

6:00 PM

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/81802741380?pwd=ajE5M3JiTEVZcDg2cWdLWlVlY2g1UT09>

If the link does not work, join at zoom.com with Webinar ID **818 0274 1380** Password: **toj**

or join by phone **1-253-215-8782** with Webinar ID **818 0274 1380** and Passcode **835453**

II. OPENING

- A. Call to Order and Roll Call
- B. Pledge of Allegiance
- C. Announcements/Proclamations:
 - 1. Small Business Saturday Proclamation

III. PUBLIC COMMENT

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

IV. CONSENT CALENDAR

All matters listed in this section are considered to be of routine nature by the governing body and will be enacted in one motion, unless it is removed from the consent calendar and considered separately by Council. Public comment may be given on any item.

- A. Meeting Minutes:
 - 1. October 19, 2020 special meeting
 - 2. October 19, 2020 workshop
 - 3. October 19, 2020 regular meeting
- B. Disbursements
- C. Municipal Court Report September 2020
- D. Temporary Sign Permit: Jackson Hole High School Honors Veterans (P20-180)

V. PUBLIC HEARINGS, DISCUSSION AND/OR POSSIBLE ACTION ITEMS

- A. Housing Department:
 - 1. Amendment to Deed Restrictions for Westview Townhomes (April Norton)
- B. Public Works:
 - 1. Water and Sewer System Proposed Rate Structure (Johnny Ziem)
- C. START:
 - 1. START Town Transfer Location at Milward / Deloney (Darren Brugmann)

Please note that at any point during the meeting, the Mayor and Council may change the order of items listed on this agenda. In order to ensure that you are present at the time your item of interest is discussed, please join the meeting at the beginning to hear any changes to the schedule or agenda.

D. Planning Department:

1. **P20-173:** Amendments to Planning Commission Residency Requirement (Paul Anthony)
2. **P20-166:** Subdivision Plat at 808 Upper Redmond (Brendan Conboy) *This item will be continued to December 7, 2020*

VI. RESOLUTIONS

VII. ORDINANCES

- A. **Ordinance I:** An Ordinance Amending and Reenacting Jackson Municipal Code Title 2.40 regarding the Planning Commission (Presented for 1st reading, Paul Anthony)
- B. **Ordinance J:** An Ordinance Amending Section 8.10 of the Jackson Land Development Regulations for the Planning Commission (Presented for 1st reading, Paul Anthony)

VIII. MATTERS FROM MAYOR AND COUNCIL

- A. Board and Commission Reports

IX. MATTERS FROM THE TOWN MANAGER

- A. Town Manager's Report

X. ADJOURN

Please note that at any point during the meeting, the Mayor and Council may change the order of items listed on this agenda. In order to ensure that you are present at the time your item of interest is discussed, please join the meeting at the beginning to hear any changes to the schedule or agenda.



Proclamation

SMALL BUSINESS SATURDAY

Whereas, the Jackson community celebrates our local small businesses and the contributions they make to our local economy and community; and

Whereas, according to the United States Small Business Administration, there are currently over 30 million small businesses in the United States, and they represent 99.7 percent of all businesses with employees in the United States; and

Whereas, small businesses employ 47.3 percent of the employees in the private sector in the United States, 62% of U.S. small businesses reported that they need to see consumer spending return to pre-COVID levels by the end of 2020 in order to stay in business; and

Whereas, 96% of consumers who are aware of Small Business Saturday said the day encourages them to shop small, independently-owned retailers or restaurants that they have not been to before, or would not have otherwise tried; and

Whereas, 97% of consumers who shopped on Small Business Saturday agree that small businesses are essential to their community; and

Whereas, the Jackson Town Council supports our local businesses that create jobs, boost our local economy, and preserves our community.

Now, Therefore, I, Pete Muldoon, Mayor of the Town of Jackson do hereby proclaim, Saturday, November 28, 2020, as **SMALL BUSINESS SATURDAY** and encourage Jackson residents and visitors to support small businesses and merchants on that day and throughout the year.

DATED THIS 2nd DAY OF NOVEMBER 2020.

TOWN OF JACKSON

Pete Muldoon, Mayor

ATTEST:

Sandra P. Birdyshaw, Town Clerk



TOWN COUNCIL PROCEEDINGS - UNAPPROVED

OCTOBER 19, 2020

JACKSON, WYOMING

The Jackson Town Council met in special session in the Council Chambers of the Town Hall located at 150 East Pearl at 1:00 P.M. Upon roll call the following were found to be present:

TOWN COUNCIL: *In-person*: None. *via Zoom*: Mayor Pete Muldoon, Vice-Mayor Hailey Morton Levinson, Jim Stanford, Arne Jorgensen, and Jonathan Schechter.

STAFF: Larry Pardee, Lea Colasuonno, Tyler Sinclair, Zolo, Paul Anthony, and Sandy Birdyshaw.

Town Square and Historic Preservation Land Development Regulations (LDR) Update. Paul Anthony made introductory remarks and introduced the team involved in this update project. The project goals were to amend the official zoning map and the Land Development Regulations for the Town Square area, establish new regulations to preserve historic structures, establish a new Town Center Design Overlay to protect western character, and to amend the Demolition Standards in the Jackson Municipal Code.

Michael Stern made comment on behalf of the Jackson Hole Historic Preservation Board. Nore Winter of Winter and Company made comment as the consultant.

Public comment was given by John Holland, Michael Kudar, Ryan Neuray, George Putnam, Robbin Levy Momson, Anna Olson, and Nicole Gill.

The Council discussed the landmarks designation, roles for the Historic Preservation Board, zone district boundaries, wooden boardwalks, third story step backs, glass window requirements on the first and second floors, and the western character overlay boundary.

Item A – Zoning Map Amendment (P20-167). Based upon the findings for an amendment to the Official Zoning Map as presented by the applicant for Item P20-167 related to 1) consistency with the purposes and organization of the LDRs; 2) improved implementation of the desired future character in the Comprehensive Plan; 3) need to address changing conditions or a public necessity; and 4) consistency with other adopted Town Ordinances, a motion was made by Arne Jorgensen and seconded by Hailey Morton Levinson to approve replacing the existing Town Square (TS), Urban Commercial (UC), and Downtown Core (DC) zones with the Town Square-1 (TS-1), Town Square-2 (TS-2), and Downtown Core-2 (DC-2) zones for properties located in Character District 1 and surrounding areas, and adopting a new Town Center Design Overlay, as shown in the proposed revised Official Zoning Map attached to this staff report dated October 19, 2020, subject to this same staff report and the direction provided by the Council at this meeting. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Item B: Amendment to LDR Text (P19-095). Based upon the findings pursuant to Section 8.7.1.C for an amendment to the text of the Land Development Regulations, as presented by the applicant for Item P19-095, the application: 1) Is consistent with the purposes and organization of the LDRs; 2) Improves the consistency of the LDRs with other provisions of the LDRs; 3) Provides flexibility for landowners within standards that clearly define desired character; 4) Is necessary to address changing conditions, public necessity, and/or state or federal legislation; 5) Improves implementation of the Comprehensive Plan; and 6) Is consistent with other adopted Town Ordinances, a motion was made by Arne Jorgensen and seconded by Jim Stanford to approve the proposed text amendments to LDR Sections. 1.9.2; 2.1; 2.2; 5.8.1; 5.9. 6.3.2.C.3; 8.2.6.C; 8.5.6; 8.5.7; 8.5.8; 8.8.1; 8.10.4; and 9.5, and any other associated sections for consistency, as shown attached to this staff report, dated October 19, 2020, subject to this same staff report and the direction provided by the Council at this meeting. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Item C: Amendment to Demolition Permit (P20-168). A motion was made by Arne Jorgensen and seconded by Hailey Morton Levinson to approve the proposed amendments to Division 15.38 Demolition Standards in the Town of Jackson Municipal Code, including Sections 15.38.020.A, 15.38.020.D and any associated sections for consistency, as shown attached to this staff report, dated October 19, 2020, subject to this same staff report and the direction provided by the Council at this meeting. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Adjourn. A motion was made by Hailey Morton Levinson and seconded by Jonathan Schechter to adjourn the meeting. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried. The meeting adjourned at 3:28 p.m. minutes:spb

TOWN OF JACKSON

ATTEST:

Pete Muldoon, Mayor

Sandra P. Birdyshaw, Town Clerk
Publish JH News & Guide: October 28, 2020

TOWN COUNCIL PROCEEDINGS - **UNAPPROVED**

OCTOBER 19, 2020

JACKSON, WYOMING

The Jackson Town Council met in regular workshop session in the Council Chambers of the Town Hall at 150 East Pearl at 3:35 P.M. Upon roll call the following were found to be present:

TOWN COUNCIL: *In-person*: none. *via Zoom*: Mayor Pete Muldoon, Vice-Mayor Hailey Morton Levinson, Arne Jorgensen, Jim Stanford, and Jonathan Schechter.

STAFF: Larry Pardee, Lea Colasuonno, Tyler Sinclair, Zolo, Michelle Weber, Floren Poliseo, Johnny Ziem, and Sandy Birdyshaw.

Updates to Water and Sewer System Rates. Johnny Ziem made staff comment that the purpose of today's discussion was to provide Council with the Draft *Citizen Review Committee Recommendation Report* for establishing future water and sewer rates for all customer classes and seek Council direction on alternative structures for one-time sewer and water capacity fees, alterative structures for both sewer and water rates, and to determine a commencement date when an updated ordinance governing rates will take effect. Andrew Rheem of Raftelis made comment. The Council held discussion.

A motion was made by Arne Jorgensen and seconded by Hailey Morton Levinson to continue this item to the next available meeting or the November 2, 2020 regular council meeting. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Budget Update. Larry Pardee made comment.

A motion was made by Arne Jorgensen and seconded by Hailey Morton Levinson to continue this item to the next available meeting. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Adjourn. A motion was made by Jonathan Schechter and seconded by Hailey Morton Levinson to adjourn. The vote showed all in favor and the motion carried. The meeting adjourned at 5:00 P.M. minutes:spb

TOWN OF JACKSON

ATTEST:

Pete Muldoon, Mayor

Sandra P. Birdyshaw, Town Clerk

Published JHNAG: October 28, 2020

TOWN COUNCIL PROCEEDINGS - UNAPPROVED

OCTOBER 19, 2020

JACKSON, WYOMING

The Jackson Town Council met in regular session in the Council Chambers of the Town Hall located at 150 East Pearl at 6:01 P.M. Upon roll call the following were found to be present:

TOWN COUNCIL: *In-person*: None. *via Zoom*: Mayor Pete Muldoon Vice-Mayor Hailey Morton Levinson, Jim Stanford, Arne Jorgensen, and Jonathan Schechter.

STAFF: Larry Pardee, Lea Colasuonno, Roxanne Robinson, Tyler Sinclair, Zolo, Michelle Weber, Carl Pelletier, Floren Poliseo, Brian Lenz, Tyler Valentine, Brendan Conboy, and Sandy Birdyshaw.

Mayor Muldoon read a proclamation declaring November 1st as Extra Mile Day and recognized Dr. Travis Riddell, Dr. Paul Beaupre, and Jodie Pond for working to keep our community safe during the 2020 COVID-19 pandemic.

Public Comment. None.

Consent Calendar. A motion was made by Jonathan Schechter and seconded by Jim Stanford to approve the consent calendar including items A-D as presented with the following motions:

- A. **Meeting Minutes.** To approve the meeting minutes as presented for the October 5, 2020 regular meeting.
- B. **Disbursements.** To approve the disbursements as presented. Ace Hardware \$986.73; Advanced Glass Trim, LLC \$290.00; AmeriWest Water Services \$9,501.47; Bison Lumber \$408.23; Blue Spruce Cleaners, Inc \$296.35; Bluepaz, LLC \$4,000.00; BMV LLC \$59.05; Briggs, Eric L \$296.85; Bristol, James \$295.00; C & A Professional Cleaning Serv LLC \$3,735.00; Cafe G LLC \$1,650.50; Carquest Auto Parts Inc. \$99.86; Caselle Inc. \$1,868.00; CDW-Government \$31,280.20; City Of Driggs \$1,714.45; Climb Wyoming \$1,250.00; Commercial Tire-Id Falls \$928.26; Control System Technology, Inc. \$6,400.00; Core & Main LP \$25,925.86; Cummins Rocky Mountain LLC \$6,506.14; Curran-Seeley Foundation \$13,268.75; D & R Drywall, LLC \$3,202.28; Dana Safety Supply, Inc \$539.00; Dean's Pest Control LLC \$350.00; Delta Dental Plan Of Wyoming \$7,166.60; DPC Industries, Inc. \$2,077.28; E.R. Office Express \$140.08; Emerg + A + Care \$376.00; Energy Laboratories Inc. \$587.00; Evans Construction Inc \$308,225.16; Freedom Mailing Service Inc. \$1,894.27; Friends Of Pathways \$7,816.00; Gillig LLC \$7,175.48; Gm Sheet Metal LLC \$311.88; Guheen, Tom \$155.00; Hach Chemical Co. \$705.90; Haywire Industries Inc. \$5,429.27; HD Fowler Company \$2,146.39; High Country Linen \$903.19; Hirst Applegate, LLP \$2,845.13; Holdings, Ean \$70.00; Hole Food Rescue \$5,000.00; Huff House \$25,237.00; Hunt Construction Inc \$1,255.00; Idexx Distribution, Inc. \$335.79; Jackson Animal Hospital \$457.53; Jackson Hole Community Counsel \$25,750.00; Jackson Hole News & Guide \$2,186.34; Jackson Lumber Inc \$3,584.34; Jorgensen Associates, Pc \$19,004.40; KellerStrass Enterprises, Inc \$17,951.84; Kynett, Jessika \$511.76; Lower Valley Energy Inc \$31,564.65; Miller Sanitation \$315.00; MSC Industrial Supply Co -\$63.73; Napa Auto Parts Inc. \$538.81; Nelson Engineering \$12,836.75; Nova Collective \$9,000.00; On Board Innovations, LLC \$2,500.00; One Call Of Wyoming \$471.00; O'Ryan Cleaners \$57.40; Partsmaster \$47.68; Poliseo, Floren \$8.00; Power Engineering Co, Inc \$1,342.58; Prazma Paint & Auto Body \$1,734.15; Premier Truck- Salt Lake City -\$1,142.81; Proterra \$2,488,396.00; Quadient, Inc Dept 3689 \$1,000.00; Rae, Joshua \$4,068.00; Raftelis \$5,066.25; Rafter J Improv/Serv Dist \$146.43; Ross Concrete Const LLC \$1,620.00; Rush Truck Center, Idaho Falls \$889.00; Seven Generations Construction \$15,000.00; Sherwin-Williams Co. \$360.50; Sign It Now Inc \$329.99; Silver Creek Supply \$34.50; Sinclair, Tyler \$76.11; Smith Power Products, Inc. \$3,494.16; Snake River MEP Complete, Inc \$6,588.00; Snake River Roasting \$102.45; St John's Hospital \$455.00; Standard Drywall, Inc \$384.00; Teton County Integrated Solid Waste/Recy \$404.12; Teton County Sheriff's-Jail \$216.00; Teton County Transfer Station \$211.00; Teton Literacy Center \$5,500.00; Teton Motors Inc \$414.85; Teton Trash Removal, Inc. \$47.00; Teton Youth & Family Services \$45,320.00; The Aftermarket Parts Company, LLC \$789.84; Thomson West \$893.85; Title 22 Consultants \$506.80; Upper Case Printing Ink \$593.94; Vinci Law Office LLC \$252.13; Virginian Village Condo HOA \$1,080.00; Visa \$11,559.89; Weller Truck Parts \$8,356.51; Westbank Sanitation \$734.60; Western State \$1,115.18; Westwood Curtis \$112,281.01; White Glove Cleaning, Inc. \$5,465.39; Wy Child Support Enforcement \$146.76; Wyoming Business Alliance \$400.00; Wyoming First Aid & Safety \$137.43; Wy-Test \$560.00; Yellow Iron Excavation, LLC \$1,362.00.
- C. **SLIB Grant Agreements for Reallocated County Wide Consensus Funding.** To approve the County Wide Consensus Grant Agreements 15454 and 15455 (Budge Drive Landslide to the Cache Creek Tube Improvement Project and the Rancher Street Complete Street Project) between the Office of State Lands and Investments and the Town of Jackson and authorize the Mayor to execute all necessary documents.

- D. **Encroachment Agreement at 135 N Cache for Hotel Jackson Canopies P19-150.** To approve the Encroachment Agreement between the Town of Jackson and Stage Stop, Inc. to allow an encroachment into the Town rights-of-way of a new canopy at 135 N Cache St subject to the recommended conditions therein, and upon approval by the Town Engineer and Town Attorney authorize the Mayor to execute all necessary contract Agreements.

There was not any public comment on the Consent Calendar. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Temporary Sign Permit: Becoming Jackson Whole P20-176. Paul Anthony made comment.

A motion was made by Jim Stanford and seconded by Arne Jorgensen to approve the sign permit from Becoming Jackson Whole as presented. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

2021 Rodeo Dates. Roxanne Robinson made staff comment on the World Series of Roping.

A motion was made by Jim Stanford and seconded by Hailey Morton Levinson to approve the rodeo schedule for 2021 as agreed upon by the Administrative Authority and the Concessionaire that includes the removal of the September 3 date and accept the 2020 Rodeo Season Report as presented. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Remote Meeting Attendance. Roxanne Robinson made staff comment.

A motion was made by Hailey Morton Levinson and seconded by Jonathan Schechter to suspend Chapter II, Section 3, *Quorum*, and portions of Chapter II, Section 7.a, *Addressing the Town Council*, of the Town Council's Rules and Procedures to continue to temporarily allow Elected Officials to attend, participate, and vote remotely and by so doing extend that allowance to members of staff, and to continue to temporarily allow members of the public to participate remotely in any regular, special, or emergency meetings through January 31, 2021. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

P20-140: Subdivision Plat at 115 Nelson Drive. Tyler Valentine made staff comment. Jill Arnold of Fodor Law Office made comment on behalf of the applicant.

Based upon the findings as presented in the staff report and as made by the applicant for Item P20-140, a motion was made by Hailey Morton Levinson and seconded by Arne Jorgensen to make findings 1-4 as set forth in Section 8.5.3.C (Subdivision Plat) of the Land Development Regulations relating to 1) Conformance with Development Plan or Development Option Plan; 2) Complies with standards of Section 8.5.3. Subdivision Plat; 3) Complies with standards of Division 7.2. Subdivision Standards; 4) Complies with other relevant standards of these LDRs, to approve a Subdivision Plat for a 7-lot subdivision at the property addressed at 115 Nelson Drive (Parcel 1) and adjacent parcel (Parcel 2) subject to the departmental reviews attached hereto, this staff report dated October 19, 2020, and the following conditions:

1. Within thirty (30) calendar days from the date of Town Council approval, the applicant shall satisfactorily address all comments made by the Town of Jackson and other reviewing entities in the Departmental Reviews and submit the corrections to the Planning Department. The Planning Director shall review and approve all required changes prior to recording the plat with the County Clerk.
2. Park and School Exactions shall be paid at the time of plat recording.

Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

P20-161: Subdivision Plat at 505 East Simpson. Brendan Conboy made staff comment.

Based upon the findings as presented in the staff report and as made by the applicant for Item P20-161, a motion was made by Hailey Morton Levinson and seconded by Arne Jorgensen to make findings 1-4 as set forth in Section 8.5.3.C (Subdivision Plat) of the Land Development Regulations relating to 1) Conformance with Development Plan or Development Option Plan; 2) Complies with standards of Section 8.5.3. Subdivision Plat; 3) Complies with standards of Division 7.2. Subdivision Standards; 4) Complies with other relevant standards of these LDRs, to approve a Subdivision Plat for a 3-lot subdivision at the property addressed at 475 and 505 East Simpson Avenue subject to the departmental reviews attached hereto, this staff report dated October 5, 2020, and the following 4 conditions:

1. Within thirty (30) calendar days from the date of Town Council approval, the applicant shall satisfactorily address all comments made by the Town of Jackson and other reviewing entities in the Departmental Reviews and submit the corrections to the Planning Department. The Planning Director shall review and approve all required changes prior to recording the plat with the County Clerk.
2. Park and School Exactions shall be paid at the time of plat recording.
3. The applicant shall remove the existing detached single-family home from the property addressed as 505 East Simpson prior to recording a plat with the County Clerk.
4. The applicant shall provide a bond in the amount of 125% of the cost of sidewalk improvements, the cost of which to be determined by the Town Engineer, prior to recording a plat with the County Clerk. The Town shall hold the bond until such time that sidewalk improvements are made on East Simpson Avenue or for a period of no more than 5 years unless extended by Town Council.

Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

P20-162: Landscape Plan Amendment to CUP at 170 N Glenwood Street. Tyler Valentine made staff comment. Brian Nystrom made comment on behalf of St. John's Episcopal Church. Rolland Kuhr of Naturescape Designs made comment on behalf of the applicant.

Item A. Based upon the findings as presented in the staff report and as made by the applicant for Item P20-162, a motion was made by Hailey Morton Levinson and seconded by Arne Jorgensen to make findings 1-8 as set forth in Section 8.4.2.C (Conditional Use Permit Standards) of the Land Development Regulations relating to 1) Compatibility with Future Character; 2) Use Standards; 3) Visual Impacts; 4) Minimizes adverse environmental impact; 5) Minimizes adverse impacts from nuisances; 6) Impact on Public Facilities; 7) Other Relevant Standards/LDRs; and 8) Previous Approvals for a Conditional Use Permit, and move to approve an amendment to a condition of approval from a previously approved Conditional Use Permit to modify the landscape plan at the property located at 170 N. Glenwood Street, subject to the department reviews within the staff report dated October 19, 2020, and the following conditions:

1. Upon removal of the eleven Cottonwoods, the applicant shall plant the two Spruce trees, three Maple trees and shrubs/bushes by no later than June 1, 2021. The applicant shall replace the two Willows with three Ash trees no later than five years from the date of this approval.
2. Prior to removing any trees, the applicant shall provide a bond by this Friday, October 23rd to the Planning Department in the amount of 125% of the costs of the new trees and shrubs.

Paul Anthony made staff comment. Mayor Muldoon called for the vote. The vote showed 4-0 in favor with Stanford opposed. The motion carried.

Resolution 20-23: Amendment #1 (three month) to Fiscal Year 2021 Budget. Kelly Thompson made staff comment.

The Council held discussion on a seasonal snow removal position. Larry Pardee and Roxanne Robinson made staff comment.

A motion was made by Hailey Morton Levinson and seconded by Jonathan Schechter to approve Resolution 20-23 Amendment #1 to the Town of Jackson Fiscal Year 2021 Budget.

Resolution # 20-23: A Resolution adopting amendments to the fiscal year 2021 budget of the Town of Jackson.

WHEREAS, pursuant to Wyoming Statutes, the governing body of the Town of Jackson is empowered to control the finances of the Town including adopting and amending the annual budget; and

WHEREAS, the specific statutory requirements for budgeting procedures are stipulated in the Uniform Municipal Fiscal Procedures Act (W.S. 16-4-101 through 16-4-124); and

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Jackson that the fiscal year 2021 budget is hereby amended as follows:

EXPENDITURES AND OTHER USES	Approved Budget	Increase (Decrease)	Amended Budget
Mayor & Town Council	325,266	-	325,266
Town Attorney	323,389	-	323,389
Municipal Judge	248,390	-	248,390
Administration	278,632	-	278,632
Town Clerk & Personnel	611,552	-	611,552
Finance	587,802	-	587,802
Community Development	436,097	-	436,097
Information Technology	550,258	-	550,258
Planning	980,928	-	980,928
Town-Wide Services	176,491	50,000	226,491
Town Facilities	605,209	-	605,209
Police - Administration	512,545	-	512,545
Police - Investigations	362,312	-	362,312
Police - Patrol	2,860,361	10,000	2,870,361
Police - Community Service	405,508	-	405,508
Police - Special Operations	19,394	-	19,394
Victim Services	280,620	-	280,620
Animal Shelter/Control	254,356	-	254,356
Building Inspections	359,887	-	359,887
Public Works Administration	301,810	-	301,810
Streets	1,200,488	1,000	1,201,488
Engineering	387,905	-	387,905
Yard Operations	30,197	-	30,197
Cemetery	15,267	-	15,267
Social Services	855,452	-	855,452
Community Initiatives	221,476	-	221,476
County-Budgeted Joint Programs	3,498,452	-	3,498,452
Transfers Out	763,174	362,026	1,125,200
Total General Fund	17,453,218	423,026	17,876,244
Affordable Housing	526,901	(250,000)	276,901
Total Affordable Housing Fund	526,901	(250,000)	276,901
Parking Exactions Fund	-	-	-
Total Parking Exactions Fund	-	-	-
Parks Exactions	-	-	-
Total Park Exactions	-	-	-
Employee Housing Fund	338,655	322,500	661,155
Total Employee Housing Fund	338,655	322,500	661,155
Animal Care Fund	55,000	-	55,000
Transfers Out	35,000	-	35,000
Total Animal Care Fund	90,000	-	90,000
Lodging Tax Fund	-	-	-
Transfers Out	334,224	-	334,224
Total Lodging Tax Fund	334,224	-	334,224

EXPENDITURES AND OTHER USES	Approved Budget	Increase (Decrease)	Amended Budget
START Administration	863,087	-	863,087
START Operations	3,595,537	3,403	3,598,940
START Capital	1,840,000	6,053,250	7,893,250
START Indirect Cost Allocations	80,307	-	80,307
Total START Fund Expenditures	6,378,931	6,056,653	12,435,584
Capital Outlay	2,480,993	1,446,031	3,927,024
Transfers Out	150,000	-	150,000
Total Capital Projects Fund	2,630,993	1,446,031	4,077,024
Capital Outlay	50,000	55,133	105,133
Total 2006 SPET	50,000	55,133	105,133
Capital Outlay	75,000	124,707	199,707
Total 2010 SPET	75,000	124,707	199,707
Capital Outlay	232,500	7,467	239,967
Total 2014 SPET	232,500	7,467	239,967
Capital Outlay	20,000	9,750	29,750
Total 2016 SPET	20,000	9,750	29,750
Capital Outlay	190,000	632,369	822,369
Total 2017 SPET	190,000	632,369	822,369
Capital Outlay	-	-	-
Total 2019 SPET	-	-	-
Water Maintenance & Operation	852,187	-	852,187
Water Wells	289,321	-	289,321
Water Billing & Accounting	184,396	-	184,396
Water Capital Outlay & Improvements	521,118	24,139	545,257
Water Debt Service	108,220	-	108,220
Water Transfers Out	444,850	-	444,850
Sewage Plant Operations	955,456	8,300	963,756
Sewage Maint. & Operations	340,567	-	340,567
Sewage Billing & Accounting	169,285	-	169,285
Sewage Capital Outlay & Improvements	1,365,500	153,592	1,519,092
Sewage Transfers Out	444,850	-	444,850
Total Enterprise Funds	5,675,750	186,031	5,861,781
Employee Insurance	2,692,185	-	2,692,185
Total Insurance Fund	2,692,185	-	2,692,185
Fleet Expenditures	1,939,863	7,520	1,947,383
Total Fleet Management Fund	1,939,863	7,520	1,947,383
Central Equipment Expenses	-	108,253	108,253
Total Central Equipment Fund	-	108,253	108,253
IT Services	997,561	34,000	1,031,561
Total IT Service Fund	997,561	34,000	1,031,561
REVENUES AND OTHER SOURCES	Approved Budget	Increase (Decrease)	Amended Budget
Taxes	3,916,329	-	3,916,329
Licenses & Permits	996,540	-	996,540
Intergovernmental Revenue	5,386,074	50,000	5,436,074
Charges for Services	658,247	-	658,247
Fines & Forfeitures	327,500	-	327,500
Miscellaneous Revenue	350,479	10,000	360,479
Transfers In	1,005,007	-	1,005,007
Total General Fund	12,640,176	60,000	12,700,176
Licenses & Permits	250,000	-	250,000
Miscellaneous Revenue	20,000	-	20,000
Transfers In	276,901	-	276,901
Total Affordable Housing Fund	546,901	-	546,901
Licenses & Permits	51,000	-	51,000
Miscellaneous Revenue	14,500	-	14,500
Transfers In	-	-	-
Total Parking Exactions	65,500	-	65,500
Licenses & Permits	10,000	-	10,000
Miscellaneous Revenue	3,900	-	3,900
Total Park Exactions	13,900	-	13,900

REVENUES AND OTHER SOURCES	Approved Budget	Increase (Decrease)	Amended Budget
Miscellaneous Revenue	431,160	12,026	443,186
Transfers In	100,000	-	100,000
Total Employee Housing Fund	531,160	12,026	543,186
Miscellaneous Revenue	60,200	-	60,200
Total Animal Care Fund	60,200	-	60,200
Taxes	334,124	-	334,124
Miscellaneous Revenue	100	-	100
Total Lodging Tax Fund	334,224		334,224
Contributions & Donations	-	-	-
Total Vertical Harvest Fund	-	-	-
Contributions & Donations	-	-	-
Total Snow King Snow Making Fund	-	-	-
Intergovernmental Revenue	4,678,873	4,838,285	9,517,158
Charges for Services	1,176,437	-	1,176,437
Miscellaneous Revenue	13,000	-	13,000
Transfers In	420,497	-	420,497
Total START Fund Revenues	6,288,807	4,838,285	11,127,092
Intergovernmental	1,373,581	80,000	1,453,581
Miscellaneous Revenue	198,368	100,000	298,368
Transfers In	-	322,500	322,500
Total Capital Projects Fund	1,571,949	502,500	2,074,449
Miscellaneous Revenue	4,400	-	4,400
Total 2006 SPET	4,400		4,400
Miscellaneous Revenue	6,000	-	6,000
Total 2010 SPET	6,000		6,000
Miscellaneous	55,900	-	55,900
Total 2014 SPET	55,900		55,900
Miscellaneous	5,400	-	5,400
Total 2016 SPET	5,400	-	5,400
Miscellaneous	6,500	-	6,500
Total 2017 SPET	6,500	-	6,500
Taxes	2,221,566	-	2,221,566
Miscellaneous	3,500	-	3,500
Total 2019 SPET	2,225,066	-	2,225,066
Water Intergovernmental	-	-	-
Water Charges for Services	2,370,617	-	2,370,617
Water Miscellaneous	79,720	-	79,720
Water Transfers In	75,000	-	75,000
Sewage Intergovernmental	-	-	-
Sewage Charges for Services	2,516,658	-	2,516,658
Sewage Miscellaneous	70,800	-	70,800
Sewage Transfers In	75,000	-	75,000
Total Enterprise Funds	5,187,795	-	5,187,795
Charges for Services	1,806,127	-	1,806,127
Miscellaneous Revenue	37,000	-	37,000
Transfers In	200,000	250,000	450,000
Total Employee Insurance Fund	2,043,127	250,000	2,293,127
Charges for Services	1,574,446	-	1,574,446
Miscellaneous Revenue	600	-	600
Total Fleet Management Fund	1,575,046	-	1,575,046
Miscellaneous Revenue	25,700	-	25,700
Transfers In	100,000	100,000	200,000
Total Central Equipment Fund	125,700	100,000	225,700
Charges for Services	820,643	-	820,643
Miscellaneous Revenue	1,000	-	1,000
Total IT Service Fund	821,643	-	821,643

CHANGE OF FUND BALANCE	Approved Budget	Increase (Decrease)	Amended Budget
General Fund	(4,813,042)	(363,026)	(5,176,068)
Affordable Housing	20,000	250,000	270,000
Parking Exactions Fund	65,500	-	65,500
Park Exactions Fund	13,900	-	13,900
Employee Housing Fund	192,505	(310,474)	(117,969)
Animal Care Fund	(29,800)	-	(29,800)
Lodging Tax Fund	-	-	-
Start Fund	(90,124)	(1,218,368)	(1,308,492)
Capital Projects	(1,059,044)	(943,531)	(2,002,575)
2006 SPET	(45,600)	(55,133)	(100,733)
2010 SPET	(69,000)	(124,707)	(193,707)
2014 SPET	(176,600)	(7,467)	(184,067)
2016 SPET	(14,600)	(9,750)	(24,350)
2017 SPET	(183,500)	(632,369)	(815,869)
2019 SPET	2,225,066	-	2,225,066
Enterprise Funds	(487,955)	(186,031)	(673,986)
Employee Insurance Fund	(649,058)	250,000	(399,058)
Fleet Management Fund	(364,817)	(7,520)	(372,337)
Central Equipment Fund	125,700	(8,253)	117,447
IT Services Fund	(175,918)	(34,000)	(209,918)

Passed, Approved and Adopted this 19th day of October 2020.

Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Resolution 20-24: Authorization to Submit a State Coronavirus Relief Grant Application.
Roxanne Robinson, Larry Pardee, and Kelly Thompson made staff comment.

A motion was made by Hailey Morton Levinson and seconded by Arne Jorgensen to approve Resolution 20-24 authorizing grant submission and the related Certification Statement as presented, and including the \$20,000 for the Community Counseling Center workstation remodel, subject to any corrections and authorize staff to submit a grant application to the Office of State Lands and Investment for Coronavirus Relief and authorize the Mayor and/or staff to execute and submit any and all future documents or agreements associated with this grant application.

RESOLUTION #20-24: A resolution authorizing submission of a coronavirus relief grant application to the State Loan and Investment Board on behalf of the governing body for the Town of Jackson for the purpose of funding payroll expenses, remote meeting infrastructure, public noticing, marketing support, PPE supplies, facility UV purification for HVAC, supplemental facility cleaning, port-a-potties, masks, sanitizer and related bottling supplies, gloves, downtown outdoor distancing infrastructure, posters and signage, barricades and floor markings, and reception area remodels to protect the health, safety, and welfare of employees and the public.

WHEREAS, the Governing Body for the Town of Jackson desires to participate in the CORONAVIRUS RELIEF GRANT program to assist in financing this request; and

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

WHEREAS, the Coronavirus Relief 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 CARES Act, 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 governing body of the Town of Jackson that a grant application in the amount of **\$3,952,536** be submitted to the State Loan and Investment Board for consideration at the next Board meeting after application processing to assist in funding the TOWN OF JACKSON COVID-19 RESPONSE.

BE IT FURTHER RESOLVED, that Larry Pardee, Town Manager, Roxanne Robinson, Assistant Town Manager, and Kelly Thompson, Finance Director are hereby designated as the authorized representatives of the Town of Jackson to act on behalf of the Governing Body on all matters relating to this grant application.

PASSED, APPROVED AND ADOPTED THIS 19TH day of October 2020.

Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Matters from Mayor and Council. Jim Stanford made comment on the Historical Society’s property acquisition and fall clean-up. Hailey Morton Levinson made comment on the new Park and Recreation facility.

Town Manager’s Report. A motion was made by Jonathan Schechter and seconded by Hailey Morton Levinson to accept the Town Manager’s Report into the record. The Town Manager’s Report contained an update on open positions for a street operator, associate planner, and commuter bus driver, and the October Sales and Lodging Tax. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

A motion was made by Pete Muldoon and seconded by Arne Jorgensen to direct staff to bring back a list of positions that were frozen so the cost of filling the positions may be reviewed. The Council held discussion. Larry Pardee made staff comment. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Adjourn. A motion was made by Hailey Morton Levinson and seconded by Jonathan Schechter to adjourn the meeting. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried. The meeting adjourned at 8:03 p.m. minutes:spb

TOWN OF JACKSON

ATTEST:

Pete Muldoon, Mayor

Sandra P. Birdyshaw, Town Clerk
Publish JH News & Guide: October 28, 2020

Report Criteria:

Detail report.

Invoices with totals above \$0 included.

Paid and unpaid invoices included.

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
328	842-NCPERS GROUP WYOMIN	842112020	PAYROLL DEDUCTIONS	10/16/2020	96.00	96.00	10/27/2020
Total 328:					96.00	96.00	
51	ACE HARDWARE	714088	spray paint	09/25/2020	9.98	.00	
51	ACE HARDWARE	714629	cleaning supplies	09/30/2020	13.97	.00	
51	ACE HARDWARE	714748	hammer handle	10/01/2020	34.98	.00	
51	ACE HARDWARE	715337	batteries for locator	10/07/2020	23.98	.00	
51	ACE HARDWARE	715390	Snow King Housing & Maintenanc	10/07/2020	32.45	.00	
51	ACE HARDWARE	715439	clamps for attaching tracer wires	10/08/2020	25.90	.00	
51	ACE HARDWARE	715666	Bunk House Remote T-Stat for wa	10/09/2020	26.98	.00	
51	ACE HARDWARE	715667	Hand tools	10/09/2020	65.96	.00	
51	ACE HARDWARE	715671	Hand Tools	10/09/2020	31.98	.00	
51	ACE HARDWARE	715784	Snow King Housing & Maintenanc	10/11/2020	16.99	.00	
51	ACE HARDWARE	716039	Vine Apt-1 = dead bolt & re-key	10/14/2020	56.95	.00	
51	ACE HARDWARE	716153	Facility Dept. hand tools	10/14/2020	137.47	.00	
Total 51:					477.59	.00	
3596	ADVANCED GLASS TRIM, LLC	20443	windshield replacement	09/23/2020	290.00	.00	
3596	ADVANCED GLASS TRIM, LLC	20459	2013 tahoe	10/08/2020	240.00	.00	
Total 3596:					530.00	.00	
1178	ALAN'S WELDING INC.	092520	pipe	09/25/2020	9.60	.00	
Total 1178:					9.60	.00	
5726	AMAZON	19NX-P9HQ-7	Webcams for employees to attend	09/10/2020	579.98	.00	
5726	AMAZON	1KC1-DDYL-3	Printer toner	09/26/2020	781.94	.00	
5726	AMAZON	1KYF-1RJL-KC	AA and AAA battery	09/25/2020	50.98	.00	
5726	AMAZON	1QV3-H4TK-63	Replacement desktop scanners	10/07/2020	1,986.84	.00	
Total 5726:					3,399.74	.00	
383	ANTLER MOTEL, INC.	100620	One night room stay for CIT speak	10/06/2020	66.00	.00	
Total 383:					66.00	.00	
4389	APPLE INC	AD08199788	3 qty. iPad Pro and accessories fo	10/07/2020	1,522.00	.00	
Total 4389:					1,522.00	.00	
1783	AT&T	09162020	charges for account 28725916309	09/08/2020	1,280.78	.00	
1783	AT&T	09202020	Wireless	09/12/2020	86.46	.00	
Total 1783:					1,367.24	.00	
4088	AVAIL VALLEY CONTRUCTION-I	20210-1	Fall Patching Pay Ap 1	10/15/2020	105,045.75	.00	
Total 4088:					105,045.75	.00	
5994	B-CYCLE LLC	2497838	Licensing Fee	06/26/1930	319.92	319.92	10/15/2020

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
5994	B-CYCLE LLC	2533078	Licensing Fee	07/11/2020	588.49	588.49	10/15/2020
Total 5994:					908.41	908.41	
4920	BEST BEST & KRIEGER	888882	WIRELESS	10/20/2020	1,149.50	.00	
Total 4920:					1,149.50	.00	
6583	BESTDRIVE IDAHO FALLS	29001337	BUS TIRES	07/27/2020	3,348.08	.00	
6583	BESTDRIVE IDAHO FALLS	29001504	BUS TIRES	09/18/2020	1,528.00	.00	
6583	BESTDRIVE IDAHO FALLS	29001505	TIRES FOR SWEEPER	09/18/2020	920.00	.00	
6583	BESTDRIVE IDAHO FALLS	29001553	TIRES FOR HYBRID BUS	09/27/2020	1,820.08	.00	
6583	BESTDRIVE IDAHO FALLS	29001586	8 DRIVE TIRES FOR SEWER JE	10/14/2020	2,828.32	.00	
Total 6583:					10,444.48	.00	
4774	BIG R RANCH & HOME	1466907	SUPPLIES FOR SO BUILD	09/25/2020	53.47	.00	
Total 4774:					53.47	.00	
6727	BRIGGS, ERIC L	10082020	BRAKE TOOL	10/08/2020	61.95	.00	
Total 6727:					61.95	.00	
4473	BROWER PSYCHOLOGICAL SE	100320	Psych Eval for Kyle Foster Police	10/03/2020	325.00	.00	
Total 4473:					325.00	.00	
6156	BUCKRAIL	1524	General Penny Ad	10/08/2020	500.00	.00	
Total 6156:					500.00	.00	
4614	C & A PROFESSIONAL CLEANIN	NOVEMBER 2	Town Hall Gym Cleaning	10/26/2020	723.81	.00	
4614	C & A PROFESSIONAL CLEANIN	NOVEMBER 2	Town Hall Cleaning	10/26/2020	4,339.87	.00	
4614	C & A PROFESSIONAL CLEANIN	NOVEMBER 2	Public Works Cleaning	10/26/2020	2,216.11	.00	
4614	C & A PROFESSIONAL CLEANIN	NOVEMBER 2	Parking Garage Cleaning	10/26/2020	460.26	.00	
4614	C & A PROFESSIONAL CLEANIN	OCTOBER 202	Bunk House cleaning	10/15/2020	77.25	.00	
Total 4614:					7,817.30	.00	
5	CARQUEST AUTO PARTS INC.	6090-479026	voided check	05/23/2020	104.67-	.00	
5	CARQUEST AUTO PARTS INC.	6090-479026	voided check	05/23/2020	104.67	.00	
5	CARQUEST AUTO PARTS INC.	6090-494024	brakes for sheriff	09/03/2020	55.14	.00	
5	CARQUEST AUTO PARTS INC.	6090-496330	SUPPLIES FOR SO BUILD	09/19/2020	2.55	.00	
5	CARQUEST AUTO PARTS INC.	6090-497138	AIR FILTER	09/25/2020	28.06	.00	
5	CARQUEST AUTO PARTS INC.	6090-497381	WHEEL WEIGHTS	09/27/2020	115.49	.00	
5	CARQUEST AUTO PARTS INC.	6090-497886	BRAKES FOR SO	10/01/2020	209.44	.00	
5	CARQUEST AUTO PARTS INC.	6090-498497	BRAKES FOR PD	10/06/2020	156.82	.00	
5	CARQUEST AUTO PARTS INC.	6090-498920	BATTERIES FOR WELDING HEL	10/08/2020	10.78	.00	
5	CARQUEST AUTO PARTS INC.	6090-498945	FILTER FOR TRACTOR	10/08/2020	8.83	.00	
5	CARQUEST AUTO PARTS INC.	6090-498996	AIR FILTER FOR FAIR TRACTO	10/09/2020	26.43	.00	
5	CARQUEST AUTO PARTS INC.	6090-499079	FLOOR CLEANER	10/09/2020	18.38	.00	
5	CARQUEST AUTO PARTS INC.	6090-499824	Covid barrel pump & filter	10/15/2020	45.66	.00	
5	CARQUEST AUTO PARTS INC.	6090-500001	Credit	10/15/2020	37.99-	.00	
Total 5:					639.59	.00	
102	CASELLE INC.	104354	support fees	09/01/2020	1,868.00	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 102:					1,868.00	.00	
6113	CENTER OF WONDER	102020	Annual Contract 20-21	10/20/2020	3,296.00	.00	
Total 6113:					3,296.00	.00	
544	CENTURYLINK	151438319	TELEPHONE	09/20/2020	278.32	.00	
544	CENTURYLINK	307-111-5050 0	TELEPHONE	09/30/2020	1,938.32	.00	
Total 544:					2,216.64	.00	
6257	CERTIFIED LABORATORIES	632541	drum brass bung valve	10/12/2020	59.95	.00	
Total 6257:					59.95	.00	
4887	CONTROL SYSTEM TECHNOLO	9791	New water SCADA computer and	10/06/2020	10,498.00	.00	
4887	CONTROL SYSTEM TECHNOLO	9792	Trouble shoot and reconfigure SC	10/06/2020	1,567.50	.00	
Total 4887:					12,065.50	.00	
1691	CORE & MAIN LP	N024414	meter parts	10/15/2020	96.93	.00	
Total 1691:					96.93	.00	
6718	CULTIVATE	082120	ANNUAL CONTRACT	08/21/2020	1,250.00	.00	
Total 6718:					1,250.00	.00	
6243	DAY WIRELESS SYSTEMS	7392	MAINTENANCE ON BUS RADIO	03/01/2020	571.50	.00	
Total 6243:					571.50	.00	
6378	DEAL, JEFF	101420	DOT Physical Reimbursement	10/14/2020	155.00	.00	
Total 6378:					155.00	.00	
65	DELCON INC	22769	SK Event Ctr - Moose Hockey Rm	09/30/2020	1,212.87	.00	
65	DELCON INC	22770	Public Works Admin-1 furnace ser	09/30/2020	572.61	.00	
Total 65:					1,785.48	.00	
3274	DICK MAY WELDING CO	101620	sleeve for shop floor to stand up b	10/16/2020	20.00	.00	
Total 3274:					20.00	.00	
3408	E.R. OFFICE EXPRESS	16456	Supplies to mail liquor renewal ap	10/22/2020	51.16	.00	
Total 3408:					51.16	.00	
1134	ENERGY LABORATORIES INC.	349030	weekly effluent testing WWTP	10/09/2020	114.00	.00	
1134	ENERGY LABORATORIES INC.	350489	weekly WWTP lab testing	10/15/2020	302.00	.00	
Total 1134:					416.00	.00	
5973	ETCHED IN STONE	20278	Values Rocks	10/09/2020	600.00	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 5973:					600.00	.00	
3885	EVIDENT	163305A	Sterile water tubes, DNA swab kit	10/15/2020	76.50	.00	
Total 3885:					76.50	.00	
6021	FOREST LAKE	2458	Bore for water line to Bickner prop	07/02/2020	10,950.00	.00	
Total 6021:					10,950.00	.00	
1022	GALLS INC.	016417041	Uniforms for Investigations - S. St	09/04/2020	87.18	.00	
Total 1022:					87.18	.00	
6464	GEITTMANN LARSON SWIFT LL	11183	Epstein Easement	10/13/2020	292.50	.00	
Total 6464:					292.50	.00	
4212	GILLIG LLC	40715925	AIR FILTERS	08/19/2020	108.08	.00	
4212	GILLIG LLC	40725388	HYD FAN DRIVE	09/20/2020	756.00	.00	
4212	GILLIG LLC	40725389	KING PINS	09/20/2020	364.22	.00	
4212	GILLIG LLC	40735588	PULL SCREENS FOR BUSES	10/25/2020	446.32	.00	
4212	GILLIG LLC	40738024	VOLTAGE REGULATOR, HEAD L	10/05/2020	1,216.53	.00	
4212	GILLIG LLC	40739382	STRUTS FOR REAR ENGINE D	10/08/2020	51.64	.00	
4212	GILLIG LLC	40739777	HEIGHT CONTROL VALVES FO	10/09/2020	621.86	.00	
4212	GILLIG LLC	40740122	LOCK NUT	10/12/2020	14.62	.00	
4212	GILLIG LLC	40740554	DOOR GLASS FOR BUS 204	10/13/2020	31.31	.00	
Total 4212:					3,610.58	.00	
4768	GLOBAL EQUIPMENT COMPAN	116738254	n 95 masks for dust	10/17/2020	172.77	.00	
Total 4768:					172.77	.00	
93	HACH CHEMICAL CO.	12149752	WWTP lab supply order	10/05/2020	97.35	.00	
Total 93:					97.35	.00	
96	HIGH COUNTRY LINEN	0218093	towels and rags for WWTP	10/07/2020	86.57	.00	
96	HIGH COUNTRY LINEN	0220050	home ranch operating supplies. c	10/19/2020	25.31	.00	
96	HIGH COUNTRY LINEN	0220381	Rugs	10/21/2020	61.93	.00	
96	HIGH COUNTRY LINEN	C0219842	home ranch operating supplies. c	10/16/2020	.00	.00	
96	HIGH COUNTRY LINEN	S0218456	Parking Garage - public restroom	10/08/2020	29.25	.00	
96	HIGH COUNTRY LINEN	S0218670	Gloves	10/09/2020	18.00	.00	
96	HIGH COUNTRY LINEN	S0219160	Gloves	10/13/2020	18.00	.00	
96	HIGH COUNTRY LINEN	S0219840	Deloney operating supplies. Crea	10/16/2020	29.25	.00	
96	HIGH COUNTRY LINEN	S0219873	home ranch operating supplies. c	10/16/2020	65.50	.00	
96	HIGH COUNTRY LINEN	S0219889	paper towels	10/16/2020	43.70	.00	
96	HIGH COUNTRY LINEN	S0220910	bleach, balance, trash bags	10/23/2020	185.61	.00	
Total 96:					563.12	.00	
6747	HR 28 LLC	102620	RETURN BOND FOR REPLACE	10/26/2020	39,997.50	.00	
Total 6747:					39,997.50	.00	
36	IDAHO STATE TAX COMMISSIO	10272020	OCTOBER WITHHOLDINGS	10/27/2020	3,270.00	3,270.00	10/27/2020

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 36:					3,270.00	3,270.00	
3323	IDAHO TRAFFIC SAFETY, INC.	192593	street signs rivets posted twice	06/25/2020	250.00-	.00	
3323	IDAHO TRAFFIC SAFETY, INC.	192593	posting error	06/25/2020	250.00	.00	
Total 3323:					.00	.00	
6729	ILLINOIS TOOL WORKS INC	S143621	EV-150 VacTron	10/02/2020	67,815.80	.00	
Total 6729:					67,815.80	.00	
6720	IMMIGRANT HOPE	102020	ANNUAL CONTRACT 2020-2021	10/20/2020	1,250.00	.00	
Total 6720:					1,250.00	.00	
5164	INTERNATIONAL MUNICIPAL LA	20012160	Annual dues for International Muni	08/03/2020	480.00	.00	
Total 5164:					480.00	.00	
106	INTERSTATE BATTERY	22248665	2 BATTERIES FOR RESTOCK	09/21/2020	196.90	.00	
106	INTERSTATE BATTERY	22248727	BATTERY FOR RESTOCK	09/28/2020	130.95	.00	
106	INTERSTATE BATTERY	22248807	BATTERIES FOR GEN SETS	10/12/2020	1,057.75	.00	
Total 106:					1,385.60	.00	
5098	JACKSON ANIMAL HOSPITAL	37473	K9 spay (Penny), female neuter (	10/14/2020	280.28	.00	
Total 5098:					280.28	.00	
2	JACKSON CURBSIDE INC.	00028340	downtown recycling loop Sept	10/10/2020	1,375.00	.00	
Total 2:					1,375.00	.00	
131	JACKSON HOLE NEWS & GUID	305693B	2019 fall patch ad for final payme	12/04/2019	75.15	.00	
131	JACKSON HOLE NEWS & GUID	313843	2020 fall patching ad for bids	07/15/2020	89.79	.00	
131	JACKSON HOLE NEWS & GUID	313843	center st water ad for final payme	07/15/2020	89.79	.00	
131	JACKSON HOLE NEWS & GUID	313843	CCT 2C ad for bids	07/15/2020	89.79	.00	
131	JACKSON HOLE NEWS & GUID	314899	2020 fall patching ad for bids	08/05/2020	530.10	.00	
131	JACKSON HOLE NEWS & GUID	317152	General Penny Ads	09/30/2020	192.00	.00	
131	JACKSON HOLE NEWS & GUID	317317	General Penny Ad	09/30/2020	876.60	.00	
131	JACKSON HOLE NEWS & GUID	317318	General Penny	09/30/2020	492.00	.00	
131	JACKSON HOLE NEWS & GUID	317817	Associate Planner box classified f	10/14/2020	376.20	.00	
131	JACKSON HOLE NEWS & GUID	317895-48701	10/5/20 Town Council Minutes	10/14/2020	427.50	.00	
131	JACKSON HOLE NEWS & GUID	317915	Legal Publishing Ord 1259	10/14/2020	196.65	.00	
131	JACKSON HOLE NEWS & GUID	317916	Legal Publishing Ord 1260	10/14/2020	128.25	.00	
131	JACKSON HOLE NEWS & GUID	317917	Legal Publishing Ord 1261	10/14/2020	64.13	.00	
131	JACKSON HOLE NEWS & GUID	317918	Legal Publishing Ord 1262	10/14/2020	303.53	.00	
131	JACKSON HOLE NEWS & GUID	317919	Legal Publishing Ord 1263	10/14/2020	367.65	.00	
131	JACKSON HOLE NEWS & GUID	317920	Legal Publishing Ord 1264	10/14/2020	119.70	.00	
131	JACKSON HOLE NEWS & GUID	317921	Legal Publishing Ord 1265	10/14/2020	115.43	.00	
131	JACKSON HOLE NEWS & GUID	317922	Legal Publishing Ord 1266	10/14/2020	102.60	.00	
131	JACKSON HOLE NEWS & GUID	318070	Teton Valley full time commuter dri	10/21/2020	376.20	.00	
131	JACKSON HOLE NEWS & GUID	TOJ START AD	2 week advertisement for FY21 W	10/27/2020	327.20	.00	
Total 131:					5,340.26	.00	
115	JACKSON PAINT AND GLASS, I	I118772	Wind Damage - Albertson's bus s	10/07/2020	7,417.49	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 115:					7,417.49	.00	
139	JORGENSEN ASSOCIATES, PC	44907	Plat Review P20-140	08/18/2020	665.00	.00	
139	JORGENSEN ASSOCIATES, PC	45029	Plat Review P20-166	09/11/2020	560.00	.00	
139	JORGENSEN ASSOCIATES, PC	45101	CCT Design 90%	09/22/2020	4,708.75	.00	
139	JORGENSEN ASSOCIATES, PC	45102	CCT 2C admin and change order	09/22/2020	6,797.50	.00	
Total 139:					12,731.25	.00	
5473	KELLERSTRASS ENTERPRISES	D31847	2,000 GALLONS NO LEAD 3,600 GALLONS DIESEL	09/30/2020	9,046.53	.00	
Total 5473:					9,046.53	.00	
3332	KILMER'S BG DISTRIBUTING	17583	FUEL ADDITIVE 55 GALLONS	09/28/2020	3,800.00	.00	
Total 3332:					3,800.00	.00	
4102	LACAL EQUIPMENT, INC	0331316-IN	sweeper parts for broom badger	09/21/2020	3,709.87	.00	
Total 4102:					3,709.87	.00	
5606	LADD, BRIAN	102020	DOT Physical Reimbursement	10/20/2020	150.00	.00	
Total 5606:					150.00	.00	
155	LEONARD PETROLEUM EQUIP	27065	CORRECTION	12/22/2017	679.10	.00	
Total 155:					679.10	.00	
671	LINCOLN NATIONAL LIFE	11012020	107747 NOVEMBER PREMIUM	10/23/2020	5,197.80	5,197.80	10/23/2020
671	LINCOLN NATIONAL LIFE	4157269350	107391 november premium	10/20/2020	1,225.59	1,225.59	10/27/2020
Total 671:					6,423.39	6,423.39	
4380	LONG BUILDING TECHNOLOGI	SRVCE011210	START - Evaporative cooling servi	10/06/2020	244.70	.00	
Total 4380:					244.70	.00	
5685	McCarthy, Mary	102620	RETURN BOND B20-0242 727 C	10/26/2020	500.00	.00	
Total 5685:					500.00	.00	
5293	MEAGHER, KEVIN	101320	Big R invoice - Spring Gulch Lift S	10/13/2020	266.89	.00	
Total 5293:					266.89	.00	
998	METROQUIP INC	P05936	TIE ROD FOR SWEEPER	09/09/2020	163.27	.00	
Total 998:					163.27	.00	
4880	MHL SYSTEMS	20-15003	CUTTING EDGES FOR HIGHWA	10/02/2020	2,364.00	.00	
Total 4880:					2,364.00	.00	
4623	MSC INDUSTRIAL SUPPLY CO	4111896001	shop supplies	09/30/2020	254.05	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 4623:					254.05	.00	
257	NAPA AUTO PARTS INC.	938069	A/C REPAIR PARTS, SPARK PLU	08/19/2020	36.48	.00	
257	NAPA AUTO PARTS INC.	938073	WASHER NOZZLE	08/09/2020	19.99	.00	
257	NAPA AUTO PARTS INC.	939121	A/C REPAIR PARTS, SPARK PLU	08/24/2020	569.85	.00	
257	NAPA AUTO PARTS INC.	944593	SWITCH FOR SO BUILD	09/18/2020	24.48	.00	
257	NAPA AUTO PARTS INC.	945488	REAR VIEW GLUE	09/23/2020	11.38	.00	
257	NAPA AUTO PARTS INC.	946051	FILTERS FOR INVENTORY	09/25/2020	64.98	.00	
257	NAPA AUTO PARTS INC.	946072	credit	09/25/2020	28.04-	.00	
257	NAPA AUTO PARTS INC.	946439	HEAD LAMPS FOR INVENTORY	09/28/2020	85.20	.00	
257	NAPA AUTO PARTS INC.	946440	OIL FILTERS FOR INV	09/28/2020	16.30	.00	
257	NAPA AUTO PARTS INC.	946515	FILTERS FOR INV	09/28/2020	20.92	.00	
257	NAPA AUTO PARTS INC.	946998	TENSIONER, RETURN FOR CR	09/30/2020	36.23	.00	
257	NAPA AUTO PARTS INC.	946999	WATER PUMP ASSEMBLY PART	09/30/2020	14.98	.00	
257	NAPA AUTO PARTS INC.	947064	FILTER FOR PD	09/30/2020	9.57	.00	
257	NAPA AUTO PARTS INC.	947271	BRAKE ROTORS FOR SO	10/01/2020	122.72	.00	
257	NAPA AUTO PARTS INC.	947296	WATER PUMP ASSEMBLY PART	10/01/2020	43.87	.00	
257	NAPA AUTO PARTS INC.	947297	CREDIT	10/01/2020	36.23-	.00	
257	NAPA AUTO PARTS INC.	947582	air couplers	10/02/2020	9.05	.00	
257	NAPA AUTO PARTS INC.	948685	NUTS/BOLTS FOR SWEEPER	10/08/2020	38.00	.00	
257	NAPA AUTO PARTS INC.	948825	HOOD CATCH FOR BUS 252	10/08/2020	8.84	.00	
257	NAPA AUTO PARTS INC.	949080	WIPERS, FILTERS FOR INVENT	10/09/2020	266.68	.00	
257	NAPA AUTO PARTS INC.	949677	GREASE TOOL FOR SHOP	10/13/2020	32.99	.00	
Total 257:					1,368.24	.00	
187	NELSON ENGINEERING	53173	Capacity Study	08/31/2020	719.25	.00	
187	NELSON ENGINEERING	53173	Capacity Study	08/31/2020	719.25	.00	
187	NELSON ENGINEERING	53429	Capacity Study	09/30/2020	2,601.25	.00	
187	NELSON ENGINEERING	53429	Capacity Study	09/30/2020	2,601.25	.00	
Total 187:					6,641.00	.00	
5037	OLDCASTLE PRECAST INC	230208636	no dumping plaques	10/01/2020	370.00	.00	
Total 5037:					370.00	.00	
513	ON SIGHT LAND SURVEYORS I	3953	Hansen Sidewalk Survey	08/31/2020	5,220.33	.00	
513	ON SIGHT LAND SURVEYORS I	4019	Hansen Sidewalk Survey	09/30/2020	4,243.62	.00	
Total 513:					9,463.95	.00	
4894	PLATT	OJ19548	SNOW KING LED FIXTURES	05/18/2020	1,500.07-	.00	
4894	PLATT	OJ19548	SNOW KING LED FIXTURES	05/18/2020	1,500.07	.00	
Total 4894:					.00	.00	
6594	PROTERRA	1020082	NEW BUS	09/25/2020	311,049.50	.00	
6594	PROTERRA	1020083	NEW BUS	09/25/2020	311,049.50	.00	
6594	PROTERRA	1020106	ELECTRIC BUS	09/25/2020	311,049.50	.00	
6594	PROTERRA	1020107	NEW BUS	09/25/2020	311,049.50	.00	
6594	PROTERRA	1020108	NEW BUS	09/25/2020	311,049.50	.00	
6594	PROTERRA	1020109	NEW BUS	09/25/2020	311,049.50	.00	
6594	PROTERRA	1020110	NEW BUS	09/25/2020	311,049.50	.00	
6594	PROTERRA	1020111	NEW BUS	09/25/2020	311,049.50	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 6594:					2,488,396.00	.00	
13	SAFETY SUPPLY & SIGN CO., I	174443	step n loc signs	09/28/2020	1,100.85	.00	
Total 13:					1,100.85	.00	
2669	SAFETY-KLEEN SYSTEMS, INC.	84030982	PARTS WASHER SOLVENT	09/21/2020	289.32	.00	
Total 2669:					289.32	.00	
6659	SALTWORKS LLC	1124	General Penny Graphic Design	09/30/2020	1,785.00	.00	
Total 6659:					1,785.00	.00	
6743	Schmidt, Linda	101520	Refund Overpayment of Sewer Bil	10/15/2020	14.82	.00	
Total 6743:					14.82	.00	
5111	SCHMILLEN, SCOTT	02071	Parking Garage drain cleaning	10/15/2020	237.50	.00	
5111	SCHMILLEN, SCOTT	02072	Deloney Bathroom drain cleaing	10/15/2020	237.50	.00	
5111	SCHMILLEN, SCOTT	02073	Home Ranch drain cleaning	10/15/2020	522.50	.00	
Total 5111:					997.50	.00	
4359	SHERWIN-WILLIAMS CO.	6383-2	Covid - cleaning chemicals	08/24/2020	100.00	.00	
Total 4359:					100.00	.00	
6365	SIGN IT NOW INC	4602	SK Housing parking lot sign bases	10/20/2020	1,633.62	.00	
Total 6365:					1,633.62	.00	
4548	SILVER CREEK SUPPLY	0003879778-0	Snow King Event Ctr- site drain lin	10/08/2020	12.76	.00	
Total 4548:					12.76	.00	
5632	SNAKE RIVER MEP COMPLETE,	6006	WWTP - Ceiling grilles	10/05/2020	382.00	.00	
Total 5632:					382.00	.00	
4699	SNAKE RIVER ROASTING	672947	coffee for PW	10/08/2020	195.80	.00	
4699	SNAKE RIVER ROASTING	673188	Coffee for the office	10/22/2020	97.90	.00	
Total 4699:					293.70	.00	
1505	SPRING CREEK ANIMAL HOSPI	624991587	Food	09/22/2020	54.39	.00	
Total 1505:					54.39	.00	
241	ST JOHN'S HOSPITAL	50000247	PURE TONE AUDIOMETRY AIR	10/20/2020	81.00	.00	
Total 241:					81.00	.00	
6746	SUMMIT DIRT WERK LLC	102620	RELEASE BOND HUFFMAN SE	10/26/2020	8,000.00	.00	
Total 6746:					8,000.00	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
4990	Swagit Productions, LLC	16059	VIDEO STREAMING	08/31/2020	1,775.00	.00	
4990	Swagit Productions, LLC	16258	VIDEO STREAMING	09/30/2020	1,775.00	.00	
Total 4990:					3,550.00	.00	
1443	TETON COUNTY CLERK	100120	Parks and Recreation Monthly Op	10/01/2020	127,283.33	.00	
1443	TETON COUNTY CLERK	100120C	Housing Department Monthly Ope	10/01/2020	20,991.75	.00	
Total 1443:					148,275.08	.00	
581	TETON COUNTY INTEGRATED	481576	dim. lumber	10/01/2020	56.00	.00	
Total 581:					56.00	.00	
1227	TETON COUNTY SCHOOL DIST	TCSD/START -	Bus shelter final invoice	07/02/2020	22,400.84	.00	
Total 1227:					22,400.84	.00	
996	TETON COUNTY SPECIAL FIRE	100120	SPECIAL FIRE FD - SEPTEMBE	10/01/2020	13,232.14	.00	
996	TETON COUNTY SPECIAL FIRE	101320	FIRE STATION - SEPTEMBER	10/13/2020	127,779.00	.00	
996	TETON COUNTY SPECIAL FIRE	101320	SPECIAL FIRE FUND - SEPTEM	10/13/2020	16,597.00	.00	
Total 996:					157,608.14	.00	
1614	TETON COUNTY-FUND 10	101320	DISPATCH - SEPTEMBER BILLI	10/13/2020	28,577.53	.00	
1614	TETON COUNTY-FUND 10	101320A	SEPTEMBER PATHWAYS	10/13/2020	7,389.77	.00	
1614	TETON COUNTY-FUND 10	101320B	MONTHLY CONTRIBUTION - JOI	10/13/2020	3,900.10	.00	
Total 1614:					39,867.40	.00	
3027	TETON COUNTY-FUND 13	100120	Fire/EMS Monthly Contribution	10/01/2020	107,600.21	.00	
Total 3027:					107,600.21	.00	
166	TETON COUNTY-FUND 19	101320	P&R CAPITAL - SEPTEMBER	10/13/2020	3,866.54	.00	
Total 166:					3,866.54	.00	
268	TETON MOTORS INC	5094586 1	SL N SENSOR	06/04/2020	44.83	.00	
268	TETON MOTORS INC	5095541 1	WASHER HOSE AND SHOCKS	08/26/2020	69.06	.00	
268	TETON MOTORS INC	5095542 1	HEATER DOOR ACTUATOR FO	08/26/2020	44.39	.00	
268	TETON MOTORS INC	5095543 1	STEERING SENSOR FOR SO	08/26/2020	76.16	.00	
268	TETON MOTORS INC	5095640 1	WASHER HOSE AND SHOCKS	09/02/2020	147.78	.00	
268	TETON MOTORS INC	5095721 1	WHEEL BEARINGS AND HOSES	09/10/2020	9.45	.00	
268	TETON MOTORS INC	5095763 1	WHEEL BEARINGS AND HOSES	09/14/2020	14.82	.00	
268	TETON MOTORS INC	5095795 1	HEAD LAMP ASM FOR PD	09/16/2020	1,288.56	.00	
268	TETON MOTORS INC	5095906 1	WHEEL BEARINGS AND HOSES	09/23/2020	116.76	.00	
268	TETON MOTORS INC	5095912 1	WHEEL BEARINGS AND HOSES	09/24/2020	116.76	.00	
268	TETON MOTORS INC	5095937 1	WATER PUMP FOR PD	09/25/2020	147.86	.00	
Total 268:					2,076.43	.00	
5846	TETON TOOLS LLC	09292025390	TOOLS	09/29/2020	207.50	.00	
5846	TETON TOOLS LLC	09292025393	TOOLS	09/29/2020	325.00	.00	
5846	TETON TOOLS LLC	10132025650	TOOLS	10/13/2020	344.50	.00	
5846	TETON TOOLS LLC	10132025651	TOOLS	10/13/2020	159.00	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 5846:					1,036.00	.00	
154	THE CHILDREN'S LEARNING C	102020	ANNUAL CONTRACT 2020-2021	10/20/2020	26,710.00	.00	
Total 154:					26,710.00	.00	
1949	VERIZON WIRELESS	9861945777	MONTHLY CHARGES	09/01/2020	5,301.90	.00	
Total 1949:					5,301.90	.00	
6731	VINCI LAW OFFICE LLC	10232020	garnishment #18119	10/23/2020	252.13	252.13	10/22/2020
Total 6731:					252.13	252.13	
5022	VISION SERVICE PLAN - (WY)	102320	NOVEMBER PREMIUM	10/23/2020	1,744.77	1,744.77	10/22/2020
Total 5022:					1,744.77	1,744.77	
6494	WELLER TRUCK PARTS	402075236	TRANS PARTS FROM MAY FOR	09/20/2020	201.09	.00	
Total 6494:					201.09	.00	
563	WESTBANK SANITATION	3517422	trash pickup at 940 Simon Lane	10/01/2020	50.37	.00	
Total 563:					50.37	.00	
1640	WESTERN STATE	IN001430889	SWITCH AND LIGHTS FOR LOA	09/24/2020	88.16	.00	
1640	WESTERN STATE	IN001437378	SEAL KIT FOR WATER DEPT HA	09/30/2020	500.66	.00	
1640	WESTERN STATE	IN001437393	SWITCH AND LIGHTS FOR LOA	09/30/2020	144.12	.00	
1640	WESTERN STATE	IN001443805	SERVICE CALL TO RECHARGE	10/08/2020	463.50	.00	
1640	WESTERN STATE	IN001444928	STARTER FOR LOADER	10/08/2020	1,169.89	.00	
Total 1640:					2,366.33	.00	
3564	WILD THINGS	21156	TOPPER FOR NEW STREET TR	10/01/2020	3,445.00	.00	
Total 3564:					3,445.00	.00	
3619	WY CHILD SUPPORT ENFORCE	102320	case #209790	10/23/2020	146.76	146.76	10/22/2020
Total 3619:					146.76	146.76	
4139	WY WORKERS' SAFETY & COM	10272020	NOVEMBER PREMIUM	10/27/2020	6,241.83	6,241.83	10/27/2020
Total 4139:					6,241.83	6,241.83	
79	WYOMING DEPARTMENT OF E	10262020	3RD QTR SUTA	10/26/2020	1,106.94	1,106.94	10/26/2020
Total 79:					1,106.94	1,106.94	
1064	WYOMING DEPARTMENT OF H	I0012280	monthly coliform testing	10/05/2020	240.00	.00	
Total 1064:					240.00	.00	
406	WYOMING LAW ENFORCEMEN	101620	52 state statute cases	10/16/2020	260.00	.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total 406:					260.00	.00	
329	WYOMING RETIREMENT SYST	199766	OCTOBER CONTRIBUTIONS	10/27/2020	30,425.79	30,425.79	10/27/2020
329	WYOMING RETIREMENT SYST	199767	OCTOBER CONTRIBUTIONS	10/27/2020	25,006.70	25,006.70	10/27/2020
329	WYOMING RETIREMENT SYST	199768	OCTOBER CONTRIBUTIONS	10/27/2020	46,256.62	46,256.62	10/27/2020
Total 329:					101,689.11	101,689.11	
6717	WY-TEST	36356	Pre-employment drug test + rando	10/08/2020	80.00	.00	
6717	WY-TEST	36361	Pre-employment drug test + rando	10/07/2020	80.00	.00	
6717	WY-TEST	36371	Pre-employment drug test + rando	10/09/2020	80.00	.00	
6717	WY-TEST	36374	Pre-employment drug test + rando	10/09/2020	80.00	.00	
6717	WY-TEST	36377	Pre-employment drug test + rando	10/08/2020	160.00	.00	
6717	WY-TEST	36381	Pre-employment drug test + rando	10/09/2020	80.00	.00	
6717	WY-TEST	36407	Pre-employment drug test	10/15/2020	80.00	.00	
6717	WY-TEST	36417	Pre-employment drug test	10/16/2020	80.00	.00	
6717	WY-TEST	36426	random drug test	10/06/2020	80.00	.00	
Total 6717:					800.00	.00	
2179	XEROX CORPORATION	011270931	Xerox maintenance and supplies	09/01/2020	109.43	.00	
2179	XEROX CORPORATION	011270932	Xerox maintenance and supplies	09/01/2020	41.02	.00	
2179	XEROX CORPORATION	011270933	Xerox maintenance and supplies	09/01/2020	73.61	.00	
2179	XEROX CORPORATION	011270934	Xerox maintenance and supplies	09/01/2020	14.81	.00	
2179	XEROX CORPORATION	011270941	Xerox maintenance and supplies	09/01/2020	41.52	.00	
Total 2179:					280.39	.00	
2842	YELLOW IRON EXCAVATION, LL	50704	4 Yard Dumpster Trash Removal	09/30/2020	60.00	.00	
Total 2842:					60.00	.00	
6719	ZOOM VIDEO COMMUNICATION	INV43876548	Two Webinar 100 licenses	09/28/2020	727.67	.00	
Total 6719:					727.67	.00	
Grand Totals:					3,502,605.84	121,879.34	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
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Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

City Treasurer: _____

Report Criteria:

Detail report.

Invoices with totals above \$0 included.

Paid and unpaid invoices included.

**TOWN OF JACKSON
MUNICIPAL COURT
MONTHLY REPORT TO THE MAYOR AND THE TOWN COUNCIL
FOR THE MONTH OF SEPTEMBER, 2020**

During the month of September, the court received \$22,995 in fines, fees, bonds, and forfeitures.

313 new cases were docketed: 277 parking citations, 36 summons

32 cases were dismissed: 15 parking violations

The abbreviations used below are: BF=forfeiture, GP=pled guilty, NC= nolo contendere, G=found guilty at trial, NG=found not guilty at trial,
R=restitution, CS=community service, DP=deferred prosecution, D=dismissed, D-TS=dismissed for traffic school,
DA=deferred adjudication

CLOSED CASES

<u>NAME</u>	<u>CITATION</u>	<u>OFFENSE</u>	<u>DISPOSITION</u>	<u>\$</u>
Anderson, Austin L	98262N	Public intoxication	BF	110
Attianese, Robert Vincent	186001132AC	Speed Limits Generally 50/30	BF	230
Becerra Montiel, Daniel	186001203AC	MUI/MIP (18-20 year old)	D-Per Town's Motion	0
Becker, Thomas Charles	186001240AC	Failure to Maintain Lane	BF	100
Beristain Vasquez, Gabriel	01763M	Failure to maintain liability coverage	BF	550
Beristain Vasquez, Gabriel	01764M	No Driver's license	BF	420
Caballery Velez, Omar	186000785AC	Failure to maintain liability coverage- MUST APPEAR	D-Per Town's Motion	0
Caballery Velez, Omar	186000782AC	Following too Close- MUST APPEAR	D-Per Town's Motion	0
Caballery Velez, Omar	186000783AC	No display of current registration- MUST APPEAR	D-Per Town's Motion	0
Carr, Justin W	186004645AA	Driving/Control of vehicle while intox	DA- In accordance with W.S.S. 7-13-301	0
Carrington, Clayton T	01934M	Public intoxication	BF	110
Clauson, Katrina L.	23337D	Use of hand-held electronic device while driving	BF	75
Conan, Timothy	186000430AC	Urinating in Public	BF	120
Dalton, Mitchell J	01811M	Speed Limits Generally 60/40	BF	225
Davis, Gus Tyler	186000803AC	Stop Sign Violation	BF	135
Denton, Catherine	186001135AC	Speed Limits Generally 40/30	BF	140
Deslauriers, Markus J	98317N	Limitations on Backing	BF	100
Dodgen, Van	186001172AC	Speed Limits Generally 40/30	BF	140
Drews, Della	98202N	Damage to attended vehicle or property- MUST APPEAR	BF	220
Fisher, Brittany Lee	186001155AC	Following too Close	BF	90
Ford, Douglas Earl	98131N	Criminal trespass- MUST APPEAR	BF	500
Gath, Drew E	186004240AA	Driving/Control of vehicle while intox	DA- In accordance with W.S.S. 7-13-301	0
Gray, John Raymond	186000349AC	Speed Limits Generally 51/30	BF	267
Gustafson, Maximilian Arthur	186001204AC	Minor in Bar/Use False ID to obtain Alcohol/Malt Beverage	BF	250
Hardeman, Lucas Steven	186000102AB	Driving/Control of vehicle while intox	DA- In accordance with W.S.S. 7-13-301	0
Harrice, Helena	186001174AC	Stop Sign Violation	D-Per Town's Motion	0
Henry, Matthew D	186001205AC	Failure to Obey Traffic Control Device	D-Per Town's Motion	0
Horn, David W	186000687AC	Public intoxication	BF	110
Howley, Coreen C	98033N	Marijuana: use and/or possession	BF	125
Hutchinson, Jeramey	186001152AC	No Driver's license	BF	410
James, James David	186001115AC	Stop Sign Violation	D-Per Town's Motion	0
Jones, Courtney Rose	186001113AC	Failure to maintain liability coverage	D-Provided valid information	0
Jones, Courtney Rose	186001112AC	Riding bicycle on sidewalk	BF	90
Juarez Cervantes, Jonny	00217M	No Driver's license-MUST APPEAR	BF	420
Key, Kitiya	186001238AC	Limitations on Backing	BF	90
Koski, Timothy Roy	186000205AC	Stop Sign Violation	BF	135
Lamb, John	98329N	Public intoxication	BF	110
Lamure, Lane Todd	186001157AC	Use of cell phone while driving prohibited	BF	65
Larsen, Anita	186001116AC	Use of cell phone while driving prohibited	D-Per Town's Motion	0
Lembo, Nicholas	186000819AC	Failure to Maintain Lane	BF	90
Loughlin, Jake E	01880M	Turning left at intersection	BF	75
Lovercheck, Adelaida	01760M	MPH over limit Bond 47/25 (MUST APPEAR)	BF	75
Lozoya, Jason	186001128AC	No Driver's license	D-Per Town's Motion	0
Maasen, Ronald Ryan	186001239AC	Careless driving	BF	240
Maddox, James Walton	186001117AC	Following too Close	BF	90
Malairau, Cristina	03111L	Turning left at intersection(MUST APPEAR)	D-TS	0
Marquina Corona, Hugo	03779L	Driving/Control of vehicle while intox	GP	750
Mathews, Ashley Nicole	186001133AC	Marijuana: use and/or possession	BF	250
Mcdonald, Matthew James	186000436AC	Public intoxication(MUST APPEAR)	D-Per Town's Motion	0
Miller, Jennifer Anne	186000637AC	UNSAFE TURNING MOVEMENT	D-Per Town's Motion	0
Mora, Christina	186001063AC	Shoplifting	D-Per Town's Motion	0
Morales, Alison	186001202AC	MUI/MIP (18-20 year old)	D-Per Town's Motion	0
Neubert, Joseph Bradley	186001129AC	MPH over limit Bond- 40/25	BF	195
Newton, Matthew Peter	186001105AC	Speeding 30/15	BF	135
Orozco, Christina Elizabeth	186000505AC	Speed Limits Generally 40/30	BF	140
Potts, Alden R	98036N	Use of hand-held electronic device while driving	BF	65

Prax, Brian Charles	186001103AC	Stop Sign Violation	BF	150
Ratcliffe, Mary G	01403M	Overserving, Minors: Restrictions	BF	250
Rogers, Peter Graham	186001012AC	Speed Limits Generally 53/30	BF	291
Romero, Lizeth	00728M	Marijuana: use and/or possession (MUST APPEAR)	BF	250
Romero, Lizeth	00730M	MUI/MIP (18-20 year old)(MUST APPEAR)	D-Per Town's Motion	0
Rosen, Robert C.	00939M	MPH over limit Bond 34/25	D-TS	0
Ruyak, Poppy Ann	186001062AC	Minor in bar/use fake ID to obtain alcohol	BF	250
Ryan, Paige Elizabeth	186001122AC	Speed Limits Generally 44/30	BF	188
Sanchez Papecetzi, Angel	186001154AC	Following too Close	BF	90
Schaffer, Brent	186000356AC	Limitations on Backing	D-Per Town's Motion	0
Schubert, Jennifer Brie	186000389AC	Speed Limits Generally 51/30	BF	267
Simko, Tomas Tomas	186000155AC	Offenses against persons and property- MUST APPEAR	D-Per Town's Motion	0
Simko, Tomas Tomas	186000154AC	Public intoxication- MUST APPEAR	BF	110
Sippy, Zachariah Wirtschafter	186000806AC	Failure to stop at a red light	D-TS	0
Sosa Garcia, Alberto	186001104AC	Failure to stop at a red light	BF	140
Spilotro, Vincent M	98306N	Destruction of property- MUST APPEAR	D-Per Town's Motion	0
Spilotro, Vincent M	98307N	Public intoxication-MUST APPEAR	BF	110
Surowitz, Brian	186000685AC	Speed Limits Generally 42/30	D-TS	0
Valdivia Castillo, Isabel	186000780AC	Following too Close	BF	75
Van Gilder, Gregory Joseph	186001128AC-2	Required to stop on flashing red signal	BF	90
Vandercook, George Levin	186002996AB	Failure to maintain liability coverage	D-Provided valid information	0
Vandercook, George Levin	186002995AB	No Driver's license	D-Per Town's Motion	0
Vandercook, George Levin	18600114AC	Use of cell phone while driving prohibited	BF	75
Vandercook, George Levin	00914M	Use of hand-held electronic device while driving (2ND OFFE	BF	100
Vanhooser, Buster	01404M	Overserving, Minors: Restrictions	BF	250
Vasha, Matthew Lee	186000403AC	Use of cell phone while driving prohibited	BF	65
Wachsmuth, Tallia R	01038M	Criminal trespass- MUST APPEAR	BF	750
Wagner, Paige	98264N	Speed Limits Generally 40/30	D-Per Town's Motion	0
Wilcox, Hallie R	98037N	Use of hand-held electronic device while driving	BF	65
Winters, Robin	186001242AC	Limitations on Backing	BF	90
Ziv, Winslow Cg	00923M	Public intoxication	BF	110

STAFF REPORT



MEETING DATE & TITLE: November 2, 2020; Council Regular Meeting

SUBMITTING DEPARTMENT: Planning Department

PRESENTER: Paul Anthony

SUBJECT: P20-180 TEMPORARY SIGN PERMIT – Jackson Hole High School Honors Veterans

PUBLIC COMMENT: Yes

PURPOSE & POLICY CONSIDERATIONS:

To approve or deny relief from the Town's sign ordinance for the use of temporary signage not requiring a special event or exposition license.

REQUESTED ACTION:

The applicant has requested a temporary banner under Section 5.6.1.C.4.d of the LDRs to be located at:

105 Buffalo Way, Albertsons during:

November 3, 2020 to November 15, 2020

Section 6.5.1.C.4 of the Town's Land Development Regulations allows Council to approve up to four (4) off-site banners. The event does not require any Town services; therefore, a special event license is not required. Staff recommends approval, as the Town has permitted such signs in the past, as long as all other regulations for signage are complied with.

RECOMMENDATION:

The Planning Director recommends approval of P20-180 based on finding that the request is consistent with the LDRs subject to the following conditions:

1. The use of the site shall be granted by the property owner.
2. The signs shall not be located on the sidewalks or in the public right of way.
3. The sign for Jackson Hole High School Honors Veterans may be installed at:

105 Buffalo Way, Albertsons during:

November 3, 2020 to November 15, 2020

BACKGROUND: none

ANALYSIS: none

COMPREHENSIVE PLAN & PRIORITY ALIGNMENT: none

FISCAL IMPACT: none

STAFF IMPACT:

Preparation of this report took approximately 2 hours of staff time to process.

ATTACHMENTS OR LINKS: Applicant Submittal

REQUESTED MOTION

I move to **approve** Item P20-180 the temporary banner requested by the Jackson Hole High School subject to three (3) conditions of approval.

1. The use of the site shall be granted by the property owner.
2. The signs shall not be located on the sidewalks or in the public right of way.
3. The sign for Jackson Hole High School Honors Veterans may be installed at:

105 Buffalo Way, Albertsons during:

November 3, 2020 to November 15, 2020



TEMPORARY SIGN PERMIT APPLICATION

Planning & Building Department

150 East Pearl Ave. | ph: (307) 733-0440
P.O. Box 1687 | www.townofjackson.com
Jackson, WY 83001

First, go to www.townofjackson.com/245/Temporary-Sign-Permit for process and other necessary information.

EVENT NAME:

Event Name: JHHS Honors Veterans Physical Address of Event: n/a
Description of Event: Banner - Jackson Hole High School celebrates local veterans
Grand Opening Yes ☒ No ☐

EVENT SPONSOR/APPLICANT: Name:

Mailing Address: PO Box 568/ 1910 High School Road Phone: 307 732 3709
Jackson, WY ZIP: 83001
E-mail: mtisi@tcsd.org Non-Profit: ☒ For Profit: ☐

TEMPORARY BANNER LOCATION: Consent from Property Owner Required

Business/Description: <u>Albertson's</u>	Business/Description: _____
Physical Address: <u>105 Buffalo Way</u> Dates of _____	Physical Address: _____
Dates of Display: <u>11 /3- 11 /15</u>	Dates of Display: _____
Consent from Owner Obtained? Yes ☒ No ☐	Consent from Owner Obtained? Yes _____ No _____
Business/Description: _____	Business/Description: _____
Physical Address: _____	Physical Address: _____
Dates of Display: _____	Dates of Display: _____
Consent from Owner Obtained? Yes _____ No _____	Consent from Owner Obtained? Yes _____ No _____

SUBMITTAL REQUIREMENTS. Have you attached the following? Please answer accordingly.

Yes ☒ No ☐ Illustration of each proposed sign that includes dimensions, colors, materials and type of sign.
Yes ☐ No ☒ Installation specifications, and any structural details or specifications required for freestanding signs.

Under penalty of perjury, I hereby certify that I have read this application and state that, to the best of my knowledge, all information submitted in this request is true and correct. I agree to comply with all county and state laws relating to the subject matter of this application, and hereby authorize representatives of the Town of Jackson to enter upon the above-mentioned property during normal business hours, after making a reasonable effort to contact the owner/applicant prior to entering.

Signature of Authorized Event Applicant

Mary K Tisi

Applicant Name Printed

9/16/2020

Date

Registrar/Community

Title

A 60' X 90' banner made by Exposure Signs.

The Jackson Hole High School name and logo will be on the banner. The theme on the banner will relate to "Jackson Hole High School Honors Our Local Veterans - Thank You For Your Service". There will be photos of veterans from our past year celebrations held at JHHS which cannot be the case this year due to the health crisis. The logos from the various armed forces will be displayed as well.

STAFF REPORT



Meeting Date:	November 2, 2020	Meeting Title:	Regular Meeting
Submitting Department:	Joint Housing	Presenter:	April Norton
Agenda Item:	Amendment to Westview Townhomes Deed Restrictions	Public Comment:	Yes.

Purpose & Policy Considerations.

Council will consider amending the Workforce Ownership deed restriction for Westview Townhomes to include ownership by an employer who will then be required to rent to a Qualified Household who meets the requirements of the Workforce Program (full-time employment, earns 75% of household income locally, no ownership of residential real estate within 150 miles).

Requested Action.

Consider request and either approve or deny.

Recommendations.

Staff recommends approving the proposed Employer-Owned Workforce Rental restriction. Staff further recommends allowing Red Roots (Developer) to record the Employer-Owned Workforce Rental restriction on up to eight units.

Background.

On October 16, 2016, Council approved Westview Townhomes, a residential development consisting of 20 townhomes located at 1255 West Highway 22. The housing requirement at the time was for four of the units to be restricted Affordable housing, but the applicant proposed restricting 16 units with a unique type of “master lease” Workforce Rental Restriction that allowed local employers to master lease the units and then sublease the units to their qualifying employees.

On December 17, 2018, Council approved an Amendment to the Development Plan for Westview Townhomes to change the Special Restriction from the Master Lease Restriction to the Workforce Rental and/or Workforce Ownership Restrictions that were approved by the Council and Board on November 5, 2018.

On June 17, 2019, Council approved changes to the restriction that allowed 1) the developer to be an owner of the units until the units are sold to a Qualified Household, 2) including construction lenders as “Qualified Mortgagees” to allow for financing where a construction loan is rolled into a long-term mortgage, and 3) allowing financing up to 100% loan-to-value. All of these changes have been incorporated into the current Workforce Ownership restriction template.

Today, Red Roots (Developer) asks Council to consider allowing up to eight of the 16 units to be sold with “Employer-Owned Workforce Rental Housing” restrictions, thus allowing a Local Business to purchase the unit and then requiring that business to rent the unit to a Qualified Household. Local Business is defined in the restriction as follows:

“Local Business” means (1) a business physically located within Teton County, Wyoming, holding a business license with the Town of Jackson, Wyoming or Teton County, Wyoming or one that can provide other verification of business status physically located in Teton County, Wyoming, and (2) the business serves clients or customers who are physically located in Teton County, Wyoming, and (3) the employees/owners must work in Teton County, Wyoming to perform their job.

Or

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.

This definition matches the definition in the Housing Rules and Regulations.

Analysis.

Key Question One: What is the difference between the Workforce Ownership, Workforce Rental, and proposed Employer-Owned Workforce Rental Housing restrictions?

- Existing Workforce Ownership Restriction:
 - Must sell the home to a Qualified Household – one person must work full-time for a local business, household must earn 75% of their income locally, household may not own residential real estate within 150 miles of Teton County, Wyoming, household must requalify annually.
 - Owner may occupy the unit
 - At resale, the Housing Department will sell the unit. Annual appreciation is CPI capped at 3%.
- Existing Workforce Rental Restriction:
 - May not be owner-occupied.
 - Owner is required to rent to a Qualified Household – one person must work full-time for a local business, household must earn 75% of their income locally, household may not own residential real estate within 150 miles of Teton County, Wyoming, household must requalify annually.
 - Lease terms are a minimum of six months with no maximum rent cap.
 - At resale, the owner may sell the unit themselves. There is no price appreciation cap.
- Proposed Employer-Owned Workforce Rental Restriction:
 - May not be owner-occupied.
 - Must sell the home to a Local Business.
 - Owner is required to rent to a Qualified Household – one person must work full-time for a local business, household must earn 75% of their income locally, household may not own residential real estate within 150 miles of Teton County, Wyoming, household must requalify annually.
 - Lease terms are a minimum of six months with no maximum rent cap.
 - Up to eight of these restrictions may be recorded at Westview Townhomes.
 - A business may not own more than one unit within the development.
 - At resale, the Housing Department will sell the unit. Annual appreciation is CPI capped at 3%.

Key Question Two: How will the new restriction impact who lives in the homes?

Maintaining the Workforce Ownership restriction on all 16 units ensures that a member of the local workforce owns and lives in the home. It does not tie one's living situation to his/her employment. Allowing up to eight of these units to sell to Local Businesses who then must rent to a Qualified Household also ensures that a member of the local workforce lives in the home. However, it does tie one's living situation to his/her employment.

From a supply perspective, both restrictions ensure that a Qualified Household lives in the home.

Comprehensive Plan & Priority Alignment.

Comprehensive Plan Policy:

- Emphasize a variety of housing types. 3.2.d
- House at least 65% of the workforce locally. 5.1.a
- Provide a variety of housing options. 5.2.a
- Create workforce housing to address remaining shortages. 5.3.c

Housing Action Plan Initiative:

- Allow for supply of workforce housing by removing barriers. 5A

Fiscal Impact.

With any of the proposed restrictions there will be no immediate impact to the Town or Housing Department. Upon resale of the Workforce Ownership or proposed Employer-Owned Workforce Rental units, the Housing Department will receive a 2% facilitation fee.

Staff Impact.

With any of the proposed restrictions, Housing Department staff will conduct annual compliance on the units. Upon resale with the Workforce Ownership and proposed Employer-Owned Workforce Rental units, the Housing Department will facilitate the sale of the home.

Attachments or Links.

- [Workforce Ownership Restriction](#) (link)
- [Workforce Rental Restriction](#) (link)
- Proposed Employer-Owned Workforce Rental Restriction (attachment)

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

I move to approve the proposed Employer-Owned Workforce Rental restriction. I further move to allow Red Roots to record the Employer-Owned Workforce Rental restriction on up to eight units.

**Special Restrictions
For Employer-Owned Workforce Rental Housing**

Located at
1255 West Highway 22, Town of Jackson Wyoming

These Special Restrictions for Employer-Owned Workforce Rental Housing ("Special Restrictions") are made this ____ day of _____, 20__ (the "Effective Date"), by the undersigned Owner ("Owner") and the Town of Jackson, Wyoming.

RECITALS:

WHEREAS, Owner holds fee ownership interest in that certain real property, located in the Town of Jackson, Wyoming, and more specifically described as follows:

Insert legal description of property

PIDN: [insert PIDN number ("Land")]

WHEREAS, as a condition of its approval for _____ (collectively, "Approval"), Owner was required to provide and restrict as follows:

Owner developed property addressed as 1255 West Highway 22, Jackson, Wyoming 83001 for a 23,040 square foot residential development with 16 deed-restricted units. This development generated the obligation to provide Workforce Housing in accordance with the Approval. Owner is restricting:

- Unit _____, with _____ number of bedrooms.
- Unit _____, with _____ number of bedrooms.
- Unit _____, with _____ number of bedrooms. (hereinafter "Residential Unit" or Residential Units").

WHEREAS, the Jackson Town Council and Teton County Board of County Commissioners resolved to form the Jackson/Teton County Housing Authority, a duly constituted housing authority pursuant to W.S. §15-10-116, as amended, and its successors or assigns, known as the Jackson/Teton County Housing Authority ("JTCHA");

WHEREAS, the Jackson Town Council and Teton County Board of County Commissioners further resolved to create the Jackson/Teton County Affordable Housing Department ("Housing Department") who are employees of Teton County and agents acting on behalf of the JTCHA, empowered to enforce these Special Restrictions;

WHEREAS, the Owner is also the developer of the Residential Unit. As a condition of the Approval, the Owner is required to record these Special Restrictions after construction of the Units, after recordation of the Plat and prior to issuance of a Certificate of Occupancy for the Residential Unit. While Owner desires to sell the Residential Unit in accordance with the terms and conditions contained herein, the Owner may still hold title to the Residential Unit at the time these Special Restrictions are filed. To be clear, when used in these Special Restrictions, the term "Owner" shall refer to the Owner signing these Special Restrictions or a lender succeeding by virtue of foreclosure to these restrictions and the term "owner" shall refer to any owner who owns the Residential Unit subsequent to the Owner.

WHEREAS, in furtherance of the goals, objectives, requirements and conditions of Approval, and consistent with the Town of Jackson’s goal of providing decent, safe and sanitary housing to qualified employees working in Teton County, Wyoming, that is affordable, Owner agrees to restrict the use and occupancy of the Residential Unit to a “Qualified Household,” which meets employment, income and asset ownership qualifications as set forth herein and as further defined in the Jackson/Teton County Housing Department Rules and Regulations;

WHEREAS, Owner desires to adopt these Special Restrictions and declare that the Residential Unit and Land shall be held, sold, and conveyed in perpetuity subject to these Special Restrictions, which Special Restrictions shall be in addition to all other covenants, conditions or restrictions of record affecting the Residential Unit and Land, and shall be enforceable by Housing Department and the Town of Jackson, Wyoming; and

WHEREAS, Special Restrictions for Workforce Ownership Housing were recorded against the Residential Unit on _____, _____ as Document Number _____ (“Prior Special Restrictions”). These Special Restrictions shall supplant, amend, supersede, and replace in its entirety the Prior Special Restrictions.

RESTRICTIONS:

NOW THEREFORE, in satisfaction of the conditions in the Approval, and in further consideration of the foregoing Recitals, which are by this reference incorporated herein, Owner hereby declares, covenants and agrees for itself and each and every person acquiring ownership of the Residential Unit, that the Land and each Residential Unit shall be owned, used, occupied, developed, transferred and conveyed subject to the following Special Restrictions in perpetuity.

SECTION 1. JACKSON/TETON COUNTY HOUSING DEPARTMENT RULES AND REGULATIONS. References made herein to the “Rules and Regulations” are references to the written policies, procedures and guidelines of the Housing Department, as the same may be amended, modified, or updated from time to time and which policies, procedures and guidelines are on file with the Housing Department or otherwise with the Town of Jackson, or if there are no such written policies, procedures or guidelines (or a written policy, procedure or guideline with respect to a specific matter) then the reference shall be to the current applied policy or policies of the Housing Department or its successor. Procedural and administrative matters not otherwise addressed in these Special Restrictions shall be as set forth in the Rules and Regulations. In the case of a conflict between these Special Restrictions and the Rules and Regulations, these Special Restrictions shall apply.

These Special Restrictions supplant, amend, supersede, and replace in its entirety the Prior Special Restrictions.

SECTION 2. OWNERSHIP BY QUALIFIED HOUSEHOLD.

- A. Qualified Household. The use and occupancy of the Residential Unit shall be limited to natural persons who meet the definition of a Qualified Household for Workforce Housing, as set forth below and as may be further detailed in the Rules and Regulations (“Qualified Household”).

Ownership of a Residential Unit shall also be limited to a Qualified Household, unless otherwise provided in this section with regard to the Owner or a Local Business. Notwithstanding the foregoing, it is understood and acknowledged by the parties that upon recordation of these Special Restrictions the Owner may still hold title to the Residential Unit. If Owner still holds title to the Residential Unit at the time the Special Restrictions are recorded, the Owner is not required to be a Qualified Household. However, Owner understands and acknowledges that it is required to use commercially reasonable efforts to sell the Residential Unit to a Qualified Household in accordance with the terms and conditions contained herein within three (3) years from the date a certificate of occupancy is issued on a Residential Unit. For any entity which is deemed a Qualified Mortgagee under Section 10(a) herein, that entity shall be entitled to an additional two (2) years from the recordation of a foreclosure deed to sell the Residential Unit to a Qualified Household. If the Owner rents the Residential Unit to a tenant prior to Initial Sale (as defined herein), the tenant must be a Qualified Household.

It is further understood and acknowledged that up to 8 Residential Units within the Westview Condominiums project ("Project") may be owned by a "Local Business", as defined herein. While a Local Business is not required to be a Qualified Household, use and occupancy of any Residential Unit owned by a Local Business shall only be by a Qualified Household. The Residential Unit encumbered by this Special Restriction is one of 8 such units, and may be owned by a "Local Business." The Residential Unit shall only be rented and occupied, however, by natural persons who are a "Qualified Household."

If requested by the JTCHA or Jackson/Teton County Housing Department, an authorized representative of the condominium association or the Declarant, if Declarant still maintains control over the Project, shall provide written confirmation to the Housing Department of the number of Residential Units within the Project that are owned by a Local Business. If, with the recordation of these Special Restrictions, there will be 8 or fewer Residential Units in the Project owned by a "Local Business", Teton County and the Housing Department shall execute these Special Restrictions.

- 1) Employment Requirement. At least one (1) member of the Qualified Household must maintain an average of thirty (30) hours per week employment on an annual basis, or a minimum of one thousand five hundred and sixty hours (1,560) per year, for a Local Business.

A.) A "Local Business" means (1) a business physically located within Teton County, Wyoming, holding a business license with the Town of Jackson, Wyoming or Teton County, Wyoming or one that can provide other verification of business status physically located in Teton County, Wyoming, and (2) the business serves clients or customers who are physically located in Teton County, Wyoming, and (3) the employees/owners must work in Teton County, Wyoming to perform their job.

Or

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.

- 2) Income Requirement: The entire Qualified Household must earn at least seventy-five percent (75%) of the Household's income from a Local Business, as defined above.
 - 3) No Teton County Residential Real Estate. No member of the Qualified Household may own or have any interest (whether individually, in trust, or through an entity including without limitation a partnership, limited partnership, limited liability company, corporation, association, or the like) in whole or in part in any other residential real estate within one hundred and fifty (150) miles of Teton County, Wyoming at any time during occupancy of the Residential Unit.
 - 4) Determination by the Housing Department. The Housing Department shall determine whether a prospective occupant is a Qualified Household. In addition to any requirements set forth in the Rules and Regulations, such determinations shall be based upon written applications, representations, information and verification as are deemed by the Housing Department to be necessary to establish and substantiate eligibility.
 - 5) Continuing Obligation to Remain a Qualified Household. Households residing in the Residential Unit shall satisfy the definition of a Qualified Household at all times during occupancy of the Residential Unit.
- B. No Legal Action. No owner of the Residential Unit, prospective purchaser of the Residential Unit, Tenant, renter or occupant, or other party shall have the right to sue or bring other legal process against the Town of Jackson or Teton County, Wyoming or the Housing Department, or any person affiliated with the Town of Jackson or Teton County, Wyoming or the Housing Department arising out of these Special Restrictions, and neither shall the Town of Jackson or Teton County, Wyoming or the Housing Department have any liability to any person aggrieved by the decision of insert the Town of Jackson or Teton County, Wyoming or the Housing Department regarding qualification of a Qualified Household or any other matter relating to these Special Restrictions.
- C. Ownership by Housing Department. Notwithstanding the foregoing, the Housing Department may purchase and own the Residential Unit.

SECTION 3. RESTRICTIONS ON OCCUPANCY, IMPROVEMENT AND USE OF RESIDENTIAL UNIT. The provisions contained in this Section apply before and after the Initial Sale of the Residential Unit. "Initial Sale" is defined in these Special Restrictions to be the sale of the Residential Unit from the Owner to a purchaser who shall subsequently become an 'owner'. While Owner is not a Qualified Household, if the Owner rents the Residential Unit to a tenant prior to Initial Sale, the tenant must be a Qualified Household. In addition to any restrictions included in the Rules and Regulations, occupancy and use of the Residential Unit shall be restricted as follows:

A. Occupancy.

- 1) Occupancy by Qualified Household. The Residential Unit may only be occupied by a Qualified Household, shall be such Qualified Household's sole and exclusive primary residence, and each Qualified Household occupying the Residential Unit shall physically reside therein on a full-time basis, at least ten (10) months out of each calendar year. Except for permitted guests, no person other than those comprising the Qualified Household may occupy the Unit, provided that such

requirement does not violate federal or state fair housing laws.

2) Occupancy by Tenant. The Residential Unit occupied by a tenant shall be the Qualified Household's sole and exclusive primary residence, and each tenant of a Residential Unit shall physically reside therein on a full-time basis, at least eighty percent (80%) of the term of the lease. Except for permitted guests, no persons other than the members of the Qualified Household may occupy the Residential Unit. Only members of the Qualified Household may occupy a Residential Unit.

- B. Business Activity. No business activities shall occur in a Residential Unit, other than a home occupation use that is allowed by applicable zoning and properly permitted.
- C. Guests. No persons other than those comprising the Qualified Household shall be permitted to occupy the Residential Unit for periods in excess of thirty (30) cumulative days per calendar year.
- D. Renting. Owner or an owner may rent the Residential Unit to a Qualified Household after verification and qualification of eligibility by the Housing Department.
- E. Rental Term. The Residential Unit shall be offered for rent in periods of not less than six (6) months.
- F. Vacancies. The Residential Unit may be vacant intermittently between tenancies to allow for proper advertisement and verification for Qualified Households and reasonable maintenance. However, a Residential Unit shall not be vacant for a period greater than sixty (60) days, unless authorized by the Housing Department. If any Residential Unit remains vacant for more than sixty (60) days without approval, the Housing Department has the right, but not the obligation, to identify a Qualified Household to rent the Residential Unit.
- G. Maintenance. Owner or an owner shall take good care of the interior of the Residential Unit and all other aspects of the Residential Unit not otherwise maintained by a homeowner's association and shall make all repairs and maintain the Residential Unit in a safe, sound, habitable, and good condition and state of repair. In case of damage to the Residential Unit, Owner or an owner shall repair the damage or replace or restore any destroyed parts of the Residential Unit, as speedily as practical.
- H. Capital Improvements. Owner or an owner may only undertake capital improvements to the Residential Unit in accordance with the policies set forth in the Rules and Regulations, which policies may include but are not limited to, a limitation on the valuation of such improvements at Resale, requirements regarding the advance written approval of such improvements, and documentation of proposed and completed improvements.
- I. Insurance. Owner or an owner shall keep the Residential Unit continuously insured against "all risks" of physical loss (not otherwise covered by a homeowner's association insurance), for the full replacement value of the Residential Unit.
- J. Compliance with Laws, Declaration. The Residential Unit shall be occupied in full compliance with these Special Restrictions and the Rules and Regulations, along with all laws, statutes, codes, rules, or regulations, covenants, conditions and restrictions, and all supplements and amendments thereto, and any other rules and regulations of any applicable homeowner's association, as the same may be adopted from time to time.

K. Periodic Reporting, Inspection. In order to confirm compliance with these Special Restrictions, the Rules and Regulations and other covenants, regulations, ordinances, or rules governing the ownership, occupancy, use, development or transfer of a Residential Unit, an Owner or owner shall comply, and shall cause all occupants to comply, with any reporting or inspection requirements as set forth herein and as may be required by the Housing Department from time to time. Upon reasonable notice to an Owner or owner, the Housing Department shall have the right to inspect the Residential Unit from time to time to determine compliance with these Special Restrictions and to review the written records required to be maintained by an Owner or owner. An Owner or owner shall maintain such records for a period of two (2) years.

SECTION 4. TRANSFER LIMITATIONS. Residential Unit(s) may only be sold in accordance with Sections 5, 6 and 7 below or transferred in accordance herewith as follows:

A. Divorce. The provisions contained in this Section apply only after the Initial Sale of the Residential Unit. In the event of the divorce of an owner, the Housing Department may consent to the transfer of the Residential Unit to the spouse of such owner, which spouse may not otherwise qualify as a Qualified Household, only upon receipt of an order issued by a Court of competent jurisdiction ordering such transfer.

B. Death. The provisions contained in this Section apply only after the Initial Sale of the Residential Unit. In the event of the death of an owner, the Housing Department may consent to the transfer of the Residential Unit to an heir or devisee of such deceased owner, which heir or devisee may not otherwise qualify as a Qualified Household, only upon receipt of an order issued by a Court of competent jurisdiction ordering such transfer.

C. Nonqualified Transferee. If title to the Residential Unit vests in a Nonqualified Transferee, as defined in the Rules and Regulations, the Residential Unit shall immediately be listed for sale in accordance with these Special Restrictions and the Rules and Regulations, or in the alternative, the Housing Department may exercise its option herein to purchase the Residential Unit. The following shall apply when the Housing Department determines there is a Nonqualified Transferee:

- 1) The Housing Department shall provide the Nonqualified Transferee a reasonable period within which to qualify as a Qualified Household.
- 2) If the Nonqualified Transferee does not qualify as a Qualified Household within such reasonable period, he or she shall cooperate with the Housing Department to effect the sale, conveyance or transfer of the Residential Unit to a Qualified Household and shall execute any and all documents necessary to such sale, conveyance or transfer.
- 3) A Nonqualified Transferee shall comply with these Special Restrictions, the Rules and Regulations, the Declaration, zoning and all Laws governing the ownership, occupancy, use, development or transfer of the Residential Unit, and further may only occupy the Residential Unit with the prior written consent of the Housing Department

SECTION 5. INITIAL SALE OF THE RESIDENTIAL UNIT. At Initial Sale, the Residential Unit may only be sold to a Qualified Household or Local Business at a purchase price as Owner and prospective buyer may determine and subject to these Special Restrictions. After Owner and a prospective buyer enter into a purchase agreement for the purchase and sale of the Unit and at least thirty (30) days prior to purported closing of the purchase and sale, the prospective buyer shall provide such information as may be

required by the Housing Department for it to determine if the prospective buyer is a Qualified Household or Local Business. If the prospective buyer does not qualify as a Qualified Household or Local Business, such buyer may not purchase the Unit. At all subsequent sales, the Housing Department will conduct a Weighted Drawing to identify a buyer.

SECTION 6. RESALE OF RESIDENTIAL UNIT. For the purposes of this Agreement, “Resale” shall mean all sales subsequent to the Initial Sale. At Resale, an owner desiring to sell a Residential Unit shall give written notice to the Housing Department of such desire (the “Notice to Sell”), and after receipt of such notice, the Housing Department shall determine the “Maximum Resale Price,” as provided herein and in accordance with the Rules and Regulations. Upon the Housing Department’s determination of the Maximum Resale Price, the Resale of the Residential Unit shall be facilitated by the Housing Department and shall be completed in accordance with the procedure set forth in the Rules and Regulations, which procedure may include, without limitation: a fee (not to exceed two percent (2%)) of the Maximum Resale Price paid to the Housing Department for such facilitation; requirements regarding listing the Residential Unit with the Housing Department and/or a licensed real estate agent, as the Housing Department may direct; standard terms for the sales contract; and procedure for the selection of the purchaser (which selection procedure may include a weighted drawing process). Any such Resale of a Residential Unit shall be subject to these Special Restrictions. Each purchaser of a Residential Unit shall execute a Buyer’s Acknowledgment of Special Restrictions and Option, on a form to be provided by the Housing Department. Notwithstanding the foregoing, upon receipt of notice from an owner of such owner’s desire to sell a Residential Unit, the Housing Department may purchase such Residential Unit. So long as such owner is not otherwise in default as defined herein, the purchase price in such case shall be the Maximum Resale Price as calculated below and subject to adjustment as provided herein. If an owner is in default, other provisions of these Special Restrictions may apply in determining the purchase price.

SECTION 7. MAXIMUM RESALE PRICE. This Section shall apply only to a Resale of the Residential Unit. To further the Town of Jackson’s goal of providing affordable housing, after the Initial Sale, a Residential Unit may not be sold for a purchase price in excess of the “Maximum Resale Price.” The Maximum Resale Price is the current owner’s purchase price plus an increase in price of the Denver-Boulder-Greeley CPI (if such ceases to exist then a comparable CPI Index as determined in the sole discretion of the Housing Department) or three percent (3%), whichever is lower, per year of ownership compounded annually, plus the depreciated cost of pre-approved or government-required capital improvements, plus any other costs allowed by the Housing Department, less any required maintenance and/or repair adjustment, all as more fully described in the Rules and Regulations. Notwithstanding the determination of the Maximum Resale Price, the actual sales proceeds delivered to a selling owner may be reduced to account for restoration or repair of a Residential Unit (including without limitation, replacement of carpets, painting, roof repair, siding maintenance/replacement, etc.) determined necessary in the Housing Department’s sole and absolute discretion. Finally, to ensure that the Resale price of any Residential Unit is limited to the Maximum Resale Price, no purchaser of a Residential Unit shall assume any obligation of a selling owner, nor shall such purchaser pay or provide to a selling owner any other form of consideration in connection with the sale of the Residential Unit. The calculation of the Maximum Resale Price, as made by the Housing Department, shall be final and binding on all parties.

NOTHING HEREIN SHALL BE CONSTRUED TO CONSTITUTE A REPRESENTATION OR GUARANTY THAT UPON THE RESALE OF A RESIDENTIAL UNIT, AN OWNER SHALL OBTAIN THE ENTIRE MAXIMUM RESALE PRICE.

SECTION 8. DEFAULT. Each of the following shall be considered a default ("Default") subsequent to notice and opportunity cure that is consistent with the Rules and Regulations:

- A. A violation of any term of these Special Restrictions, the Rules and Regulations, the Declaration, or any laws affecting a Residential Unit.
- B. Vacancy of a Residential Unit for more than sixty (60) days continuously.
- C. Failure to pay or default of any other obligations due or to be performed with respect to a Residential Unit which failure to pay or default could result in a lien against a Residential Unit, including without limitation, homeowner dues, property taxes, payment required by a promissory note or mortgage purporting to affect a Residential Unit. An Owner or owner shall notify the Housing Department in writing of any notification received from any lender or third party of past due payments or default in payment or other obligations due or to be performed within five (5) calendar days of an Owner or owner's notification.
- D. If the Residential Unit is taken by execution or by other process of law, or if an Owner or owner is judicially declared insolvent according to law, or if any assignment is made of the property of an owner for the benefit of creditors, or if a receiver, trustee or other similar officer is appointed to take charge of any substantial part of the Residential Unit or an Owner or owner's property by a court of competent jurisdiction.
- E. Fraud or misrepresentation by purchaser, the Owner, a subsequent owner and/or occupant in the provision of an application, reporting requirement, inspection requirement or any other informational requirement to the Housing Department.

In the event the Housing Department believes there to be a Default, the Housing Manager, or a designee of the Housing Department, shall send written notice to Owner or the then current owner of such violation, the required action to cure and the timing for such cure. If Owner or owner disputes the Housing Department's decision, Owner or owner shall proceed in accordance with the Rules and Regulations.

SECTION 9. DEFAULT REMEDIES. In addition to any other remedies the Housing Department may have at law or equity, in the event of a Default, the Housing Department's remedies shall include, without limitation, as an exercise of its regulatory authority, the following:

A. Purchase Option.

- 1) The Housing Department shall have the option to purchase a Residential Unit for the lesser of the Maximum Resale Price, or the appraised value, subject to the restrictions of this Section and sections 6 and 7 herein ("Option"), with the appraisal being reasonably acceptable to both the Housing Department and the Qualified Lender. If the Option is exercised on a Residential Unit prior to Initial Sale and a loan described in Section 10(A)(1) is outstanding, the purchase price for the Option shall be the outstanding principal, accrued interest and reasonable costs of such loan, regardless of any other provision of these Special Restrictions ("Purchase Price"). If the Owner has not completed the Initial Sale of all Residential Units and the Housing Department exercises the Option against some of the remaining Residential Units (those which have not had an Initial Sale), the Option Purchase Price shall be prorated. In such event, the formula for establishing the Housing Authority's Purchase Price shall be Purchase Price multiplied by [# of units to which Option

is exercised / (total built - # of Initial Sales)]. By way of example only, if 16 Residential Units are built and 4 have Initial Sales and the Housing Department exercises the Option on 6 units, the formula would be: Purchase Price x $[6/(16-4)]$...Purchase Price x .50.

2) If the Housing Department desires to exercise its Option, the Housing Department shall provide written notice to Owner or owner of such election. Such notice shall include the purchase price and the timing for the closing of the purchase. The Option must be exercised within ninety (90) days from receipt of a notification of borrower Default or the property foreclosure.

B. Forced Resale. The Housing Department may require an owner to sell the Residential Unit in accordance with the Resale procedures set forth in these Special Restrictions and the Rules and Regulations. Such sale shall be subject to these Special Restrictions.

C. Whether the Housing Department elects to exercise its Option or to force a sale in accordance herewith, all proceeds, unless otherwise required by statute, will be applied in the following order:

FIRST, to the payment of any unpaid taxes;

SECOND, to the payment of any Qualified Mortgage;

THIRD, to assessments, claims and liens on the Residential Unit (not including any mortgage or lien purportedly affecting the Residential Unit which is not a Qualified Mortgage);

FOURTH, to the payment of the closing costs and fees;

FIFTH, to the two percent (2%) facilitation fee to the Housing Department;

SIXTH, to the payment of any penalties assessed against Owner or owner by the Housing Department;

SEVENTH, to the repayment to the Housing Department of any monies advanced by it in connection with a mortgage or other debt with respect to a Residential Unit, or any other payment made on Owner or owner's behalf;

EIGHTH, to any repairs needed for the Residential Unit; and

NINTH, any remaining proceeds shall be paid to Owner or owner.

If there are insufficient proceeds to satisfy the foregoing, Owner or owner shall remain personally liable for such deficiency.

D. Appointment of Housing Department as Owner's Attorney-in-Fact. In the event the Housing Department exercises its Option or requires the Forced Resale, an owner hereby irrevocably appoints the then-serving Housing Manager as such owner's attorney-in-fact to effect any such purchase or sale on owner's behalf (including without limitation the right to cause an inspection of

the Residential Unit and make such repairs to the Residential Unit as the Housing Department may reasonably deem necessary), and to execute any and all deeds of conveyance or other instruments necessary to fully effect such purchase or sale and conveyance.

- E. Limitation on Appreciation at Resale. The Housing Department may fix the Maximum Resale Price of a defaulting owner's Residential Unit to the Maximum Resale Price for the Residential Unit as of the date of an owner's Default (or as of such date after the Default as the Housing Department may determine), and in such event, the Maximum Resale Price shall cease thereafter to increase.
- F. Equitable Relief. The Housing Department shall have the right of specific performance of these Special Restrictions and the Rules and Regulations, and the right to obtain from any court of competent jurisdiction a temporary restraining order, preliminary injunction and permanent injunction to obtain such performance. Any equitable relief provided for herein may be sought singly or in combination with such other remedies as the Housing Department may be entitled to, either pursuant to these Special Restrictions or under the laws of the State of Wyoming.
- G. Enforcement. The Housing Department may, for purposes of enforcing these Special Restrictions or the Rules and Regulations, seek enforcement through the Town or County Land Development Regulations, including but not limited to Division 8.9 Enforcement.

SECTION 10. QUALIFIED MORTGAGE.

- A. Only a mortgage which is a "Qualified Mortgage" shall be permitted to encumber a Residential Unit. A "Qualified Mortgage" is a mortgage that:
- 1) (i) Is the primary construction financing loan and mortgage for initial construction of the Residential Unit and related project, or any refinancing of such loan and mortgage, which have a maximum loan to value ratio of One Hundred percent (100%) as of the date the loan is made; or

(ii) Is an owner's mortgage and the principal amount of such mortgage at purchase does not exceed ninety-six and one half percent (96.5%) of the purchase price, and thereafter the principal amount of such mortgage, any refinanced mortgage and/or additional mortgages combined do not exceed ninety-five percent (95%) of the then current Maximum Resale Price as the same is determined by the Housing Department at the time or times any such mortgage purports to encumber the Residential Unit; and
 - 2) runs in favor of a "Qualified Mortgagee," defined as:
 - i. An "institutional lender" such as, but not limited to, a federal, state, or local housing finance agency, a bank (including savings and loan association or insured credit union), an insurance company, or any combination of the foregoing, the policies and procedures of which institutional lender are subject to direct governmental supervision; or
 - ii. A "community loan fund", or similar non-profit lender to housing projects for income-eligible persons (e.g., is not given to or acquired by any individual person); or
 - iii. A non-affiliated, legitimate, "finance company." In no event may such finance

company be an individual or any company that is affiliated with or has any affiliation with an Owner or owner or any family member of Owner or owner; or

- iv. JHTCA or Housing Department for any monies advanced by JHTCA or Housing Department in connection with a mortgage or other debt with respect to Residential Unit.
- v. the provider of a loan as described in Section 10(A)(1)(i).

B. Any mortgage, lien or other encumbrance executed or recorded against a Residential Unit that is not a Qualified Mortgage shall:

- 1) be deemed unsecured; and
- 2) only be a personal obligation of Owner or owner and shall not affect or burden, and shall not be enforceable against, such Residential Unit.

Additionally, the execution or recordation of such mortgage, lien or other encumbrance shall be deemed a default hereunder and the Housing Department may exercise any and all of its remedies hereunder or otherwise, including without limitation the right of the Housing Department to purchase and to force a sale.

C. In the event Owner or an owner fails to make timely payment owed or otherwise breaches any of the covenants or agreements made in connection with any mortgage, lien or other encumbrance purporting to affect the Residential Unit, including without limitation a Qualified Mortgage, fails to timely make any other payment required in connection with the Residential Unit, including without limitation homeowner association dues and fees, assessments, payments to contractors, materialmen, or other vendors for work undertaken for which a lien could be filed against the Residential Unit, the Housing Department shall have (in addition to the any other remedies) the right to:

- 1) Cure such default and assume the payments and other obligations of Owner. In such event, Owner or owner shall be in default of these Special Restrictions, and the Housing Department may exercise any and all of its remedies hereunder or otherwise, including without limitation its Option to purchase and its right to force a sale. In addition to such remedies, Owner or owner shall also be liable to the Housing Department for any amounts advanced.
- 2) Acquire the loan from the lender by paying the balance due together with accrued interest and reasonable costs, and the Housing Department shall thereafter have the right to foreclose upon the Residential Unit in accordance with the mortgage and other loan documents or take such other action as the Housing Department shall determine.
- 3) Purchase the Residential Unit at any foreclosure sale, and in such event, notwithstanding anything to the contrary herein, the Residential Unit shall remain subject to these Special Restrictions.

ANY LENDER BY ENTERING INTO A LOAN TRANSACTION WITH AN OWNER OF A RESIDENTIAL UNIT HEREBY CONSENTS TO THE FOREGOING AND ACKNOWLEDGES THAT ANY INTEREST ACQUIRED BY

VIRTUE OF ITS LIEN OR MORTGAGE SHALL BE SUBJECT AND SUBORDINATE TO THESE SPECIAL RESTRICTIONS.

SECTION 11. TERMINATION, AMENDMENT AND CORRECTION OF SPECIAL RESTRICTIONS.

A. Termination by the Town of Jackson. These Special Restrictions may be terminated after a determination by the Town of Jackson that these Special Restrictions are no longer consistent with the Town's goals for affordable housing.

B. Termination Resulting from Foreclosure by a Qualified Mortgagee. These Special Restrictions as applied to a Residential Unit may be terminated by a Qualified Mortgagee in the event of a lawful foreclosure of the Residential Unit by such Qualified Mortgagee, as follows:

1) The Qualified Mortgagee provided to the Housing Department copies of all notices of intent to foreclose and all other notices related to the foreclosure contemporaneously with its service of such notices upon an owner.

2) The Housing Department did not exercise its rights as provided in Section 10, Qualified Mortgage.

3) Termination may occur only after expiration of all applicable redemption periods and subsequent recordation of a Sheriff's Deed (or other transfer document as approved by the Housing Department in its sole and absolute discretion) conveying title to a purchaser, who is not (i) Owner or an owner, (ii) a member of the Qualified Household, (iii) a person affiliated with or related to Owner or owner or any member of the Qualified Household, or (iv) the Housing Department.

4) In the event of a foreclosure hereunder, the Qualified Mortgagee shall pay to the Housing Department all proceeds remaining, if any, after payment of the Qualified Mortgage loan amount, interest, penalties and fees, which proceeds would have been payable to Owner or owner of the foreclosed Residential Unit.

5) Notwithstanding the notice requirements to the Housing Department in this Section, if a Qualified Mortgagee has failed to provide the Housing Department copies of all notices of intent to foreclose and all notices related to the foreclosure contemporaneously with its service on an owner, such Qualified Mortgagee, prior to foreclosing on the Residential Unit, shall provide the Housing Department with notice of its intent to foreclose ("Mortgagee Notice to the Housing Department"). The Mortgagee Notice to the Housing Department shall include all information relevant to Owner's or an owner's default and the actions necessary to cure such default. The Housing Department shall have forty-five (45) days from the date of the Mortgagee Notice to the Housing Department to exercise its rights under Section 10, Qualified Mortgage. If the Housing Department fails to exercise its rights within such 45-day period, the Qualified Mortgagee may foreclose on the Residential Unit as provided herein.

Nothing herein shall limit or restrict Owner's or an owner's right of statutory redemption, in which event, if Owner or an owner redeems, these Special Restrictions shall remain in full force and effect.

C. Amendment. These Special Restrictions may be amended by a signed, written amendment executed by the Parties hereto and any subsequent owner of the Residential Unit, and recorded in the Teton County Clerk's Office against the title to the Land, in whole or in part, with the written consent of Owner or any subsequent owner of the Residential Unit and the Town of Jackson, Wyoming. To the extent any Qualified Mortgage is outstanding, any amendment shall require the consent of Qualified Mortgagees.

D. Correction. The Housing Department may unilaterally correct these Special Restrictions to address scrivener's errors, erroneous legal descriptions or typographical errors.

SECTION 12. SPECIAL RESTRICTIONS AS COVENANT. These Special Restrictions shall constitute covenants running with the Land and the Residential Unit, as a burden thereon, and shall be binding on all parties having any right, title, or interest in the Land, the Residential Unit, or any part thereof, their heirs, devisees, successors and assigns, and shall inure to the benefit of and shall be enforceable by JTCHA, the Housing Department and the Town of Jackson.

SECTION 13. NOTICES. All notices required to be served upon the parties to these Special Restrictions shall be transmitted by one of the following methods: hand delivery; prepaid overnight courier; or by postage paid certified mail, return receipt requested, at the address set forth below for said party; or at such other address as one party notifies the other in writing pursuant to this paragraph. Notice shall be effective when hand delivered, one (1) day after being deposited with an overnight courier or five (5) business days after being placed in the mail. Either party may change its address in the manner provided for giving notice.

To Housing Department

Jackson/Teton County Affordable Housing Department
P.O. Box 714 Jackson,
WY 83001

With a Copy to: insert the Town of Jackson or Teton County. insert the Town of Jackson or Teton County. Jackson, WY 83001.

To Owner

To the address of record in the Teton County Assessor/Clerk's office

SECTION 14. ATTORNEY'S FEES. In the event any party shall be required to retain counsel and file suit for the purpose of enforcing the terms and conditions of these Special Restrictions, the prevailing party shall be entitled to recover, in addition to any other relief recovered, a reasonable sum as determined by the court for attorney's fees and costs of litigation.

SECTION 15. CHOICE OF LAW, FORUM. These Special Restrictions and each and every related document, are to be governed by and construed in accordance with the laws of the State of Wyoming. The parties agree that the appropriate court in Teton County, Wyoming and/or the Ninth Judicial District for the State of Wyoming shall have sole and exclusive jurisdiction over any dispute, claim, or controversy which may arise involving these Special Restrictions or its subject matter. Owner or owner

by accepting a deed for the Land hereby submits to the personal jurisdiction of any such court in any action or proceeding arising out of or relating to this Special Restrictions.

SECTION 16. SEVERABILITY. Each provision of these Special Restrictions and any other related document shall be interpreted in such a manner as to be valid under applicable law; but, if any provision, or any portion thereof, of any of the foregoing shall be invalid or prohibited under said applicable law, such provision shall be deemed modified to the extent necessary and possible to render it valid and enforceable, or if such modification is not possible, such provision shall be ineffective to the extent of such invalidity or prohibition without invalidating the remaining provision(s) of such document.

SECTION 17. SECTION HEADINGS. Paragraph or section headings within these Special Restrictions are inserted solely for convenience or reference, and are not intended to, and shall not govern, limit or aid in the construction of any terms or provisions contained herein.

SECTION 18. WAIVER. No claim of waiver, consent or acquiescence with respect to any provision of these Special Restrictions shall be valid against any party hereto except on the basis of a written instrument executed by the parties to these Special Restrictions. However, the party for whose benefit a condition is inserted herein shall have the unilateral right to waive such condition.

SECTION 19. INDEMNIFICATION. Owner and any subsequent owner shall indemnify, defend, and hold the Housing Department and insert the Town of Jackson or Teton County, Wyoming, and each entity's directors, officers, agents and employees harmless against any and all loss, liability, claim, or cost (including reasonable attorneys' fees and expenses) for damage or injury to persons or property from any cause whatsoever on or about the Residential Unit, or for Owner's or an owner's breach of any provision of these Special Restrictions. Owner or owner waives any and all such claims against the Housing Department and insert the Town of Jackson or Teton County, Wyoming.

SECTION 20. SUCCESSORS AND ASSIGNS. These Special Restrictions shall be binding upon, and inure to the benefit of, the parties hereto and their respective successors, heirs, devisees, administrators and assigns.

SECTION 21. GOVERNMENTAL IMMUNITY. Neither insert the Town of Jackson or Teton County, Wyoming nor the Housing Department waives governmental immunity by executing these Special Restrictions and specifically retain immunity and all defenses available to them as government pursuant to Wyo. Stat. Ann. § 1-39-104(a) and any other applicable law.

IN WITNESS WHEREOF, the undersigned have executed this instrument as of the Effective Date.

Insert declarant's organization (corporation):

Insert name of signor, insert title of signor

STATE OF WYOMING)
) ss.

COUNTY OF TETON)

On the _____ day of , 20__, the foregoing instrument was acknowledged before me by
insert name of signor, as insert title of signor, of insert declarant's organization.

Witness my hand and official seal.

(Seal)

Notary Public My commission expires:

INSERT TOWN OF JACKSON OR TETON COUNTY BOARD OF COUNTY COMMISSIONERS

Click here to enter name of Mayor or Chair, insert Mayor or Chair

STATE OF WYOMING)
) ss.
COUNTY OF TETON)

On the _____ day of _____, 20__, the foregoing instrument was acknowledged
before me by Click here to enter name of Mayor or Chair as insert Mayor or Chair, of insert the Town of
Jackson or Teton County Board of County Commissioners, Wyoming.

Witness my hand and official seal.

(Seal)

Notary Public My commission expires:

Approved as to form:

JACKSON/TETON COUNTY AFFORDABLE HOUSING DEPARTMENT:

Insert name of Housing Manager, Housing Manager

STATE OF WYOMING)
) ss.
COUNTY OF TETON)

On the Click here to enter day. day of Click here to enter month., 20Click here to enter year, the
foregoing Special Restrictions for Affordable Housing was acknowledged before me by insert name of

Housing Manager as Housing Manager.

Witness my hand and official seal.

(Seal)

Notary Public

AFFIRMED

INSERT TOWN OF JACKSON OR TETON COUNTY BOARD OF COUNTY COMMISSIONERS:

Click here to enter name of Mayor or Chair, insert Mayor or Chair

ATTEST

Click here to enter name of Clerk, insert Town Clerk or County Clerk

STAFF REPORT



Meeting Date:	November 2, 2020	Meeting Title:	Regular
Submitting Department:	Public Works	Presenter:	Johnny Ziem
Agenda Item:	Proposed Water and Sewer Rate Structure	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of this item is to provide Council with the Draft Citizen Review Committee Final Recommendation Report for establishing future water and sewer rates for all customer classes:

1. To review and select alternative structures for one-time sewer and water capacity fees
2. To review and select alternative structures for both sewer and water rates
3. To determine a commencement date when an updated ordinance governing rates will take effect
4. Other as directed by Council

Requested Action.

For Council to provide direction and feedback on the proposed future water and sewer rates/and to direct staff to draft an updated ordinance for presentation at a future workshop.

Recommendations.

Staff recommends Council provide direction on the proposed sewer/water rate and capacity alternative structures, direction on a commencement date when the new rates shall take effect, and to direct staff to present a draft ordinance at a future workshop.

Background.

Workshop Meeting Recap

Council initially discussed the Rate and Capacity Study at the April 20th, 2020 Council Workshop, where staff presented information ([Rate Presentation](#)) focused on the preliminary financial model for the utility rate study and potential issuance of future debt service for a water capital project (Zone 3 Tank) and a timeline for all past utility rate updates. At the July 20, 2020 Council Workshop, staff presented the draft release of the Water and Sewer Capacity Study ([Capacity Presentation](#)) that built upon the initial financial model discussion by summarizing and articulating the current and future capacities for service delivery on the Town's water and sewer infrastructure, which also included an executive summary of the Systems Evaluation Report. For this workshop, Council will be presented the recommendation and draft final report from the Citizen Review Committee and our consultants: Raftelis and Nelson Engineering. At the October 19, 2020 Council Workshop, staff presented the recommended utility rates study ([Rate Recommendation Presentation](#)), including the CRC "Draft" Final Recommendations Report and the Stakeholder Feedback Summary. This item was ultimately tabled for further discussion on the October 19, 2020 Council Workshop for the below reasons:

- Council asked for time to digest the information
- Due to the lateness of the pre-recorded presentation, staff was unable to link it to the staff report at that time
- Councilman Schechter asked for one-on-one meeting with staff and our consultant to answer some specific questions related to the recommended rates
- Council asked for more information on commercial rates, including the possibility of entertaining a conservation pricing signal (fixed seasonal, fixed block tiered, etc.)

For this report, staff was successful in adding a hyperlink to the presentation video for the public to now view. Staff also set up a meeting with our consultant and Councilman Schechter on October 23, 2020 to provide additional detail for his questions. On the topic of applying a conservation pricing signal to the commercial customer class, staff has provided information to tee off the Council discussion below:

- The key concept behind implementing a tiered water rate system for residential users only is that this customer group has the most opportunity to curb or control their water usage
- Commercial customers have a more consistent and stable use of water that usually does not vary much, though in Jackson, there is some variation from peak winter to peak summer
- In terms of other municipality's commercial rate structures, staff has found many diverse approaches including: uniform rates, seasonal uniform rates, and tiered fixed block rates
- Some districts, such as the Eagle River Water and Sanitation District (Vail, CO), have implemented the use of a tiered commercial water rate system (2018) though this was not implemented at the same time as residential tiered rates due to the complexity, budget water usage development, and appropriate water-use allocation prescribed to each commercial customer

Stakeholder Perspective

Stakeholder involvement and consultation has been a critical element to the 2020 Water and Sewer Rate Study and the Town believes strongly that our community should have a voice in decisions that affect them. Therefore, as part of the rate study process, the Town of Jackson formed a volunteer Water and Wastewater Rates Citizen Review Committee (CRC) made up of a diverse group of stakeholders that represent water/sewer customers and stakeholders. The CRC worked together during the rate study to provide their input, guidance, and community perspective. The CRC's purpose was to review and examine current utility rates, with the ultimate goal of recommending a future utility rate structure that meets the study objectives that have been defined by the Town and stated in the CRC charter. Attached to this staff report is the CRC "Draft" Final Recommendations Report that supports key recommendations from the CRC concerning future utility rate structure options.

On June 30th, 2020, Town Staff hosted two community workshops on the topic of water and sewer rates. Both sessions had been promoted on the Town's website, through local media outlets, and were streamed live on the Town's website to facilitate participation by any individual who was not comfortable participating in person. (Note: Staff did experience some technical issues that impaired some people from commenting during the first meeting, but that was resolved for second meeting.) Further, Raftelis also designed a short online survey to gauge sentiment from the following stakeholder groups: in-town residential customers, out-of-town customers, and business/commercial customers. Attached to this staff report is the Stakeholder Feedback Summary that supports key findings from the workshop and online survey.

Analysis.

The below sections constitute three areas of input requested from Council: Capacity Fees, Volume Rates, and a Commencement Date. In each section, different alternatives are presented for further Council discussion and ultimately, Council selection. Additionally, the alternative that is supported by both staff and the CRC is referenced after each section.

1. Capacity Fees

Capacity Fees are one-time fees assessed to new and/or increased development to recover the cost of the facilities necessary to serve that development. They are commonly used by local governments across the country, including the Town of Jackson, to ensure that new development and redevelopment fund their proportional share of capacity fees necessary to serve them. To summarize guidance provided from the CRC, Capacity Fees should:

- A. Adequately recover costs that new development places on the utility systems
- B. Account for redevelopment of properties where square footage (and thus impact) increases while meter size remains the same.
- C. Not disincentivize the development of affordable housing.

Water Capacity Fees

- **Alternative 1:**
 - This alternative maintains size-based (depending on the size of the meter) fees for all customers and adjusts the fees to the new maximum supportable rate of \$2,793. The smallest meter (3/4 inch) sold by

the Town would then start at \$2,793 and each additional meter size becomes more expensive as they increase in size. This approach is currently employed by the Town and this alternative brings the fees to current.

- **Alternative 2:**

- This alternative establishes a separate assessment schedule for residential, including multi-family customer classes.
- This alternative includes a fee based on the number of bedrooms and provides an incremental fee increase for each additional bedroom. Further, this alternative also provides an additional fee representing the cost per square foot of landscaped area as required by the Land Development Regulations.
- This alternative also establishes a fee for Irrigation-Only Customers which is assessed per 1,000 square feet of landscaped area.
- All other non-residential customer types will be assessed a fee based on meter size (see Alt. 1)

Staff and CRC recommend Alternative #2 for Water Capacity Fees.

Sewer Capacity Fees

- **Alternative 1:**

- This alternative maintains the existing assessment categories for all customer types (as defined in our municipal code) and applies an updated unit cost of \$16.24 per gallon per day of assumed usage. This approach is currently employed by the Town and this alternative brings the fees to current.

- **Alternative 2:**

- This alternative mirrors the Water Capacity Alternative #2.
- This alternative establishes a separate assessment schedule for residential, including multi-family customer classes.
- This alternative includes a fee based on the number of bedrooms and provides an incremental fee increase for each additional bedroom.
- All other non-residential sewer customer types will be assessed a fee based on alternative 1.

Staff and CRC recommend Alternative #2 for Sewer Capacity Fees.

2. Cost of Service (Volume Rates)

Volume rates for both water and sewer are composed of a (1) base rate and (2) a charge for volume (per 1,000 gallons). The anomaly in this structure is 3 Creeks, which also has Capital Replacement Charge added to their base rate. Raftelis completed a cost of service analysis for a 2022 test-year which establishes the amount of revenue needed to cover expenditures. This analysis identified the cost to provide service to various customer classifications (e.g., single family, multi-family, commercial, etc.) for the Town's water and sewer utilities. To summarize guidance provided from the CRC, volume rates should:

- A. Minimize Customer Impacts: avoid inordinately large increases or decreases in customer bills during a single year.
- B. Rate Stability: minimize the need for dramatic rate changes over the planning period.
- C. Revenue Stability: generate stable and predictable revenues year to year.
- D. Affordability: provided mechanisms so that economically disadvantaged customers may continue to receive water and wastewater services.
- E. Cost of Service Based Allocations: recover revenue from each customer class equitably in proportion to the service demanded.
- F. Conservation/Demand Management: promote the efficient use of water.

Water Rates

- Alternative 1:
 - This alternative is currently how the Town assesses its current water rates.
 - This alternative provides for a base charge that increases by meter size without a minimum use of 2,000 gallons.
 - This alternative provides for a system-wide volume rate (per 1,000 gallons) for all customer types.
- Alternative 2:
 - This alternative provides for a base charge that increases by meter size with a minimum use of 2,000 gallons.
 - This alternative provides a conservation “pricing signal” and creates a uniform seasonal volume rate (per 1,000 gallons) for all customer types. The seasonal volume includes a winter rate and a higher summer rate for all water users.
- Alternative 3:
 - This alternative provides for a base charge that increases by meter size with a minimum use of 2,000 gallons.
 - This alternative provides a more robust conservation “pricing signal” and creates a tiered fixed block volume rate (per 1,000 gallons) for the residential customer class only.
 - This alternative provides for a uniform volume rate (per 1,000 gallons) for all other customer classes

Staff and CRC recommend Alternative #3 for Water Rates.

Sewer Rates

- Alternative 1:
 - This alternative is currently how the Town assesses its current sewer rates.
 - This alternative provides a base charge increasing by meter size without a minimum use of 2,000 gallons.
 - This alternative provides a system-wide volume rate (per 1,000 gallons).
 - Under this alternative, surcharges for excess-strength customers were updated and an increase of 9% for septage hauler rates is proposed.
- Alternative 2:
 - This alternative provides for a base charge increasing by meter size with a minimum use of 2,000 gallons.
 - This alternative provides for a system-wide volume rate per 1,000 gallons.
 - Under this alternative, surcharges for excess-strength customers were updated and an increase of 9% for septage hauler rates is proposed.

Staff and CRC recommend Alternative #2 for Sewer Rates.

3. Commencement Date for New Rate Structure

Once Council decides on the alternative structures for both capacity and volume utility rates, a commencement date will need to be discussed and decided upon. The commencement date is the date at which the new rates for both capacity and volume rates will take effect. Typically, adjusted rates have commenced on January 1 of a calendar year. Staff has discussed aligning this date to better reflect the start of any fiscal year. Though the CRC did not formally request a commencement date, an informal discussion was held around the current economic state triggered by COVID. In putting a commence date in context, it is good to understand how capacity fees are generated and why. As stated earlier, capacity fees are designed to recover costs new development and redevelopment place on the water and sewer systems. With new construction and development within the Town being above average, recovering the cost new development places on the Town’s utility systems becomes imperative in ensuring new development and redevelopment fund their proportional share of capacity fees necessary to serve them. Staff is recommending a commencement date of July 1, 2021, to align with the start of our fiscal year.

Alternatives (Optional).

Comprehensive Plan & Priority Alignment.

- Section 8: Quality Community Service Provision

Fiscal Impact.

Fiscal impact for any municipality that undergoes a comprehensive water and sewer rate study will impact all users of the utility system and the municipality. For new development and redevelopment, there will be a fiscal impact of increased fees for connecting to the Town's water and sewer systems. There will also be fiscal impacts to the volume rates which will include an update to the base rate charges and volume (per 1,000 gallon) fees associated with usage. Depending on the which alternative pricing structure the Council chooses, additional fiscal impacts would be realized for each alternative policy: winter vs. summer volume rates, fixed block tiered rate, etc. Additional fiscal impacts may be realized as well if Council desires a commercial tiered water rate system, due to amending the contract for additional services from Raftelis for further investigation and rate design alternatives. As calculated in the rate design, fiscal impacts to all users of the Town's system is directly reflective of the cost of service required for each customer class and level of service. There will also be fiscal impacts associated with any ordinances that must be passed as a result of amending the rates and the rate structure.

Staff Impact.

Staff has worked closely with both our consultants (Nelson Engineering and Raftelis) and the Citizen Review Committee since November of 2019. Staff held seven meetings with the CRC for approximately three hours each, resulting is roughly 21 hours of evening staff time. Staff impacts include:

- Numerous on-site meetings to evaluate current system designs and needs for both water and sewer utilities
- 10-year Capital Improvement Project evaluation, determination, and review
- Data acquisition for meter use/type, customer class history, usage, and anomalies
- 7 Citizen Review Committee meetings, including a tour of all water and sewer asset types
- Stakeholder outreach meetings and survey data collection
- Future impacts to both the Finance and IT departments for managing future rate changes and getting it on our website.

There will be a further staff impact if the Council chooses to implement a commercial tiered water rate system due to conducting a full water usage budget for each commercial customer tied to the Town's water system and providing additional assistance (meter data) to Raftelis.

Attachments or Links.

- Stakeholder Feedback Summary
- CRC "Draft" Final Recommendations Report

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

1. I move to approve Alternative #2 for updating the Town of Jackson Water and Sewer Capacity Fees.
2. I move to approve Alternative #3 for updating the Town of Jackson Water Volume Rates.
3. I move to approve Alternative #2 for updating the Town of Jackson Sewer Volume Rates.
4. I move to approve a commencement date for the Town of Jackson new rate structure beginning July 1, 2021, and direct staff to bring back a draft ordinance update at a future workshop meeting.

MEMO

To: Johnny Ziem, Assistant Public Works Director, Town of Jackson
Susan Scarlata, Ph.D., Community Engagement Specialist, Town of Jackson
From: Matt Wittern, Senior Consultant
Date: September 22, 2020
Re: Town of Jackson Water Rate Study – Stakeholder Feedback Summary

Overview:

Stakeholder involvement and consultation has been critical element of Raftelis' 2020 study of Water and Wastewater Fees for the Town of Jackson. In addition to a Citizen's Review Committee (CRC) that has met regularly and provided input and feedback to the study team from a variety of business, industry, customer and affordability advocates, Town Staff directed Raftelis to cast a wider net to collect and incorporate broader customer input.

To that end, Raftelis designed a short online survey instrument to gauge sentiment from the following stakeholder groups:

- In-town residential customers
- Out-of-town residential customers
- Business customers

The information gathered and summarized in this memorandum was considered by Raftelis when assembling rate structures to accommodate and address the unique challenges faced by the Town. We are confident that these rate structures we plan to propose to the CRC at our next meeting on September 29th will align closely with the preferences expressed by all stakeholders who have participated in the process.

Soliciting Feedback:

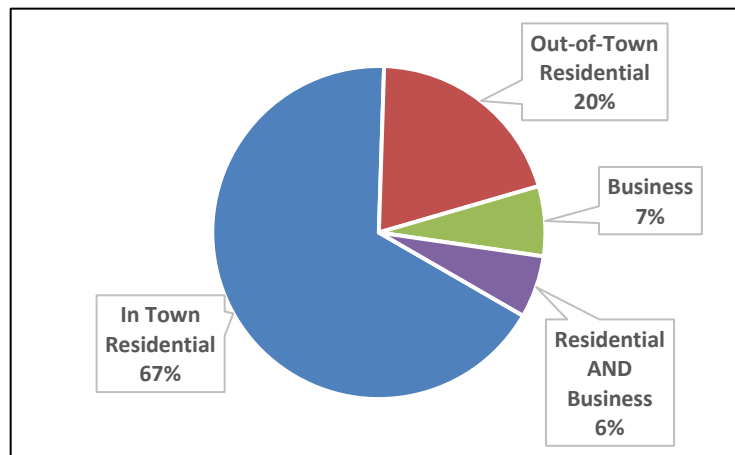
On June 30th, Town Staff hosted two community workshops on the topic of water and wastewater rates. Both sessions had been promoted on the City's website and through local media outlets. Both sessions were streamed live on the Town's website to facilitate participation by any individual who was not comfortable participating in person. Public comment – written and via an online survey – was collected at these workshops and has been incorporated into this memorandum.

A video recording of one workshop was published to the Town's website, along with a link to detailed materials and the online survey link. Town Staff continued to promote the availability of the recorded

workshop and encouraged community participation in the online survey through a variety of channels in the community.

The results of this hard work promoting this survey speak for themselves – it received a total of 265 responses, which, for a community the size of Jackson, is remarkable.

Respondent Breakdown:



Key Findings:

Consensus

Broad community agreement was found on two key foundational issues:

Finding #1: All stakeholders agreed that the top priority or second place priority should be funding infrastructure investments¹.

Ranking Statement: <i>"It is critical that we continue investments in our infrastructure to keep our system maintained and healthy.."</i>	
Stakeholder Group	Priority Rank – Lower number is higher priority
In-Town Residential	1
Out-of-Town Residential	1
Business	2
Residential AND Business	1

¹ While CRC feedback has generally supported infrastructure investment and ensuring impact fees cover costs that new development places on the system, they have not been asked to rank issues and concepts related to Findings 1 and 2.

Finding #2: When it comes to the topic of development impact fees – which are paid by developers or homebuilders to “buy-in” to the system – all stakeholders ranked highly the concept that new growth and development should not be subsidized by current system users.

<u>Ranking Statement:</u> “New growth and development should pay its own way.”	
Stakeholder Group	Priority Rank – Lower number is higher priority
In-Town Residential	2
Out-of-Town Residential	3
Business	1
Residential AND Business	2

Using Rate Design to Accomplish Policy Objectives

Across the country, the manner in which water and wastewater rates are calculated varies significantly based on a multitude of factors. Each utility and community are unique, have their own varied costs and cultures that value certain things over others. In some places, where water is plentiful, utilities often charge customers a uniform volumetric rate flat rate without regard for how much water is used. In other places, such as in the West where water is scarcer, conservation is often a higher priority. In this circumstance, customers are charged using a tiered volume rate; charging incrementally more for the higher volume of water used. The list and ways to achieve certain policy objectives is long.

Early in the rate study process for the Town of Jackson, Raftelis polled members of the CRC and Town Staff to get a sense of which objectives were most important to the community. These options were also posed to those who participated in the workshops and survey participants. Here is what we learned:

Finding #3: Most respondent groups ranked conservation as the top priority when it comes to rate design; Business and CRC dissented.

<u>Ranking Statement:</u> “Everyone should aid conservation efforts by paying more on their bills during times we use more water.”	
Stakeholder Group	Priority Rank – Lower number is higher priority
In-Town Residential	3
Out-of-Town Residential	2
Business	8
Residential AND Business	3
CRC	6

Finding #4: Respondent groups generally agreed that water and wastewater bills should be steady and predictable; this was the CRC's top priority.

<u>Ranking Statement:</u> “Rates should be designed and implemented to avoid inordinately large increases or decreases in customer bills during a single year.”	
Stakeholder Group	Priority Rank – Lower number is higher priority
In-Town Residential	5
Out-of-Town Residential	4
Business	5
Residential AND Business	4
CRC	1

Finding #5: The next two pricing objectives were tied among survey respondents; that rates should be affordable, especially for those on the lower end of the income scale, and that revenues should be stable and predictable to facilitate accurate planning by the Town.

<u>Ranking Statement:</u> “Rates should be designed such that there are mechanisms in place that allow for economically disadvantaged customers to continue receiving service.”	
Stakeholder Group	Priority Rank – Lower number is higher priority
In-Town Residential	6
Out-of-Town Residential	5
Business	3
Residential AND Business	7
CRC	4

<u>Ranking Statement:</u> “Rate should generate stable and predictable revenues from year to year.”	
Stakeholder Group	Priority Rank – Lower number is higher priority
In-Town Residential	4
Out-of-Town Residential	7
Business	4
Residential AND Business	6
CRC	3

Finding #6: Survey respondents seem more willing to accept more significant rate increases (or decreases) over the planning period, where the CRC listed avoidance of dramatic increases or decrease as their second-highest priority.

<u>Ranking Statement:</u> “Rate structures should minimize the need for dramatic rate increases and decreases over the planning period.”	
Stakeholder Group	Priority Rank – Lower number is higher priority
In-Town Residential	7
Out-of-Town Residential	6
Business	7
Residential AND Business	5
CRC	2

Finding #7: The lowest priority among survey respondents was to ensure all classes are paying their own way based on the costs associated with serving them; the CRC listed equitable distribution of costs in the lower half of its priorities, as well.

Ranking Statement: “Rates should ensure that each customer class is contributing equitably towards revenue requirements based upon the cost of providing service to each of the classes.”	
Stakeholder Group	Priority Rank – Lower number is higher priority
In-Town Residential	8
Out-of-Town Residential	8
Business	6
Residential AND Business	8
CRC	5

Qualitative Findings:

Survey respondents were asked to provide written feedback in addition to the information they provided in the ranking exercise. Some key themes emerged:

In-town residential customers were motivated to participate for a variety of reasons. Many responded because they were asked to, and they care about their water system. Many participated to have a voice in the bills that they pay, and so the Town can “make an informed decision about future water rates.” Some were concerned about the “escalating cost of living in Jackson as an essential worker.” Many expressed their desire to encourage water conservation, and some stated their opinion that water rates are too high, while others thought they are too low.

Comments Snapshot:

- Local rates are affordable and reasonable
- I’ve been being overcharged for water for 15 years
- They (rates) seem low
- Make us pay true costs
- We need to be mindful of conservation and misuse, especially with all the growth.
- Areas outside of town should pay more, and we should make sure capacity is there before new developments can tap in
- There should be a conservation incentive – the more you use, the more you should pay
- I can afford water – let’s make sure we make it affordable for everyone
- It is reasonable to have increases in rates if costs continue to rise
- Higher rates must be justified by engineering and financial studies
- Consider charging businesses more than residential, nonessential water use billed higher than essential

- We should meter and bill irrigation separately (and at a higher rate than basic consumer need)
- Rates should cover maintenance of adequate reserve accounts for asset replacement and maintenance
- The Town should adjust rates regularly – every three years or so – rather than putting it off and having to raise substantially
- Residential rates should be much lower than commercial / industrial
- A small home should not pay as much as those giant new homes
- Spending is out of hand; I'm retired and it is getting tough to stay in my long time home
- Set rates to generate adequate revenue to protect and restore our valley's water quality
- We should have tiered rates, hotels should pay a higher peak usage rate

Out-of-Town customers stated a variety of reasons for participating, including a desire to participate as part of their civic duty, an interest in fair rates, and broad concern about being overcharged compared to in-town customers.

Comments Snapshot:

- Water is very expensive – I see a huge increase in summer with irrigation
- Growth should be supported by new permits (impact or tap fees); inflation should be countered by cost increases. Everything else should be supported by approved actions like elections, but not through rate increases
- I'd like to see a structure that helps less economically advantaged people pay their water bills
- Tiered water rates are a fair way to charge
- I've been told not everyone pays the same rates, and that doesn't seem fair
- 3 Creek customers are unfairly charged a ridiculously high base while other users are not
- We should encourage conservation
- It should be more equitable – in-town vs. county
- It can appear to be politically expedient to make non-voters or part-time residents bare more of the burden, but the focus should be on fair water rates.
- I am told that the Classical Academy pays significantly less than their neighbors. This is a religious oriented school and to give them breaks seems to me to be in violation of separation of church and state.

Business customers responded to the survey because “water and sewer rate are very important to my business.” Another responded that as “a high-volume user, it is quite a bit of money.” Another suggested that “the town should stop wasting money on unnecessary stuff and pay attention to that which is necessary – like water.”

Comments Snapshot:

- Rates seem fair now, any increases should be communicated with detailed rationale
- Everyone should pay proportionately, even if some are financially able to pay more
- Those not living here year-round should still be paying year-round in some form or fashion
- I appreciate the good job the department does keeping everything going

Customers who identified as being both Business and Residential had consistent rationales for participating including seeing it as their civic duty, an interest in long-term stability of rates, and to oppose “outrageous rate increases.”

Comments Snapshot:

- Rates should increase exponentially for wasteful use
- Water is too cheap – people don’t think about it or how to conserve it
- Let’s make sure our delivery system is sufficient to meet our needs; we do not have a shortage in the Snake River Basin
- It is a resource – education and planning are the most important things to manage
- Rates are fair, new users should pay to be added to the system
- Treat free market and affordable housing developments the same



Citizen Review Committee Recommendation Report - DRAFT

Town of Jackson Water and Wastewater Rate Study

October 2020

Executive Summary

The Town of Jackson (Town) formally convened the Citizen Review Committee (CRC or the Committee) on January 21, 2020. The mission of the CRC is to ***assemble diverse perspectives that represent our community to evaluate and advise on the Town's water and wastewater rates and rate structures.***

The CRC has three overarching purposes:

1. Provide views that are representative of respective stakeholder groups
2. Provide input on rate structure options and associated customer impacts
3. Formulate a recommendation to the Town Council

CRC Composition

The CRC represents the constituency of the Town's customers and stakeholders including in-town and out-of-town residents, the business community and commercial users, environmental interests, and affordability advocates. CRC members include:

Michelle Anderson

Jackson Hole Airport

Mark Barron

High Country Linen Service

Ray Elser

Citizen

Guy Evans

Jackson Golf and Tennis

Jeff Golightly

Snow King

Jessica Jaubert

JH Working

Pat Lowham

Lowham Associates

Fernando Ramos

White Buffalo Club

John Wasson

Wilson Sewer Board

Bill Wotkyns

Flat Creek Water Improvement District

CRC Summary of Recommendations to Town of Jackson Town Council

During its final meeting on September 29, 2020, the CRC used a consensus-driven approach to arrive at the recommendations summarized below:

Capacity Fees



For water capacity fees, the CRC endorses an approach presented as Alternative Two, which:

- Updates fees to recover true costs development places on the system
- Maintains the Town's current methodology for calculating capacity fees for various non-residential customers by meter size
- Treats residential differently from other customer types
 - Fees based on number of bedrooms plus a fee per 1,000 square feet of landscaped area
- Adds ability for customers to obtain a tap for irrigation-only
 - Fee is per 1,000 square feet



For wastewater capacity fees, the CRC also endorses an approach presented as Alternative Two, which:

- Updates fees to recover true costs development places on the system
- Maintains the Town's current methodology for calculating capacity fees for common use types, adds new categories for common development types, water use assumptions updated to current standards
- Treats residential differently from other customer types
 - Fees based on number of bedrooms

Rate Structures



For water rates, the CRC was split in the first vote between what was presented as Alternatives Two and Three. While many said they could ultimately support either alternative, the CRC's desire to have its recommendations to Town Council align with that of Town Staff makes Alternative Three the preferred choice. In summary, it:

- Updates rates and fees to improve overall equity by reducing current subsidies being paid by some customer classes
- Recovers the Town's increased costs of providing water service
- Includes a monthly base charge that increases by meter size
- First 2,000 gallons per month (Tier 1) exempt from volumetric charges and included in base charge
- Encourages conservation by making residential water use in greater volumes – Tiers 2-4 – more and more expensive
- Establishes an irrigation-only customer class



For wastewater rates, the CRC endorsed what was presented as Alternative Two, which:

- Updates rates and fees to fully capture the Town's cost of providing wastewater service in-town, to 3 Creek, etc.
- Includes a monthly base charge that increases by meter size
- First 2,000 gallons per month exempt from volumetric charges
- Adds in-town volumetric rate per thousand gallons above 2,000

Report Background

Rate Studies – Purpose and Need

Rate studies are conducted as an industry best practice to ensure that a utility's financial health is maintained, and that the Town is setting a course toward meeting future financial obligations. The industry standard is to perform comprehensive rate studies every three to five years.

These studies:

- Perform a financial analysis on the utility's cash flow
- Analyze any outstanding debt
- Incorporate current and future capital improvement and maintenance needs
- Identify the cost of providing service for each customer type and group
- Recommend updates to how utilities charge for service and what utilities charge for service

Late last year, the Town hired Raftelis, an independent financial consultant specializing in water and wastewater rate and fee studies for communities and utilities across the country. Raftelis was charged with evaluating the Town's current rates and fees and designing a rate structure that:

- **Generates sufficient revenues** through rates and fees to fully and sustainably fund the annual requirements to support the Town's water and wastewater utility systems providing expected service levels.
- **Equitably recovers the cost of services**, which balances multiple objectives, in proportion to the impact of the service demands of a customer class and/or group of customers that may be practically administered by the Town.
- **Maintains affordable access** to essential water and sewer services while meeting other Town utility rate pricing objectives.

Objectives

The CRC and Raftelis were charged with achieving multiple objectives when assembling this recommendation to Town Council:

1. The resultant rates recommended by the study must be lawful.
2. The level of service to the mandated service area (i.e., those within Town limits) must remain high, while simultaneously fully recovering costs.
3. Competing needs, including state of good repair investments, climate resiliency, maintaining or enhancing the Town's level of service, promoting efficient resource use, and reinforcing potential future conservation programming, all must be balanced.

4. There must be equity among all customer classes, including those that exist both outside and inside the Town's limits, based on reasonably determined respective characteristics of service.
5. The recommended rate result must ensure rate stability and ease of interpretation for the customers and ease of applicability for the Town.
6. The recommended rates must provide revenue stability and predictability for the Town.
7. Dynamism in the rate structure to ensure responsiveness to changing supply and demand patterns.
8. The recommended rates must be affordable, which will be determined utilizing economic and demographic data (e.g., household income, housing cost burden, local employment trends) and US EPA affordability information for guidance.
9. There must be a reasonable correlation between the cost of service and a parcel's draw from the water system and its respective usage characteristics.
10. There must be a reasonable correlation between the cost of service and a parcel's contribution to the sewer system and its respective usage characteristics.
11. There must be a reasonable correlation between the cost of services and a parcel's "share" of the assets and O&M required to provide those services.
12. There must be compatibility with the Town's billing system and ease of implementation from a billing and customer service perspective.

CRC Activity

The CRC met regularly in 2020 to discuss and consider items noted in Table 1, often using technology to overcome challenges associated with restrictions in place to fight the COVID-19 pandemic.

Andrew Rheem and Hannah Palmer-Dwore with Raftelis served as technical consultants and Matt Wittern with Raftelis served as meeting facilitator. At times, Raftelis met one-on-one with CRC members who joined the process late to ensure informed recommendations.

Table 1 – CRC Meetings and Agenda		
Meeting	Date	Agenda
1	Jan. 21, 2020	• Review/approval of CRC Charter • Purpose/goals of CRC • Town Water/Sewer System Overview, History • Current Rate Structure
2	Feb. 11, 2020	• System Tour
3	March 3, 2020	• Financial Planning Overview • Capacity Fee Overview • Cost of Service Overview

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		• Current Water and Wastewater Rates • Pricing Objectives • Water Rate Structures
4	April 7, 2020	• Results from Pricing Objectives Exercise • System Capacity Study Update (Nelson Engineering) • Financial Planning Overview • Projection Assumptions and Financial Plans
5	May 19, 2020	• Capacity Fee Overview & Analysis • Equivalent Residential Units & Survey of Peer Towns' Methodologies
6	June 29, 2020	• Water Cost of Service and Rates • Wastewater Cost of Service and Rates • Customer Bill Impacts
7	Sept. 29, 2020	• Capacity Fees – Alternatives Presentation, Discussion and Consensus • Water and Wastewater Rates - Alternatives Presentation, Discussion and Consensus

Brief History and Situation Analysis

History

We're lucky to live in an area with caring neighbors and a unique culture nestled in a valley with stunning vistas of our natural environment. While often overlooked, infrastructure buried beneath our feet and hidden behind our walls is critical to our continued existence – our water and wastewater systems.

Recent history of the Town of Jackson's water and wastewater treatment services are tied back to 1970, when the town's wastewater treatment facility was constructed. When put into operation, it began replacing a series of independent privately-owned septic systems.

The first rates were implemented in 1972, and adjusted eight years later. Tiered rates were adopted in 1989, and a fixed base rate adopted in 1992.

As growth continued outside town limits, Town Council adopted an out-of-town multiplier in 1997 to attempt to account for higher costs to serve these customers.

In 2002, a comprehensive rate study was performed, and the Town adopted modern concepts including capacity fees to ensure that existing customers were not asked to subsidize growth.

Since that time, rates have been updated periodically, but as is shown in Figure 2, water rates have remained unchanged since 2014.

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Figure 1: Short History of Water/WW Rates

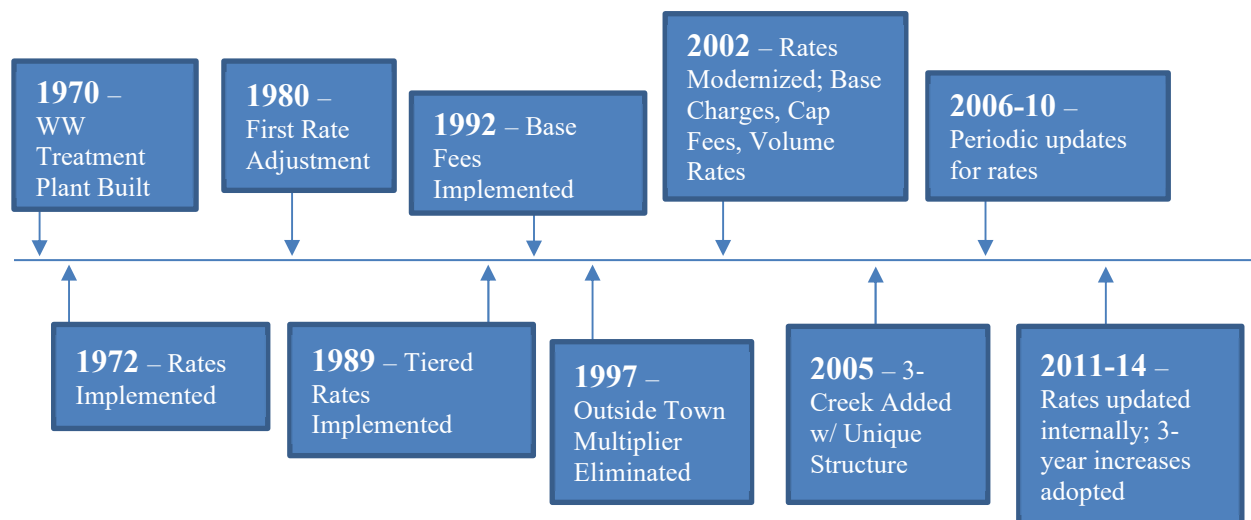
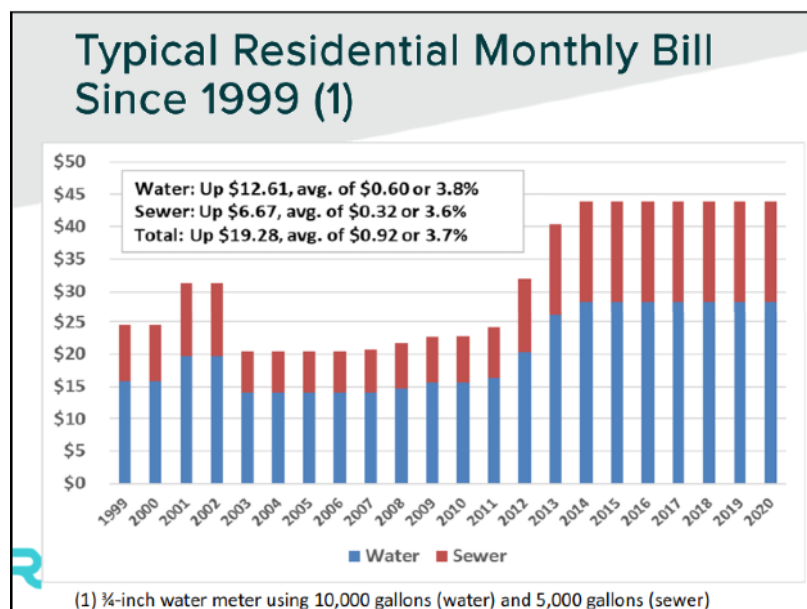


Figure 2: Short History Typical Monthly Bill Prices



Current System

The Town of Jackson's water system includes miles of pipe that delivers water from three tanks fed by eight groundwater wells. The wastewater treatment facility – built in 1970 – enables the Town to collect, treat and release 5 million gallons per day.

Maintenance and Investment

Through the end of the decade on the water side, the Town plans to make more than \$22 million in necessary system upgrades to keep high quality, reliable water flowing to homes and

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businesses. Among other projects, these improvements include adding another well and storage tank to the system and upgrading/replacing pipes and valves along Gregory Lane and North Millward.

Similarly, the Town’s wastewater system requires maintenance and investment to keep functioning properly; protecting the environment most of us live here to experience. During the next 10-years, the Town plans to invest more than \$11 million in upgrades at the treatment plant and improvements to the collection system.

These investments have been endorsed by Town Council and enjoy broad community support. In a concurrent process with the CRC, Town Staff engaged the community and found that all stakeholders ranked the following statement as *a top priority* for the Town as it relates to this rate study:

“It is critical we continue investments in our infrastructure to keep our system maintained and healthy.”

Current Rate Structure

Treated/Drinking Water: The Town of Jackson’s treated/drinking water rate structure is comprised of two parts – a base charge, which is constant each month and varies based on the size of the water meter serving the customer.

Part two is a volumetric rate, where customers are charged a flat rate for every 1,000 gallons used.

Wastewater: As with the treated/drinking water side, wastewater customers are charged a flat-rate base charge each month, again based on the size of their water meter. Depending on the customer class, customers are charged separate volumetric rates for their wastewater treatment. Customers who discharge water that is more difficult to treat are charged more than customers who discharge water that is easier for the treatment plant to treat.

Figure 3 provides greater detail on water and wastewater rate structures.

Figure 3: Current Rate Structures

Jackson’s Current Rate Structures				
Base Charge			Water Volume Rate	
Meter Size Inches	Water \$ per bill	Sewer \$ per bill	Treated, \$ per 1,000 gallons	\$2.12
¾-inch	\$7.22	\$7.05	Wastewater Volume Rates \$ per 1,000 gallons Class 1 – 0 to 250 mg / l \$2.27 Class 2 – 251 to 550 mg / l 2.58 Class 3 – 551 to 850 mg / l 3.30 Class 4 – 851 to 1,150 mg / l 3.98 Class 5 – 1,151 to 1,450 mg / l 4.68 Class 6 – 1,451 to 1,750 mg / l 5.53 Class 7 – Over 1,750 mg / l Actual [1] SFR based on January through March average water use or actual monthly use, whichever is lower. [2] All others based on actual monthly water use.	
1-inch	9.93	9.80		
1 ½-inch	17.41	17.11		
2-inch	25.31	25.20		
3-inch	57.54	52.76		
4-inch	86.26	81.24		
6-inch	159.34	153.23		
Hydrant	125.16	N/A		

It is important to note that – as seen in Figure 2 above – water and wastewater rates and fees remain unchanged since 2014. This long period without adjustment has witnessed costs rise due to things like normal inflation, and current rates do not account for necessary capital improvements and critical maintenance.

The bottom line is current rates and fees do not cover the cost of providing services and maintaining a robust, reliable system.

Rates in Peer Communities

Town Staff directed Raftelis to perform research and analysis to provide the CRC with a sense of what water and wastewater customers pay in communities with similar economic drivers, along with a review of similarly sized communities across Wyoming. For an apples-to-apples comparison, the review assumed typical hypothetical homes served by the Town of Jackson water and wastewater system.

As shown in the figures below, the review found that the Town of Jackson is very competitive among its peer group across the country, and the Town's rates – unchanged since 2014 – are certainly among the lowest in the state.

Figure 4: Rates Comparison, House A

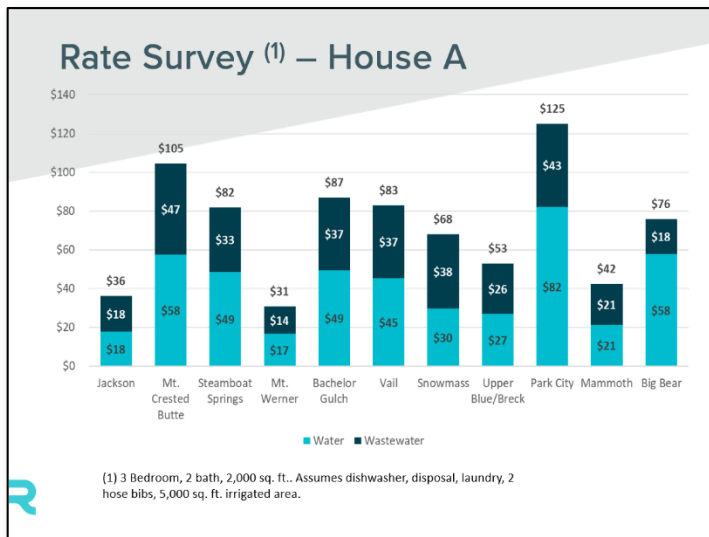


Figure 5: Rates Comparison, House B

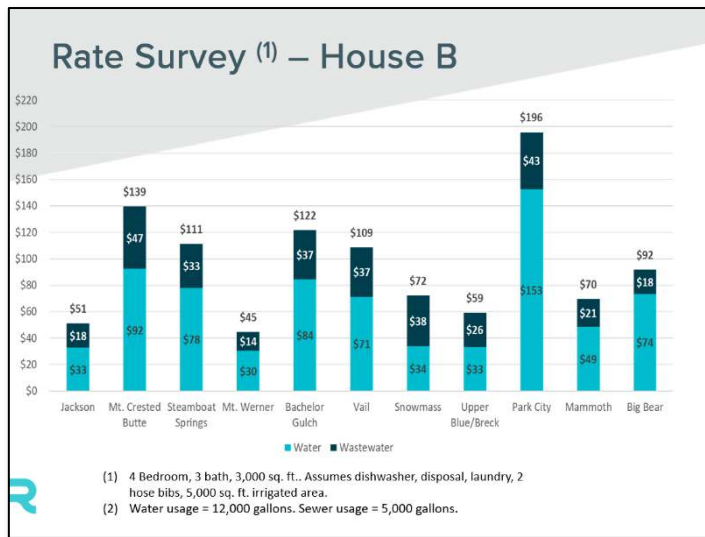
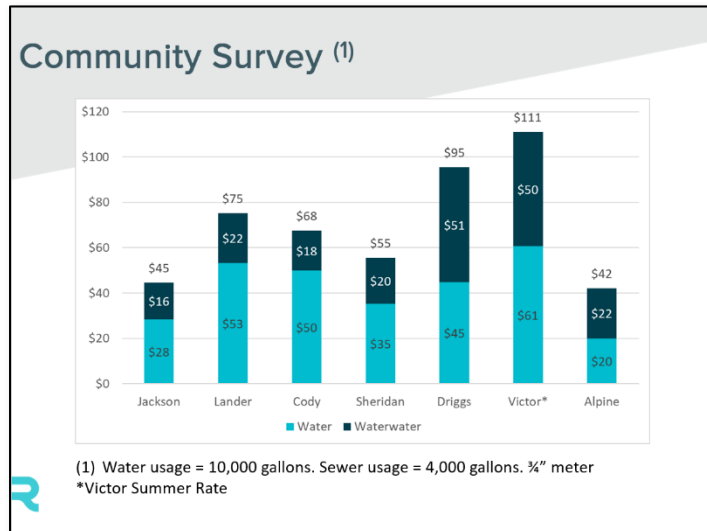


Figure 5: Rates Comparison, Jackson Neighbors



CRC Feedback

- CRC members disagreed on whether Jackson's utility rates and capacity fees were a bargain, based on information provided from other towns with similar economies
- CRC observed that the Town of Jackson is fortunate to have access to abundant sources of groundwater via its complement of wells, and relatively simple Wyoming water laws contribute to low costs.

Cost of Service

Definition

A Cost of Service analysis evaluates the costs that each customer class places on the system, which enables rates to be designed that recover those costs equitably. An analogy that may be helpful follows:

A group of friends goes out for brunch. Frank orders a slice of toast and ice water. Jennifer orders granola, yogurt and a carafe of orange juice. Jose orders an omelet, French toast, three slices of bacon and two mimosas. Splitting the check equally three ways is one way to approach paying the costs incurred, but is not equitable to Frank, whose cost of service is lower than Jennifer, and far lower than Jose's. When the server arrives with separate checks, she has performed the cost of service analysis and fairly allocated costs.

Just as in the brunch example, different customers of Jackson Water and Wastewater services are more or less costly to serve based on the requirements and needs they place on the system.

Findings

The results of the cost of service study are shown below in Figures 6 and 7.

Figure 6: Water Cost of Service



Customer Class	2022 Test-Year Cost of Service	2022 Revenue at Existing Rates	Indicated Revenue Increase
Residential	\$1,139,321	857,331	33%
Commercial	769,582	952,272	(19%)
Multi-Family	217,724	231,142	(6%)
Schools	24,458	11,187	119%
Irrigation-Only	257,043	158,129	63%
Subtotal	2,408,217	2,210,062	9%
3 Creek (1)	<u>326,992</u>	<u>311,842</u>	5%
Total	\$2,735,209	\$2,521,062	8%

(1) Excludes capital replacement surcharge

Figure 7: Wastewater Cost of Service



Customer Class	2022 Test-Year Cost of Service (1)	2022 Revenue at Existing Rates (1)	Indicated Revenue Increase
Residential	\$565,663	\$516,995	9%
Commercial	1,222,126	1,074,271	14%
Multi-Family	155,377	145,592	7%
Schools	<u>21,920</u>	<u>21,760</u>	1%
Subtotal	1,965,085	1,758,618	12%
Outside Town	407,912	412,848	(1%)
3 Creek (2)	<u>101,999</u>	<u>96,560</u>	5%
Total	2,473,015	2,268,644	9%

(1) Excludes Septic Hauler rate proposed to increase 9%.
(2) Excludes capital replacement surcharge.

CRC Input and Guidance

- It is important to the CRC that part-time residents pay their fair share.

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Pricing Objectives

During the second meeting the CRC participated in a discussion and ranking exercise to determine pricing objectives important in the consideration of rate design alternatives. Table 2 displays the objectives ranked after final votes were tabulated. Rows shaded in light blue set the path for rate structure design.

Table 2 – Ranked Pricing Objectives			
Priority Rank	Pricing Objective	Description	Score
1	Minimization of Customer Impacts	Rates should be designed and implemented to avoid inordinately large increases or decreases in customer bills during a single year.	91
2	Rate Stability	Rate structures should minimize the need for dramatic rate increases and decreases over the planning period.	89
3	Revenue Stability	Rates should generate stable and predictable revenues from year to year.	89
4	Affordability	Rates or other targeted programs should be designed such that there are mechanisms in place that allow for economically disadvantaged customers to continue receiving water and wastewater service.	83
5	Cost of Service Based Allocations	Rates should ensure that each customer class (i.e., residential, commercial, industrial, etc.) is contributing equitably towards revenue requirements based upon the cost of providing service to each of the classes.	80
6	Conservation / Demand Management	Rates should promote the efficient consumption of water.	60
7	Equitable Contributions from New Customers	Rates and development fees should be balanced such that the costs of servicing new customers are covered proportionately with development fees.	58
8	Defensibility	Rates should be designed according to standard industry practices and in accordance with applicable laws such that rate disputes are avoided.	58
9	Ease of Understanding	Rates should be easy for customers to understand.	51
10	Simple to Update	Rate structure(s) should be able to be efficiently and effectively maintained and updated by utility staff in future years with readily available data and information.	46

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11	Ease of Implementation	Rates should be able to be implemented using existing staff and the existing billing and collection infrastructure with only minor modifications.	42
12	Economic Development	Rates should be structured in such a way to promote economic development in the utility's service area.	33

Ranking of pricing objectives was a key component in evaluating alternative rate structures. The most important objectives selected by the CRC served as criteria for assessing the relevance and effectiveness of the alternative rate structures. It should be noted that the other pricing objectives were also considered in the CRC's evaluation — they were not ignored.

Capacity Fees

Definition

Capacity fees are one-time fees assessed to new and/or increased development to recover the cost of the facilities necessary to serve that development. They are commonly used by local governments across the country – including the Town of Jackson – to ensure that new and redevelopment fund their proportional share of capacity facilities necessary to serve them. In other words, capacity fees make sure that development “pays its own way,” and current customers or the Town are not asked to subsidize growth, development, or redevelopment.

By law, capacity fees have restrictions on what eligible expenditures they may be used for – for example, they cannot be used to fund the Town's General Fund. They also must have a rational basis – meaning they cannot be assessed without careful study that is defensible if challenged in court. To this end, consultants calculate what is the “Maximum Supportable Fee,” fees that recover the full cost of the burden new development places on the existing system, and no more. Governing bodies, like Jackson Town Council, may adopt capacity fees at the level of the Maximum Supportable Fee or any level lower than that.

Analysis and Findings

Raftelis calculated maximum supportable water capacity fees per ¾-inch water meter, representing most residential units. Table 1 summarizes the maximum supportable water capacity fee of \$2,793 per ERU. As Capacity Fees have not been updated in many years, the current water capacity fee – at \$690 for new ¾-inch connections – does not reflect the impact new users place on the water system.

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Current Approach

Water: The Town of Jackson currently assesses water system capacity fees by meter size. Larger meter sizes – starting at 2-inch – incur charges for fire line connections. See Figure 7 for a detailed summary.

Wastewater: The Town's assessment of capacity fees for wastewater treatment are more complex; tied to the major use expected from the facility and the associated relative difficulty in treating wastewater from that use. Also, assessment units differ – some are per unit, others assessed on a square footage basis, while others still assessed per site, machine, dental chair, employee, pump, bay, student – it can get complicated. Figures 8 and 9 below provide detail.

Figure 8: Current Water Capacity Fees

Jackson's Current Water Capacity Fees		
Meter Size Inches	Water \$ per Connection	Fire Line \$ per Connection
¾-inch	\$690	N/A
1-inch	1,227	N/A
1 ¼-inch	1,918	N/A
1 ½-inch	2,761	N/A
2-inch	4,909	1,000
2 ½-inch	7,670	N/A
3-inch	11,044	N/A
4-inch	19,633	2,100
6-inch	44,176	2,400
8-inch	78,533	3,100

Jackson's Current Sewer Capacity Fees (Cont.)		
Description	Assessment Unit	Sewer \$ per Connection
Mobile Home Park	Per Site	\$2,174
Laundry (Self-Service)	Per Machine	1,486
Laundry (Commercial)	Per Machine	5,435
Dental Offices	Per Dental Chair	614
Offices	Per Employee	147
Retail Stores	Per 100 sq. ft.	24
Service Stations	Per Pump	1,088
Car Washes	Per Bay	4,927
Day Care	Per Student	49
Public Spas	Per 1,000 gals	652
Schools (with Gym)	Per Student	98

Figure 9: Current Wastewater Capacity Fees

Description	Assessment Unit	Sewer \$ per Connection
Residential 2BR +	Per Unit	\$2,172
1BR Apt. w/ Laundry	Per Unit	1,088
1BR Apt. w/o Laundry	Per Unit	869
Bars and Taverns	Per 15. sq. ft.	297
Restaurant	Per 15 sq. ft.	399
Motel / Hotel	Per Room	985
Bed and Breakfast	Per Room	1,116
Churches w/o Food	Per Seat	24
Churches w/ Food	Per Seat	36
RV Parks	Per Site	493
Camp Parks / Campgrounds	Per Site	369

Description	Assessment Unit	Sewer \$ per Connection
Mobile Home Park	Per Site	\$2,174
Laundry (Self-Service)	Per Machine	1,486
Laundry (Commercial)	Per Machine	5,435
Dental Offices	Per Dental Chair	614
Offices	Per Employee	147
Retail Stores	Per 100 sq. ft.	24
Service Stations	Per Pump	1,088
Car Washes	Per Bay	4,927
Day Care	Per Student	49
Public Spas	Per 1,000 gals	652
Schools (with Gym)	Per Student	98

CRC Input and Guidance

- Regarding capacity fees, there is a growing concern that older homes that are being demolished and replaced with larger ones are not paying their fair share, especially if they maintain the existing ¾" meter as capacity fees are assessed to redeveloped properties only if the meter size is increased.
- Preliminary capacity fees, as proposed in the April 7 CRC meeting, seem very low.
- It seems better/easier to assess capacity fees by square footage; larger dwellings should pay more than smaller ones
- CRC generally opposed moving towards ERUs
- CRC asked for sensitivity on capacity fees to ensure they don't unnecessarily burden or disincentivize construction of affordable housing, while also ensuring that sufficient funds are collected to cover actual costs.
- Interest was expressed in ensuring fees related to impacts from larger homes were sufficient to cover the costs those structures place on the system – new development or redevelopment

Capacity Fee Alternatives Evaluated



Based on preferences and priorities expressed by the CRC, and with input from Town Staff related to known challenges and constraints, Raftelis developed and presented two alternatives the CRC considered for **water capacity fees**. Alternatives and anticipated impacts are shown in Figures 10-14.

Figure 10: Water Capacity Fees Alternatives

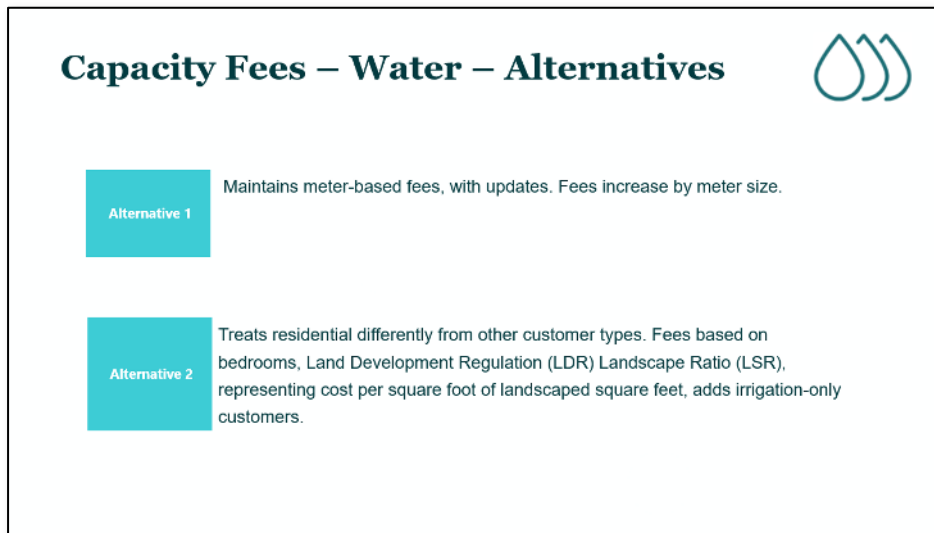


Figure 11: Water Capacity Fees Alternative 2

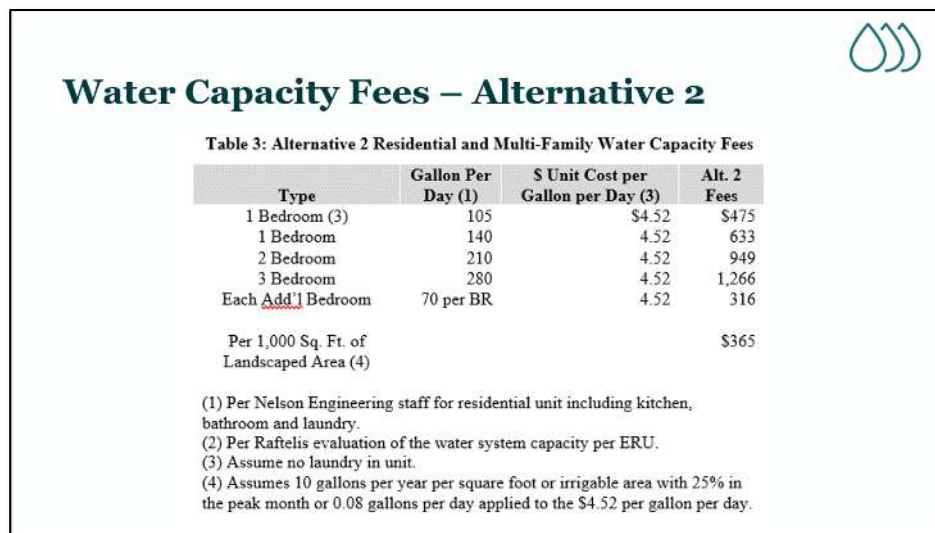


Figure 12: Water Capacity Fees – SF Impacts

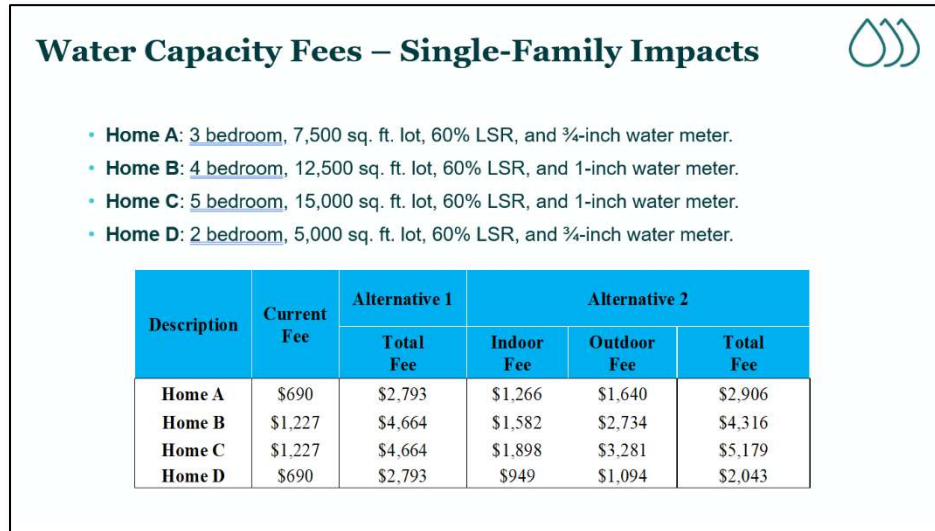


Figure 13: Water Capacity Fees – MF Impacts

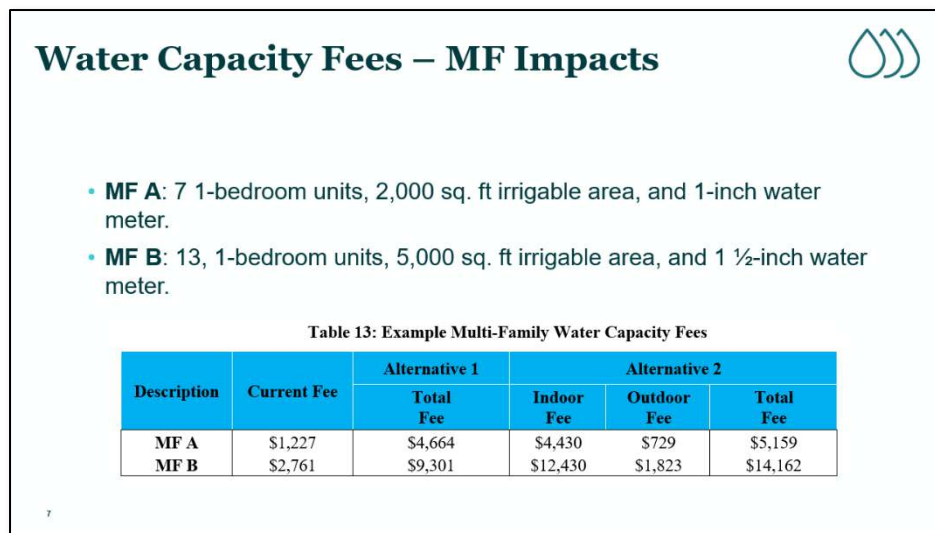


Figure 14: Water Capacity Fees – Irrigation Only

Water Capacity Fees – Irrigation Only



- **Irrigation only:** 20,000 sq. ft irrigable area and 1 1/2-inch water meter.

Table 21: Sample Irrigation-Only Water Capacity Fees

Description	Current Fee	Alternative 1	Alternative 2
Irrigation-Only	\$2,761	\$9,301	\$7,290

CRC Recommendation to Town Council

- Adopt Water Capacity Fee Alternative Two



Based on preferences and priorities expressed by the CRC, and with input from Town Staff related to known challenges and constraints, Raftelis developed and presented two alternatives the CRC considered for **wastewater capacity fees**. Alternatives and anticipated impacts are shown in Figures 15-20.

Figure 15: Wastewater Capacity Fees Alternatives



Figure 16: Wastewater Capacity Fees Impacts - Residential

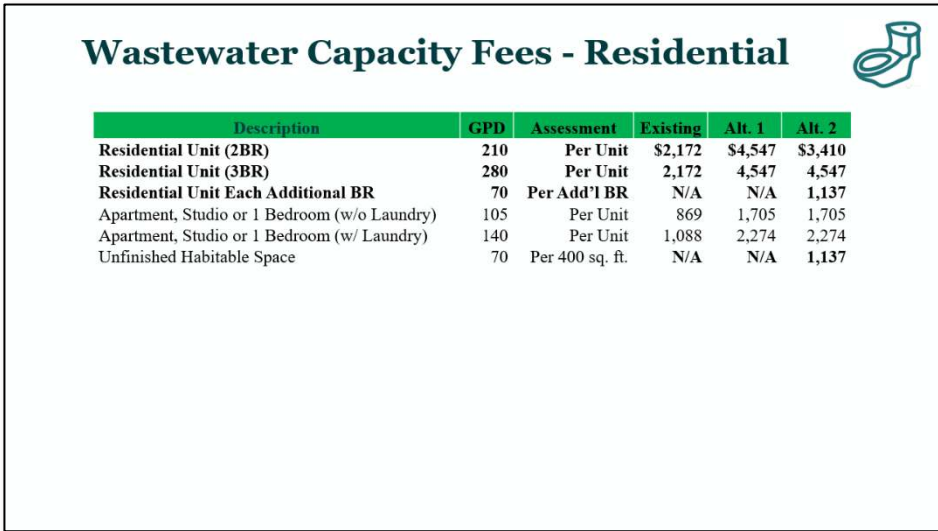


Figure 17: Wastewater Capacity Fees Impacts - Other

Wastewater Capacity Fees – All Others 					
Description	GPD	Assessment	Existing	Alt. 1	Alt. 2
Bars, Tavern and Lounge (no food)	20	Per 15 sq. ft.	297	325	325
Restaurants	64	Per 15 sq. ft.	399	1,039	1,039
Motels and Hotels	140	Per Room	985	2,274	2,274
Bed and Breakfast	140	Per Room	1,116	2,274	2,274
Assembly (no food)	3	Per Seat	24	49	49
Assembly (w/ food)	5	Per Seat	36	81	81
RV Parks (w ind. Sewer hookups)	100	Per Site	493	1,624	1,624
Camps, Parks, Campgrounds (w/ comfort station)	75	Per Site	369	1,218	1,218
Mobile Home Park	210	Per Site	2,174	3,410	3,410
Laundry (self service)	450	Per Machine	1,486	7,308	7,308
Laundry (commercial 100#pp capacity)	1,000	Min./Machine	5,435	16,240	16,240
		Per Gal. Ann.			
Breweries (per annual production 1 barrel is 31 gals.	20	Capacity	ICB	325	325
Fitness (Gyms, Dance Studios, Yoga, Karate)	50	Per 100 sq. ft.	N/A	812	812

Figure 18: Wastewater Capacity Fees Impacts - Other, Cont.

Wastewater Capacity Fees – All Others 					
Description	GPD	Assessment	Existing	Alt. 1	Alt. 2
Medical Offices and Dentists	250	Per Practitioner	614	4,060	4,060
Veterinary Offices (not including boarding)	250	Per Practitioner	N/A	4,060	4,060
Animal Boarding	20	Per Cage	N/A	325	325
Offices	15	Per Employee	147	244	244
Retail Stores	5	Per 1,000 sq. ft.	24	81	81
Unfinished Commercial Space	5	Per 1,000 sq. ft.	N/A	81	81
Public Access Restrooms	325	Per Fixture		5,278	5,278
Service Stations	220	Per Pump	1,088	3,573	3,573
Car Washes	1,000	Per Bay	4,927	16,240	16,240
Public Spas (Per kgal capacity)	132	Per kgal capacity	652	2,144	2,144
Schools (w/ Cafeteria, Gym, and Showers)	20	Per Student	98	325	325
Schools (w/ Cafeteria, No Gym)	15	Per Student		244	244
Schools (without Cafeteria and Gym)	10	Per Student		162	162
Day Care	20	Per Student	49	244	244
		Avg. Max GPD x			
Others Not Listed Wastewater Service		\$16.24			

Figure 19: Wastewater Capacity Fees – Single Family Impacts

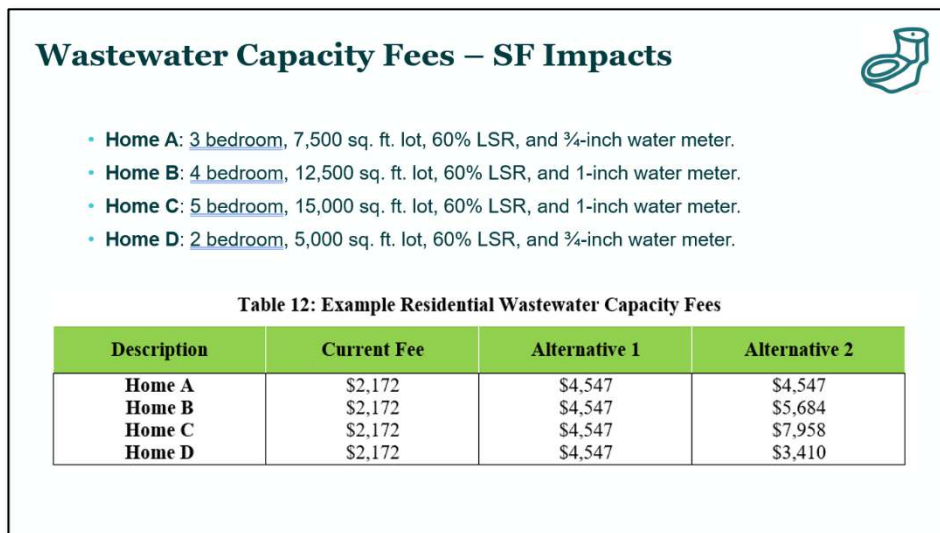
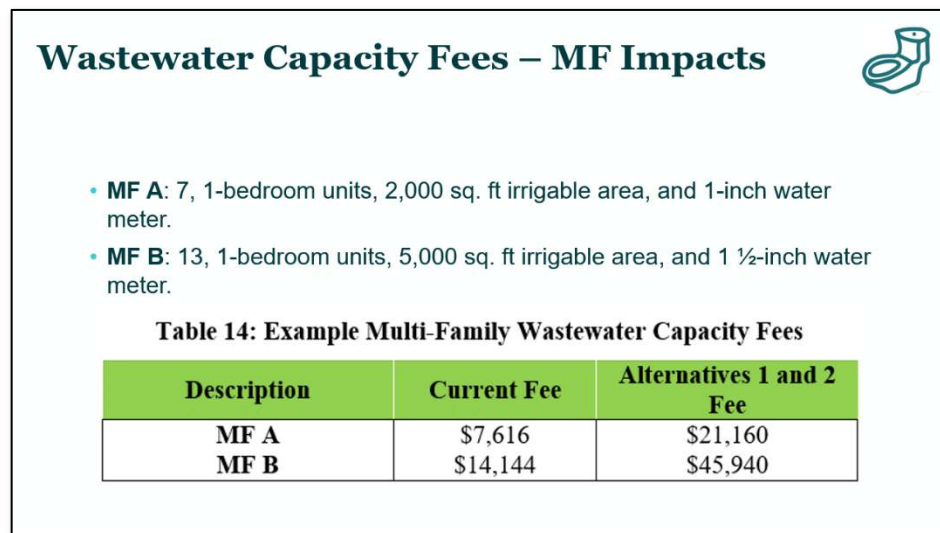


Figure 20: Wastewater Capacity Fees – MF Impacts



CRC Recommendation to Town Council

- Adopt Wastewater Capacity Fee Alternative Two

Water and Wastewater Rate Structures

Definition

Water and Wastewater Rate Structures set the manner in which customers are charged for each service. There are a variety of ways they may be structured that are in accordance with industry best standards and are as varied as the communities in which they are established.

Current Approach

As more thoroughly described on Page 7 and in Figure 3, the Town of Jackson currently uses a base charge (by meter size) plus non-tiered volumetric fee structure for water. Wastewater service is similar, with a base charge (by meter size) plus non-tiered volumetric for treated water. Users from classes that discharge water that is more difficult to treat pay more per thousand gallons than those who discharge water that is easier to treat.

CRC Input and Guidance

- CRC recommended exploring an approach that could help affordability during the shoulder seasons – for example, charging more during times when business revenues are higher. Or, maybe offering a 12-month average to increase predictability or at least reduce wild swings in bills.
- Affordability for lower-income residents is a concern; we should explore a base rate that includes a certain volume of water that covers very basic human needs.
- Opposition to the Town subsidizing rates was voiced – more important to ensure revenues cover the needs of a healthy system with a high level of service.
- CRC is hopeful that its recommendation will align with staff's preferences when they make a recommendation to Council.
- Average bill for a vacant property of \$14 – like a summer home that isn't used but for a month per year is too low. They should be charged more.
- Given uncertainty regarding the economy due to COVID-19, our recommendation should be careful about rate increases that are too high.
- Projected bill increases of 7-8% (as shown in the April 7 meeting) seem too high – hard to stomach a doubling of bills over the next decade, if these five-year projections are extrapolated. This will not be good for low income folks or seniors.

Water Rate Alternatives Evaluated



Based on preferences and priorities expressed by the CRC, and with input from Town Staff related to known challenges and constraints, Raftelis developed and presented two alternatives the CRC considered for **water rates**. Alternatives and anticipated impacts are shown in Figures 21-24.

Figure 21: Water Rate Alternatives

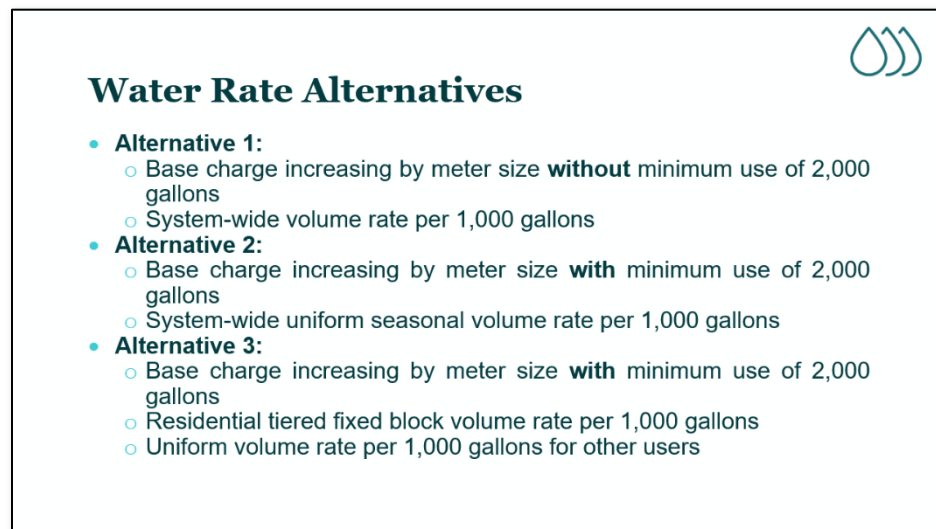
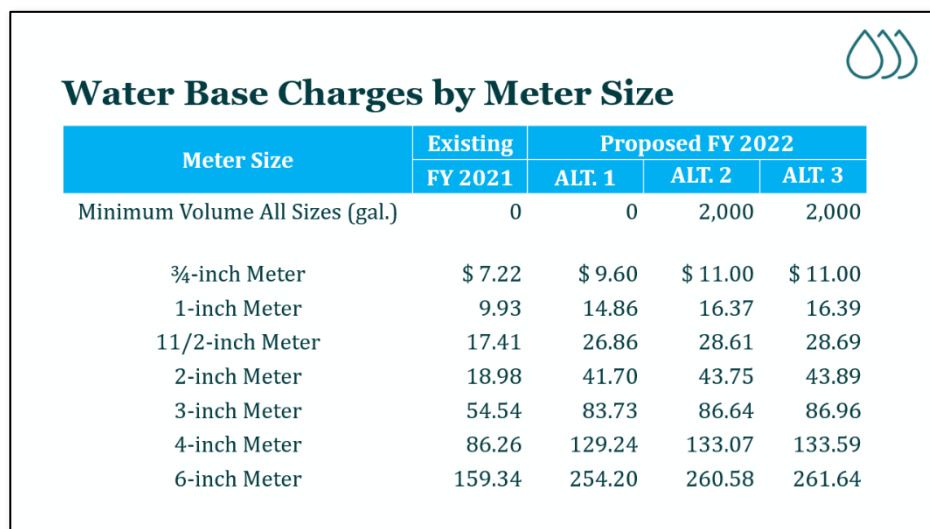


Figure 22: Water Base Charges



Water Base Charges by Meter Size

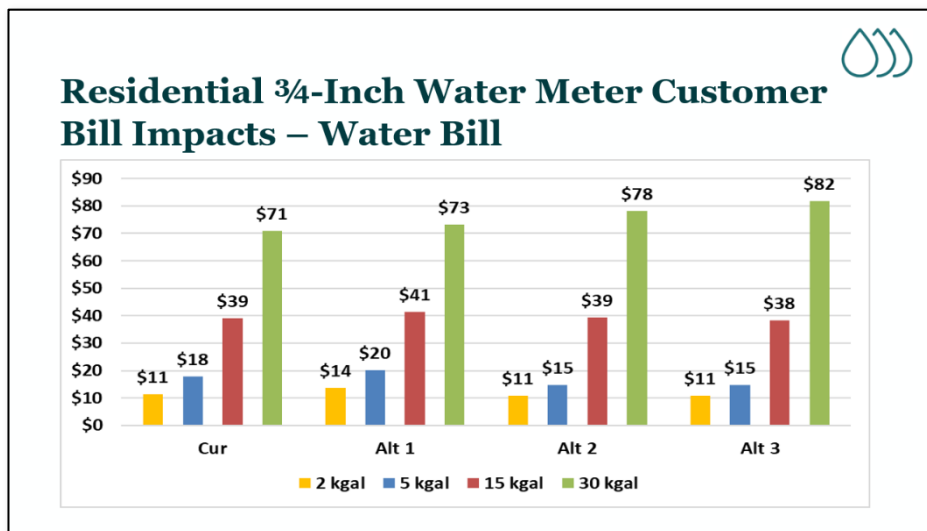
Meter Size	Existing	Proposed FY 2022		
	FY 2021	ALT. 1	ALT. 2	ALT. 3
Minimum Volume All Sizes (gal.)	0	0	2,000	2,000
3/4-inch Meter	\$ 7.22	\$ 9.60	\$ 11.00	\$ 11.00
1-inch Meter	9.93	14.86	16.37	16.39
1 1/2-inch Meter	17.41	26.86	28.61	28.69
2-inch Meter	18.98	41.70	43.75	43.89
3-inch Meter	54.54	83.73	86.64	86.96
4-inch Meter	86.26	129.24	133.07	133.59
6-inch Meter	159.34	254.20	260.58	261.64

Figure 23: Water Volume Rates – Alt 3

Water Volume Rates – Alternative 3			
Customer Class		Existing	Proposed
	Tier	FY 2021	ALT 3
Minimum Volume All Sizes (gallons)		0	2,000
Residential – Tier 1	0 – 2,000	\$2.12	\$ 0.00
Residential – Tier 2	2,001 – 6,000	2.12	1.24
Residential – Tier 3	6,001 – 25,000	2.12	2.48
Residential – Tier 4	Over 25,000	2.12	3.72
Town – First 2,000 Gallon Minimum	0 – 2,000	\$2.12	\$0.00
Town – Over 2,000 Gallon Minimum	Over 2,000	2.12	2.12
Irr. Only – First 2,000 Gallon Minimum	0 – 2,000	\$2.12	\$0.00
Irr. Only – Over 2,000 Gallon Minimum	Over 2,000	2.12	2.48

Monthly Bill Impact Analysis

Figure 24: Residential Monthly Bill Impacts



CRC Recommendation to Town Council

- Adopt Water Rate Alternative Three



Based on preferences and priorities expressed by the CRC, and with input from Town Staff related to known challenges and constraints, Raftelis developed and presented two alternatives the CRC considered for **wastewater rates**. Alternatives and anticipated impacts are shown in Figures 25-27.

Figure 25: Wastewater Rate Alternatives

Wastewater Rate Alternatives



- **Alternative 1:**
 - Base charge increasing by meter size **without** minimum use of 2,000 gallons
 - System-wide volume rate per 1,000 gallons
 - Updated surcharges for excess-strength customers
 - Septage hauler rate increase of 9% proposed
- **Alternative 2:**
 - Base charge increasing by meter size **with** minimum use of 2,000 gallons
 - System-wide volume rate per 1,000 gallons
 - Updated surcharges for excess-strength customers
 - Septage hauler rate increase of 9% proposed

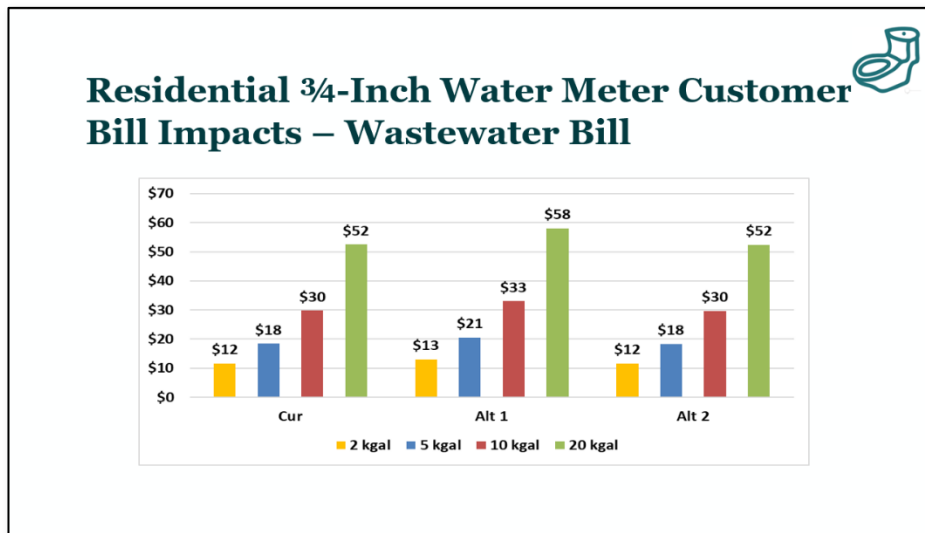
Figure 26: Wastewater Volume Rates

Wastewater Volume Rates



Customer Class	Existing	Proposed	Proposed
	FY 2021	ALT. 1	ALT. 2
Minimum Volume All Sizes (gallons)	0	0	2,000
Volume Rate per kgal			
Town - First 2,000 Gallon Minimum	\$2.27	\$2.50	\$0.00
Town - Use Above Minimum	2.27	2.50	2.27
3 Creek – First 2,000 Gallon Minimum	\$1.88	\$2.50	\$0.00
3 Creek – Use Above Minimum	1.88	2.50	3.25

Figure 27: Wastewater Volume Rates



CRC Recommendation to Town Council

- Adopt Wastewater Rate Alternative Two

STAFF REPORT



MEETING DATE & TITLE: November 2 - Town Council General

SUBMITTING DEPARTMENT: START

PRESENTER: Darren Brugmann

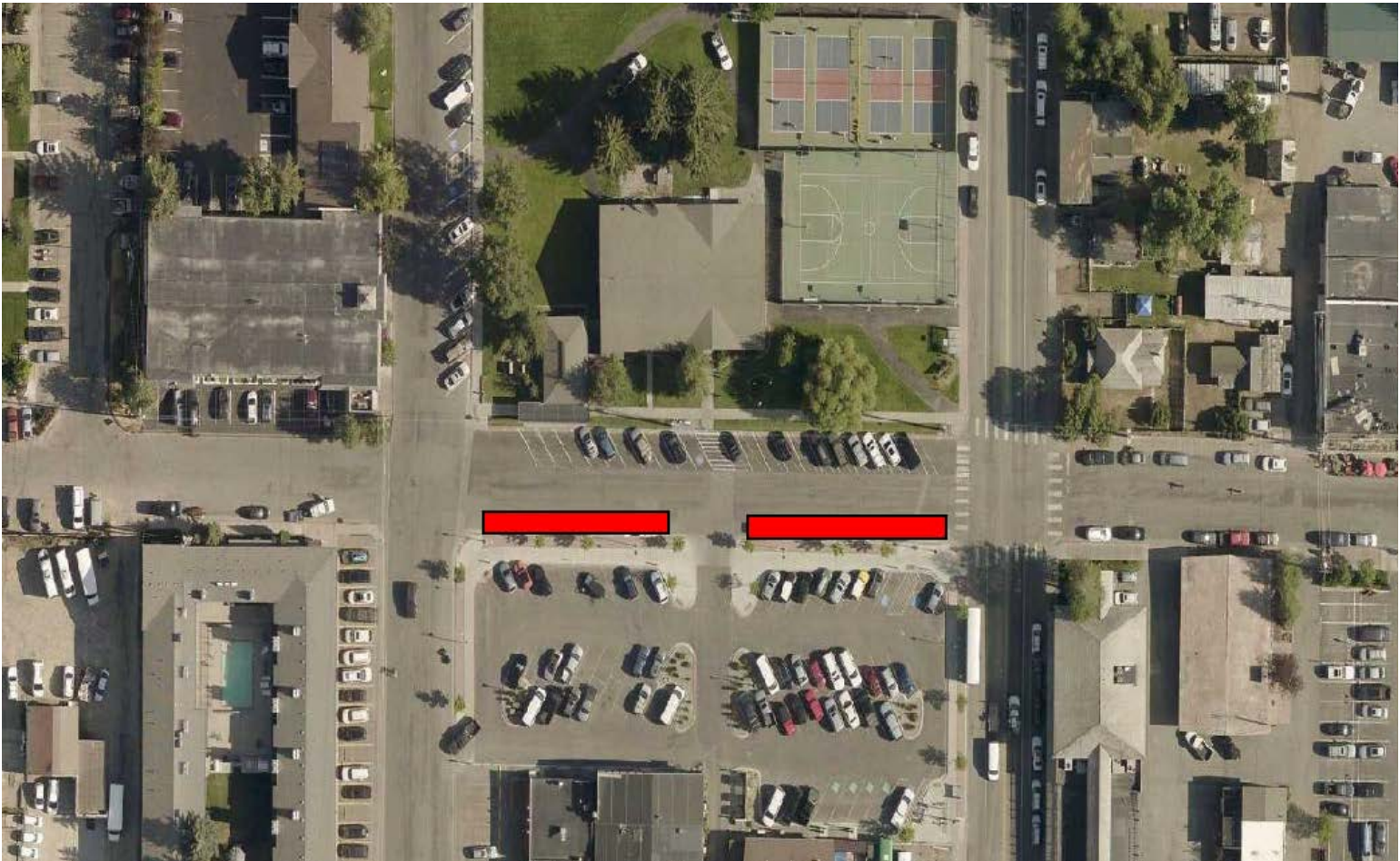
SUBJECT: START Temporary Winter Season Town Transfer Location

PUBLIC COMMENT: Yes

PURPOSE & POLICY CONSIDERATIONS:

The purpose of this item is to locate a temporary START Transit/Transfer location on the south side of W. Deloney between N. Millward and N Jackson Streets. (This location is being referred to as Miller Park, due to the proximity to Miller Park). This location is needed for partial implementation of the START Route Plan and for increased service levels for the Winter Season 2020/21 season approved by both elected bodies on October 5, 2020. This site will be evaluated for longer term need after the Winter Season concludes on April 8, 2021

START – Transfer Location for Winter Season 2020-21



REQUESTED ACTION:

Council is being asked to approve this temporary Winter Season START Transfer location, temporarily vacating approximately 8 parking spots, in order for START to provide increased level of service for our Town Shuttle and Village winter season service as approved by both elected bodies on October 5, 2020. Council is also being asked to amend the START Adopted budget by \$9K in consideration of keeping the Public Restroom located on the north side of W Deloney available for the entire Winter Season.

RECOMMENDATION:

START Board of Directors and Staff recommends approving this temporary transfer location for Winter Season beginning on November 28, 2020 and ending on April 8, 2021.

BACKGROUND:

On October 5, 2020 both elected bodies approved an increase of winter season service levels for START. A key component of increasing the level of service this upcoming winter season was to partially implement some of the START 2020-2025 Route Plan strategies that improve efficiency. The action approved had the following key points:

- a. Requires an additional 2,100 total paid hours on top of approved FY21 Budget and Ops Plan
- b. Additional approximate cost of \$151,000
- c. Implements Town Shuttle Routing Plan Recommendation
- d. Implements Teton Village Service Routing Plan Recommendation
- e. Requires an East Jackson/Snow King Circulator in lieu of Microtransit
- f. Requires a Town Transfer Location**

A vital factor of this Route Plan was to locate a transfer center in the Town area west of the Town Square as bolded above. The Route Plan specifies a Town Transfer location should consider:

- Proximate to the core of downtown activities and primary rider origin and destination points
- Easy to access on foot or by bike
- Operationally efficient for buses without requiring undue time
- Located near long-term parking opportunities and
- Public facilities such as a public restroom

START Staff worked with LSC (consultants who authored the Route Plan Study) to evaluate a location for the Town Transfer site. A full copy of the report analysis is attached to this staff report as a technical memorandum, but a summary is as follows.

Key Components considered for this temporary Transfer location included:

1. Locations:

- Miller Park
- Vertical Harvest (Parking Garage)
- Pearl St. & Jackson
- Pearl St. & Millward

2. Site Requirements:

- Number of buses:
 - Express: Space for 2 buses is recommended
 - Circulator: Space for 1 bus is recommended
 - Town Shuttle: Space for 1 bus is recommended
- Note: Maximum number of potential buses at one time would be 4
- Space for Waiting Passengers
 - Standard of 8-10 sq. ft. for standing and queuing (total of 640 sq. ft.)
 - Covid-19 social distancing of 6 feet between people indicates a minimum of 36 sq. ft. of space per person (total of 2,880 sq. ft.)

Outside Stakeholders that START has consulted with included:

- Chamber of Commerce:

Chamber Director offered suggestion to allow for queuing of passengers waiting for buses by providing signage or other means. The concern is similar to what happens at Village Bus Stop when there are many persons

waiting for arrival of bus and then there is a “free for all” for boarding. Is there a possibility to have “boarding Lines” similar to lift lines installed. Staff recommends seeing if this problem persists and look to solution at future time. Social distancing will need to be considered.

- County 4-H had two main concerns:

1. Restroom – informed staff the ‘outside’ public restroom would remain open for the winter season. They are appreciative and feel this restroom should remain open year round
2. Parking – request to have 4-10 parking stalls designated County 4-H parking only. Staff does not recommended designated spots. These are public parking spots.

Informed this Transfer Location is currently proposed for this Winter Season only. Future utilization would be evaluated at another time.

ANALYSIS:

As stated above, an analysis for the best location was conducted that included the following:

Siting Considerations:

- Provides efficient transit operations
- Minimize impacts on incompatible uses
- Convenient pedestrian access to lodging and to destinations
- Maximize impact on parking conditions
- Public availability
- Availability of restrooms

Another critical consideration was the Total Lodging Units within walking distance. Miller Park location came out as the best option for those guests lodging in units within 900 feet of walking distance. A summary of this analysis is as follows under Table A:

TABLE A: Total Lodging Units within Walking Distance of Sites					
	# of Lodging Units	Site (X = Within 900 Feet Walk Distance)			
		Miller Park	Pearl & Jackson	Vertical Harvest	Pearl & Millward
Kudar Log Cabin	100	x			
The Alpine House	22	x			
Anvil Hotel	50	x			
Miller Park Lodge	16	x			
The Parkway Inn	43	x	x		x
Hotel Jackson	55	x			x
Jackson Hole Town Center Resort	45	x	x		x
The Wort Hotel	55	x		x	x
The White Buffalo Club	30	x			
Mountain Modern Motel	135	x	x	x	x
Multi Resorts at Jackson Pines	12	x	x	x	x
49'er Inn	40	x	x	x	x
Jackson Hole Lodge	59	x	x		x
SpringHill Suites by Marriott	121		x	x	x
Elk Country Inn	100		x	x	x
Cowboy Village	88		x	x	
The Antler Inn	110			x	x
Ranch Inn Motel	20			x	x
Totals	1,101	662	643	681	795

After reviewing all the Siting Considerations, a simple assessment was made of each factor by assigning a value (5 Best, 1 Worst). TABLE B shows the results of this analysis:

Table B: Potential Transfer Site Options				
Factor	Value (5 Best, 1 Worst)			
	Miller Park	Pearl St.	Vertical Harvest	Pearl & Millward
Provide Efficient Transit Operations	4	2	3	5
Impact on Incompatible Uses	4	1	1	1
Pedestrian Access to Trip Generators	4	3	3	5
Impact on Parking	3	3	5	4
Public Availability	5	2	5	2
Availability of Restrooms	3	1	5	5
Ease of Implementation	4	3	2	2
Totals	27	15	24	24

As shown, Miller Park rose to the top as the priority location with a score of 27 Points. While the Transfer Point Options – Technical Memorandum describes the Miller Park location to be considered on the north side of W Deloney, many logistical concerns, including temporarily eliminating approximately 16-28 parking spots caused the location to be located on the south side of W Deloney.

START has worked with key Departments and notes comments as follows:

Public Works: signage as needed, lighting is already present with this location.

Law Enforcement: Traffic flow concerns were alleviated when it was discovered no alteration of traffic flow patterns would be needed. Need to include language somewhere regarding length of parking is not 3 hours west of Millward and in the public parking area. May cause more tickets to be issued for overnight parking of vehicles.

Planning and Community Development: staff discussed that no permanent structures would be intended (Bus Shelter, benches) for this temporary location.

County – Parks and Recreation: snow plowing for sidewalk – the south side proposed location was considered much more amenable than the north side. This location provides considerably less issues than the north side of Deloney.

COMPREHENSIVE PLAN & PRIORITY ALIGNMENT:

This Transfer location is a key component of implementing strategic route alternatives in START's 2020-2025 Route Plan.

This Transfer location is not considered a Council Priority.

This transfer location aligns with the Comprehensive Plan:

Principle 7.1 and Policy 7.1.c explicitly speaks to the need of providing alternative modes of travel versus single occupancy vehicle (SOV) usage. Increasing level of service meets this objective straight on.

Principle 7.1—Meet future transportation demand using alternative modes. Our transportation goal is to increase the use of alternative modes of transportation within the community to meet our future transportation demand. To achieve this goal, a shift away from the single occupancy motor vehicle by increasing frequency will be required within financial constraints.

Policy 7.1.c: Increase the capacity for use of alternative transportation modes. Every day, residents and visitors in the valley consciously decide on their mode of travel. By increasing the level of service provided, the Town and County will make alternative modes of travel more convenient and efficient for residents and visitors by prioritizing capacity for alternate modes with the goal of increasing the share of trips made by alternative transportation modes rather than single occupancy vehicles. Additional capacity that is created for single occupancy motor vehicles always fills up with more single occupancy motor vehicles. Conversely, if increased capacity for alternative modes is provided there will be increased usage of alternative modes. Through increased use of alternative modes automobile capacity will be freed up on our existing roadway system.

Principle 1.2 and Policy 1.2.d explicitly speaks to the need of improving our air quality. By persons choosing to utilize alternative modes of transportation will be able to systematically attack the amount of emissions into our environment.

Principle 1.2—Preserve and enhance water and air quality. Clean water and air are the most basic requirements of a healthy ecosystem and community.

Policy 1.2.d: Improve air quality. Critical for ecosystem protection and public health is air quality. Air quality in Teton County is currently well within the levels mandated by the Environmental Protection Agency. However, our location in a high mountain valley exacerbates the effects of wood smoke, dust, vehicle exhaust and other emissions on air quality, so there is still an opportunity to improve our air quality. Efforts to improve air quality include reducing vehicle miles traveled through a shift to alternate modes of travel...

FISCAL IMPACT:

- \$9,000 is the cost to maintain availability for the West Deloney (Miller Park) Public restroom for the entire winter Season. If approved this unbudgeted expense will be included in the next budget amendment for FY21.
- \$150 for signage may be required. This unbudgeted expense will be included in the next budget amendment for FY21.

STAFF IMPACT:

START staff will work with Public Works staff on locating temporary signage designating this area as a transfer location.

ATTACHMENTS OR LINKS:

- Transfer Point Options – Technical Memorandum

SUGGESTED MOTION:

I move to allow START to utilize the southern portion of W. Deloney between N Jackson and N. Millward streets as the temporary transfer location for Winter Season beginning on November 28, 2020 and concluding on April 8, 2021.



TRANSPORTATION PLANNING AND TRAFFIC ENGINEERING CONSULTANTS

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TECHNICAL MEMORANDUM:

CENTRAL JACKSON WINTER 2020/21 START TRANSIT PASSENGER TRANSFER SITE OPTIONS

**LSC Transportation Consultants, Inc.
September 1, 2020**

This memo provides a discussion of possible locations for passengers to transfer between START routes, for the winter 2020/21 operating season.

Transfer Site Requirements

The START Routing Plan was recently adopted by the START Board to guide the improvement of transit services in the greater Jackson/Teton County region. This calls for establishing “Express Service” between the downtown/central Jackson area and Teton Village that can be operated in an hourly round-trip. To provide this shorter operating time, the number of stops will be greatly limited, and the route will terminate a few blocks west of the congestion around Town Square. In addition, the COVID-19 pandemic has placed new requirements on the START system. While available revenues for funding transit operations have been reduced, it is expected that much of the historic demand for transit service between Jackson and Teton Village will still remain in the upcoming winter season. The need for social distancing is also expected to reduce the number of passengers per bus. Provide the needed capacity between Jackson and Teton Village in a more efficient manner indicates the immediate need for an “express bus” strategy.

For the Express Bus to operate within an hour total route round-trip cycle length, it needs to avoid the delays that occur in peak periods in the downtown Jackson area around Town Square. A location is therefore needed on the west side of downtown where these transfers can be served and passengers can wait between buses.

The Routing Plan calls for local connections to the Express Route to/from East Jackson and the Snow King area to be provided by a microtransit service (in addition to the Jackson local route). However, this microtransit program will require at least a year to fully define and retain a

contractor. In the meantime, a Circulator Route will be operated to provide the necessary connections to/from the Express Route.

The Route Plan also calls for combining the two existing Town Shuttle routes into a single shorter route, with the area eliminated from Town Shuttle service to be served instead by microtransit. As microtransit is not going to be in place in the 20/21 winter and to avoid making changes in these routes for only one year before changing again, the two existing Town Shuttle routes will be operated on the existing routes.

In sum, the planned Winter 20/21 service will result in the following peak number of buses at the transfer point at any one time:

- **Express Route** – The number of buses in operation will depend on the level of demand for Jackson – Village ridership. A minimum of two buses providing half-hourly service is currently envisioned, with the possibility of up to 6 buses at a peak time (10 minute frequency). Given the variation in travel times, two Express Route buses could be on-site at once. In addition, it would be operationally beneficial to be able to stage a bus at the transfer point to put into service if passenger demand exceeds capacity. Space for **2 buses** is recommended.
- **Circulator Route** – While up to two vehicles may be operating in a single (clockwise) direction on this route, they will be operated spaced roughly evenly around the route, so space for **1 bus** is recommended.
- **Town Shuttle** – The Town Shuttle #1 Route also serves the west side of downtown Jackson and should serve the transfer point. As this bus could well be onsite at the same time as the other buses, additional space for **1 bus** is recommended.

In total, the site would optimally accommodate a total of four buses. Three of these (the Express Route buses and the Circulator) are 40' in length and can accommodate up to 40 seated passengers, while the Town Shuttle bus is 30 feet in length. A minimum of 10 feet of space between parked buses is needed to accommodate bike racks and at least some room to maneuver. If lined up along a single straight curb, the four buses would require a total of 180 feet of curb length. 10 feet between buses, however, would not allow buses to operate independently; a bus driver wishing to depart with another bus 10 feet in front would need to wait until the bus in front moves, or make a (potentially unsafe) backing maneuver. Additional curb space would be preferable to improve bus operations.

Space is also needed for passengers to stand in while waiting and queuing. Given the concentration of demand in the morning peak skier period, up to two full Express Bus passenger loads may be waiting at any one time, or 80 passengers.

The *Transit Capacity and Quality of Service Manual* (TRB, 2017) indicates that 8 to 10 square feet provides a comfortable space for standing and queuing. Taking the lower end of this range indicates that a minimum of 640 square feet of waiting area (with all passenger standing) would

be needed. If instead the social distance of 6 feet between individuals is used, this indicates a minimum of 36 square feet of space per person, or a total of 2,880 square feet. If spread along the 180 feet of bus loading area, this would require a waiting area at least 16 feet in width.

Siting Considerations

Before assessing individual sites, it is worthwhile to define the factors for consideration in the siting decision. Beyond the ability to accommodate the site program discussed above, the following are typical key factors to consider:

- **Provides Efficient Transit Operations** – The site would optimally have good access to and from the existing routes (such as along Pearl Avenue). In particular, left turns and through movements at busy streets (such as Broadway) without a traffic signal should be avoided. The site should provide a convenient opportunity for the Express Route to turn around.
- **Minimize Impacts on Incompatible Uses** – The planned bus operations will result in a modest increase in noise and traffic activity, as well as passengers waiting between buses. Optimally, the site would not be adjacent to residential or lodging uses.
- **Convenient Pedestrian Access to Lodging and to Destinations** – In particular, a site that is within a few blocks walk of lodging facilities helps to reduce the need for transfers to the Shuttle or Circulator Routes. For purposes of this evaluation, a 900-foot walk distance is considered to be a reasonable maximum, calculated at a relatively slow 3 feet per second walk speed (considering ski gear and waits at cross streets) and a 5 minute maximum walk time. This distance is equal to roughly 2 ½ blocks. Table A presents a summary of lodging properties within the convenient walking distance, indicating that three of the sites are very equal in this respect, while the Pearl/Millward site has approximately 20 percent more units within walking distance.
- **Minimize Impact on Parking Conditions** – The number of parking spaces that would need to be removed to provide the bus bays should be minimized, particularly if there is not other nearby available parking.
- **Public Availability** – As this transfer center is needed by mid-December and as it could potentially be a temporary use, implementation would be easier if the land needed for passenger waiting areas
- **Availability of Restrooms** – It would be preferable if there were a public restroom near the site.
- **Implementation Feasibility** – Sites that require simple restriping would be preferable to those that require new temporary hardscaping or other physical modifications.

TABLE A: Total Lodging Units within Walking Distance of Sites					
	# of Lodging Units	Site (X = Within 900 Feet Walk Distance)			
		Miller Park	Pearl & Jackson	Vertical Harvest	Pearl & Millward
Kudar Log Cabin	100	x			
The Alpine House	22	x			
Anvil Hotel	50	x			
Miller Park Lodge	16	x			
The Parkway Inn	43	x	x		x
Hotel Jackson	55	x			x
Jackson Hole Town Center Resort	45	x	x		x
The Wort Hotel	55	x		x	x
The White Buffalo Club	30	x			
Mountain Modern Motel	135	x	x	x	x
Multi Resorts at Jackson Pines	12	x	x	x	x
49'er Inn	40	x	x	x	x
Jackson Hole Lodge	59	x	x		x
SpringHill Suites by Marriott	121		x	x	x
Elk Country Inn	100		x	x	x
Cowboy Village	88		x	x	
The Antler Inn	110			x	x
Ranch Inn Motel	20			x	x
Totals	1,101	662	643	681	795

Miller Park Site Option

There are several options that could be considered for the southern portion of Miller Park. Probably the most feasible option would be to replace most of the angled parking spaces along the north side of W. Deloney Avenue with a bus loading area. This would eliminate 16 existing parking spaces, leaving only the westernmost 4 spaces. At present, this street frontage has a 5' sidewalk and a 5' planting strip. It would be possible to replace the planting strip with a temporary surface such as asphalt or wood decking and extend the decking 4 feet into the street. This would provide 14' of width for passenger waiting and circulation. Subtracting these 4 feet and 12 feet for the bus loading zone from the existing 48 feet of curb-to-curb street width results in 32 feet of remaining space, which is adequate for a 8' parallel parking lane on the south curb and one 12' travel lane in each direction. This would avoid the need to pave any of the existing park area north of the existing sidewalk. (A fence or line of benches could help to keep passengers in the immediate area.)

The buses would serve this transfer location as follows:

- Express Route buses would enter the area along Broadway from the west, make a left turn on Millward and a second left turn on Deloney to serve the site, then make a left turn on Jackson Street and a right back on Broadway towards the Village.
- Circulator Route buses would travel north on Millward Street, left on Deloney Street and then right on Jackson Street, right on Gill Avenue and left on Millward Street.
- The existing Town Shuttle 1 eastbound route would be modified slightly to turn left from northbound Millward onto Deloney Avenue, serve the transfer site and then proceed clockwise around Miller Park back onto Millward Street. In the westbound direction the existing route along southbound Millward Street would remain unchanged, serving the existing stop on the west side of Millward Street north of Deloney.

As an aside, other options could locate the bus loading zone on the other streets adjacent to Miller Park. However, they all would require more buses to go around the park, thereby adding to travel time and noise impacts. Providing passenger waiting areas would also have more of an impact on the park, particularly on the north side that does not have an existing sidewalk. The narrow sidewalk along Millward between the tennis/basketball court fence and the street would also be a constraint.

Advantages

- Convenient walk to downtown core and to many lodging properties.
- Publicly owned.
- Minimal impact on sensitive land uses
- Efficient Express Route.
- Possible to provide adequate passenger loading area at modest cost.
- Nearby public restrooms.

Disadvantages

- Eliminates 16 existing parking spaces (though parking is generally available around other sides of Miller Park and parking demand for the Park in winter is typically low).
- Some additional bus movements adjacent to lodging properties along Jackson Street.

Pearl Street Site Option

To provide adequate bus loading area, the existing bus area would need to be extended along the frontage between Jackson Street on the east and the existing open access to the Mountain Modern Motel 200 feet to the west (including the section in front of the Big Hole BBQ restaurant). There is currently a 5' sidewalk along this section of Pearl Street, with two benches in a small gravel strip. With 40' of street width, expanding the passenger waiting area would require eliminating the adjacent eight private motel parking spaces to the north. (The option of eliminating the parallel parking along the south side of Pearl Avenue and shifting the travel lanes to the south for this one block would probably not be feasible as it would result in safety issues at the transitions, requiring transitions on the adjacent blocks.)

The buses would serve this transfer location as follows:

- Express Route buses would travel eastbound along Broadway, make a right turn on Millward and a second right turn on Pearl to serve the site, then proceed west on Pearl Avenue and Broadway towards the Village.
- Circulator Route buses would travel north on Millward Street, left on Pearl to the site, then make a sharp right to Broadway eastbound and a left on Millward Street. This would add about 0.4 miles to every run and make it more difficult for this route to stay on a 20-minute schedule.
- The existing Town Shuttle 1 route would not be modified and continue to operate in both directions along Pearl Avenue. The eastbound buses would serve the existing stop on the south side of Pearl Avenue just east of Clissold Street. This would increase pedestrian crossings of Pearl Avenue at Clissold Street, which is currently unprotected.

Advantages

- Existing stop (though it would need to be expanded).
- Efficient Express Route.

Disadvantages

- Eliminates 6 existing onstreet parking spaces.
- Adjacent to lodging properties on both sides of Pearl Avenue.
- Requires use of private parking spaces for passenger waiting area.
- Extends Circulator Route and reduces its on-time dependability.
- Increases pedestrian crossing activity on Pearl Street at an unprotected location.

Vertical Harvest Site Option

The Vertical Harvest is along the south side of the public parking garage and along the north side of W. Simpson Avenue between S. Glenwood Street and S. Millward Street. The north curb of W. Simpson Avenue directly in front of the Vertical Harvest would be designated for bus parking only and used for the Express and Circulator buses. The Town Shuttle 1 stops would be on either side of Millward Street just north of Simpson Avenue. As there is approximately 16 feet of total pavement width in front of the Vertical Harvest today, there is already sufficient passenger waiting area.

Simpson Avenue would be converted to one-way westbound for this one block. With 30 feet of pavement width, the roadway would consist of 12 feet for the bus loading zone, 20 feet for a single westbound travel lane and 8 feet for south side parallel parking and loading zone. This would shift loading/unloading for the Marriott Springhill Suites to the driver's side of vehicles. The traffic shifts associated with conversion to one-way would be modest, as Simpson ends at the east end of this block, traffic to/from the Marriott would simply shift from one direction to the other, and as drivers heading to the parking structure from the west have the option to use the entrance on Millward Street.

As an aside, other options were also considered in this vicinity. The east side of S. Millward Street adjacent to the public parking structure is not feasible due to the entrance and exit for the parking structure. The alley to the north of the parking structure could be closed to all but transit traffic, but this would (1) conflict with the Bank of the West drive-through and (2) provide a cold and unattractive passenger waiting area on the north side of the parking structure. Use of the west side of S. Glenwood Street adjacent to the Western Motel site would not provide sufficient bus loading zone capacity and would require use of adjacent private land for passenger waiting area. The same conditions apply for the western side of S. Millward Street between W. Simpson Avenue and the alley to the north.

The buses would serve this transfer location as follows:

- Express Route buses would enter the area along Broadway from the west, make a right turn on Glenwood Street and a second right turn on W. Simpson Avenue to the site, then proceed west on Simpson, make a right turn on Jackson Street and a left turn to westbound Pearl Avenue and Broadway. This route is four to 6 blocks longer than for the other two sites.
- Circulator Route buses would travel north on Glenwood Street, west on Simpson Avenue to the site, then right on Millard Street northbound. This would be two block shorter than for the Miller Avenue site and six blocks shorter than the Pearl Street site.
- The existing Town Shuttle 1 eastbound route would be modified slightly to turn right from Pearl onto Jackson Street, left onto Simpson Avenue, and left onto Millward Street to serve the site, then proceed northbound on Millward. Westbound, the route would

extend south along Millward to the stop, then make right turns on Simpson Avenue and Jackson Street and a left onto Pearl Avenue.

Advantages

- Adequate passenger waiting area already available.
- Does not reduce existing parking.
- Publicly owned.
- Efficient Circulator Route.
- Nearby public restrooms.

Disadvantages

- Extends Express Route, reducing on-time reliability.
- Requires signage to implement 1-way street operation.
- Marriott passenger loading/unloading from the curb to the driver's side could be seen as a problem.
- Transit impacts on lodging property.

Pearl and Millward Site Option

Another option would be to establish new stops around the intersection of Pearl Avenue and Millward Street (where there are none at present). Stop locations that allow for efficient transit routes and do not impact existing driveways or private parking spaces are as follows:

- The Express Route buses would stop along the north side of Pearl Avenue just to the west of Millward, extending approximately 100 feet (to accommodate up to two buses at one time) along the side of the Rawhide Motel and in front of the Everest Momo Shack. This would allow the Express Route buses to make a clockwise loop along eastbound Broadway, southbound Millward and westbound Pearl back to Broadway.
- A stop on the east side of Millward just south of Pearl (along the side of the Bank of the West) would serve the Circulator route and the eastbound Town Shuttle 1 Route. The eastbound Town Shuttle 1 Route would divert from Pearl Street southbound on Jackson, east on Simpson and north on Millward to serve this stop. (An alternate stop location for this route could be on the south side of Pearl just west of Millward, but this would result in a difficult move out of the stop to northbound Millward.)

- A stop on the west side of Millward just north of Pearl would be served by the westbound Town Shuttle 1 route.

In sum, these stops would eliminate approximately 12 existing parallel onstreet parking spaces.

The greatest challenge with this site is the ability to provide adequate space for 80 or more waiting passengers all attempting to practice social distancing. In the mornings, passengers would tend to wait for the departing Express Route buses along the north side of Pearl west of Millward, which only has a 6' width for much of it and no option for expanding the area that does not require one of the travel lanes along Pearl. An option would be to move this bus loading area to the west side of Millward north of Pearl. However, this would require use of a portion of the Rawhide Motel parking lot for a passenger waiting area and would block the driveway directly onto Millward Street (though the access onto the alley could be used). In the afternoons, passengers would wait in front of the Bank of the West along Millward Street. This block has an 8-foot-wide sidewalk with a series of bench seats separated by grass areas. With the landowners permission, it would be possible to provide approximately 1,600 square feet of waiting area, if the grass areas were covered with a plywood flooring or otherwise converted to a usable surface. This would probably still not be sufficient for peak skier loads.

Advantages

- Results in efficient transit routes.
- Is within a convenient walking distance of roughly 130 additional lodging rooms compared with the other three sites (20 percent more).
- Public restrooms available nearby at parking structure.

Disadvantages

- Would probably be difficult if not impossible to provide adequate social distancing for waiting passengers on peak days. Would require agreements to use private properties.
- Modest reduction in parking, though in a busy part of town.
- Requires passengers to cross both streets to transfer between Express and Circulator buses.
- Transit impacts on adjacent lodging properties.

Summary

Table B presents a simple scoring summary of the three sites based on the seven factors discussed above. A score was assigned, based on a scale of 1 (worst condition) to 5 (best condition). The Miller Park site is highest or tied for highest on five of the seven factors, with only the impact on existing parking ranking lower than the Vertical Harvest site and the pedestrian access factor ranking lower than the Pearl & Millward site. If the scores for the seven factors are simply summed, the Miller Park site has the highest total score (30) followed by the Vertical Harvest site (24) and the Pearl Street site (15).

In reality, of course, not all of these seven factors should be given equal weight in the comparison. (For example, implementability and impact on transit operations are more important than the presence of a public restroom.) A more detailed evaluation could be conducted using the committee to assign 0-to-1 “weights” to each factor and multiplying by these values to calculate the total score.

Barring this more detailed analysis, it is the Consultant’s recommendation that the Miller Park site be pursued as the most feasible and advantageous option.

Table B: Potential Transfer Site Options				
	Value (5 Best, 1 Worst)			
Factor	Miller Park	Pearl Street	Vertical Harvest	Pearl & Millward
Provide Efficient Transit Operations	5	2	3	5
Impact on Incompatible Uses	4	1	1	1
Pedestrian Access to Trip Generators	4	3	3	5
Impact on Parking	3	3	5	4
Public Availability	5	2	5	2
Availability of Restrooms	5	1	5	5
Ease of Implementation	4	3	2	2
Totals	30	15	24	24

STAFF REPORT



MEETING DATE & TITLE: November 2, 2020; Regular Meeting

SUBMITTING DEPARTMENT: Community Development **PRESENTER:** Paul Anthony

SUBJECT: P20-173 Planning Commission AMD **PUBLIC COMMENT:** Yes

PURPOSE & POLICY CONSIDERATIONS:

The Mayor requested that staff draft an amendment to Section 8.10.5 Planning and Zoning Commission, and Section 8.10.6 Board of Adjustment to change the residency requirement from 2 years to 1 year. Staff has added a related amendment to change the number of Planning Commission members from 7 to a maximum of 7 members. These proposed changes also require related amendments to Chapter 2.40 Town Planning Commission in the Town Municipal Code.

REQUESTED ACTION:

To amend the text of the Town of Jackson Land Development Regulations (LDRs), pursuant to Section 8.7.1, LDR Text Amendments, to revise Section 8.10.5 Planning and Zoning Commission, and Section 8.10.6 Board of Adjustment to change the residency requirement from 2 years to 1 year and to change the number of Planning Commission members from 7 to a maximum of 7 members. These proposed changes also require related amendments to Chapter 2.40 Town Planning Commission in the Town Municipal Code.

RECOMMENDATION:

The Planning Director and Planning Commission recommends approval of P20-173. The Planning Director also recommends approval of the proposed amendments to Chapter 2.40 Town Planning Commission in the Municipal Code (the Planning Commission does not review amendments to the Municipal Code).

BACKGROUND:

The Mayor requested staff to draft an LDR text amendment to reduce the Town's residency requirement for Planning Commissioners from 2 years to 1 year. Currently, the LDRs require any potential Planning Commission member to be a resident of the Town of Jackson for 2 consecutive years to be eligible to serve. This has reduced the pool of potential applicants and made it more difficult to fill vacancies on the commission with qualified applicants who may have moved to the Town recently after living in the County for an extended period and being very familiar with the Town's issues.

In addition to the above change, staff is proposing a related change to amend the LDRs to modify the membership of the Planning Commission from 7 members to a maximum of 7 members, provided that there always be an odd number of members (7, 5, or 3 members). This change, in turn, requires a change to the quorum requirements to recognize the possibility for a variable number of members on the commission. It should be noted that the Council approved an amendment to increase the number of members from 5 to 7 on January 17, 2018 (after decreasing it from 7 to 5 members a few years previously).

Furthermore, because the Municipal Code also addresses requirements for the Planning Commission, related changes are proposed to Chapter 2.40 Town Planning Commission.

Staff Analysis

To accomplish the proposed changes, each proposed amendment is provided in **red type** below to four different sections of the Town of Jackson Land Development Regulations.

- Sec. 8.10.5 Planning and Zoning Commission.

C. Membership.

1. Qualifications. Members of the Planning and Zoning Commission shall be residents of and qualified electors of the Town for a minimum of **1 2-years** prior to appointment **and shall be a resident of the Town for the entire duration of the term**. No member of the Town Council or Town employee shall serve on the Planning and Zoning Commission. Although no specific experience requirements shall be necessary as a prerequisite to appointment, special consideration shall be given to applicants who have experience or education in planning, law, architecture, natural resource management, real estate, and related fields.

2. Appointment. The Planning and Zoning Commission shall be composed of **an odd number of not more than 7 members and not less than 3**, to be appointed by the Mayor with the consent of the Town Council.

- Sec 8.10.5 Planning and Zoning Commission.

E. Quorum and voting.

The presence of **a majority of the appointed members 4-or-more-members** of the Planning and Zoning Commission shall constitute a quorum of the Planning and Zoning Commission necessary to take action and transact business. All actions shall require a simple majority vote of the members of the quorum present.

- Sec 8.10.6 Board of Adjustment

D. Quorum and voting.

The presence of **a majority of the appointed members 4-or-more-members** of the Board of Adjustment shall constitute a quorum of the Board of Adjustment necessary to take action and transact business. All actions shall require an affirmative vote by **a simple majority of the 4** members of the Board of Adjustment.

Amendment to Municipal Code Chapter 2.40 Town Planning Commission

2.40.010 Created--Membership--Qualifications--Terms.

There is created a Town Planning Commission for the Town of Jackson, which commission shall consist of **an odd number of not more than 7 members and not less than 3** ~~maximum of seven (7) members and shall always be composed of an odd number of members~~, including a chairman, all to be appointed by the Mayor by and with the advice and consent of the Town Council. Members of the Town Planning Commission shall have been bona fide residents of the Town for at least ~~two~~ **one (21)** years immediately prior to their becoming members of the commission and no person holding any other public office or position in the government of the Town shall be eligible for membership on such commission. The members of the initial commission shall take office as of the date of their appointment and qualification. Initial appointments shall be two (2) appointments for one (1) year, two (2) appointments for two (2) years, and three (3) appointments for three (3) years, and thereafter members shall be appointed for a term of three (3) years in the manner hereinabove provided at the expiration of the term of each member. All members shall serve without compensation. The Town Planning Commission shall appoint a secretary who, unless he is a member of the Planning Commission, shall not be entitled to vote on matters before the Planning Commission.

(Ord. § 1, 2020; Ord. 1190 § 1, 2018; Ord. 1051 § 1, 2014; Ord. 652 § 1, 2000; Ord. 350 § 1, 1986; Ord. 256 § 1, 1979; Ord. 164 § 1, 1973.)

2.40.040 Rules.

The Planning Commission may adopt rules in accordance with State law. No action shall be taken by the Planning Commission on any case until after notice and hearing as required by Town ordinance or the statutes of the State. The presence of a majority of the appointed ~~three~~ members shall constitute a quorum and the concurring vote of a majority of the members present shall be necessary to decide on any matter upon which the commission is required to pass.

(Ord. _____ § 1, 2020; Ord. 1051 §1, 2014; Ord. 934 §1, 2009; Ord. 283 § 1, 1982; Ord. 256 § 4, 1979; Ord. 164 § 4, 1973.)

ALTERNATIVES (Optional):

None

COMPREHENSIVE PLAN & PRIORITY ALIGNMENT:

Pursuant to Section 8.7.1.C of the Town of Jackson Land Development Regulations, the advisability of amending the text of these LDRs is a matter committed to the legislative discretion of the Town Council and is not controlled by any one factor. In deciding to adopt or deny a proposed LDR text amendment the Town Council shall consider factors including, but not limited to, the extent to which the proposed amendment:

1. *Is consistent with the purposes and organization of the LDRs;*

Complies. The purpose of the LDRs is to predictably implement the Comprehensive Plan. The proposed amendments add predictability by clarifying the eligibility requirements and commission membership limits for the Planning Commission. The benefit of reducing the residency requirement is that it will increase the pool of qualified candidates for the commission.

2. *Improves the consistency of the LDRs with other provisions of the LDRs;*

Not Applicable. The proposed amendments are not intended to improve consistency within the LDRs and does not create any new inconsistencies.

3. *Provides flexibility for landowners within standards that clearly define desired character;*

Not Applicable. The proposed amendments are not intended to provide flexibility for landowners within standards that clearly define desired character.

4. *Is necessary to address changing conditions, public necessity, and/or state or federal legislation;*

Complies. The proposed amendment addresses a need to adjust to the often transient nature of local residents who often move back and forth between the Town and County.

5. *Improves implementation of the Comprehensive Plan; and*

Complies. The proposed amendment improves the implementation of the Comprehensive Plan by clarifying the eligibility requirements and commission membership limits for the Planning Commission.

6. *Is consistent with other adopted Town Ordinances.*

Complies.

FISCAL IMPACT:

There is no direct cost to direct staff to prepare ordinances to make these changes. However, amending the Land Development Regulations and Municipal Code requires advertisement of the ordinances and the estimated cost of the advertising ranges between \$300 and \$800 depending on the length and number of ordinances.

STAFF IMPACT:

The amount of staff time to review, research and write this report and prepare ordinances including future work is 7 hours.

ATTACHMENTS OR LINKS:

None

SUGGESTED MOTIONS:

ITEM A: I move to recommend approval of P20-173, dated October 2, 2020, to amend the Town of Jackson Land Development Regulations to clarify the eligibility requirements and membership limits for the Planning Commission, being able to find, based upon the findings as presented in the staff report, that pursuant to Section 8.7.1.C of the Land Development Regulations the application: 1) Is consistent with the purposes and organization of the LDRs; 2) Improves the consistency of the LDRs with other provisions of the LDRs; 3) Provides flexibility for landowners within standards that clearly define desired character; 4) Is necessary to address changing conditions, public necessity, and/or state or federal legislation; 5) Improves implementation of the Comprehensive Plan; and 6) Is consistent with other adopted Town Ordinances, subject to this staff report dated November 2, 2020, and no conditions of approval, and direct staff to present ordinances for adoption.

ITEM B: I move to approve the proposed amendments to Chapter 2.40 Town Planning Commission in the Town Municipal Code as shown in this staff report, dated November 2, 2020 and direct staff to present ordinances for adoption.

STAFF REPORT



MEETING DATE & TITLE: November 2, 2020

SUBMITTING DEPARTMENT: Planning

PRESENTER: Paul Anthony

AGENDA ITEM: P20-166 Subdivision plat for a land division at 808 Upper Redmond Road in the Neighborhood Low Density – 1 (NL-1) zone.

PUBLIC COMMENT: Yes

REQUESTED ACTION:

The applicant, Mark Fellermann of Y2 Consultants who is representing the Thompson Family Trust, is requesting that the proposed Subdivision Plat for a 2-lot subdivision at 808 Upper Redmond Road be continued to the Council's meeting on December 7, 2020.

ORDINANCE XXXXX

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 283, 350, 652, 934, 1051 AND 1190 AND SECTION 4 OF ORDINANCE NOS. 164 AND 256 AND SECTIONS 2.40.010 AND 2.40.040 OF THE TOWN OF JACKSON MUNICIPAL CODE REGARDING THE PLANNING COMMISSION AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION I.

Section 1 of Town of Jackson ordinance nos. 283, 350, 652, 934, 1051 and 1190 and section 4 of ordinance nos. 164 and 256 and sections 2.40.010 and 2.40.040 of the Town of Jackson Municipal Code are hereby amended and reenacted to read as follows:

2.40.010 Created--Membership--Qualifications--Terms.

There is created a Town Planning Commission for the Town of Jackson, which commission shall consist of ~~an odd number of not more than 7 members and not less than 3~~ maximum of seven (7) members and shall always be composed of an odd number of members, including a chairman, all to be appointed by the Mayor by and with the advice and consent of the Town Council. Members of the Town Planning Commission shall have been bona fide residents of the Town for at least ~~two~~ one (1) years immediately prior to their becoming members of the commission and no person holding any other public office or position in the government of the Town shall be eligible for membership on such commission. The members of the initial commission shall take office as of the date of their appointment and qualification. Initial appointments shall be two (2) appointments for one (1) year, two (2) appointments for two (2) years, and three (3) appointments for three (3) years, and thereafter members shall be appointed for a term of three (3) years in the manner hereinabove provided at the expiration of the term of each member. All members shall serve without compensation. The Town Planning Commission shall appoint a secretary who, unless he is a member of the Planning Commission, shall not be entitled to vote on matters before the Planning Commission.

(Ord. § 1, 2020; Ord. 1190 § 1, 2018; Ord. 1051 § 1, 2014; Ord. 652 § 1, 2000; Ord. 350 § 1, 1986; Ord. 256 § 1, 1979; Ord. 164 § 1, 1973.)

2.40.040 Rules.

The Planning Commission may adopt rules in accordance with State law. No action shall be taken by the Planning Commission on any case until after notice and hearing as required by Town ordinance or the statutes of the State. The presence of a majority of the appointed ~~three~~ members

(Ord. § 1, 2020; Ord. 1051 §1, 2014; Ord. 934 §1, 2009; Ord. 283 § 1, 1982; Ord. 256 § 4, 1979; Ord. 164 § 4, 1973.)

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

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

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

PASSED 1ST READING THE _____ DAY OF _____, 2020.
PASSED 2ND READING THE _____ DAY OF _____, 2020.
PASSED AND APPROVED THE _____ DAY OF _____, 2020.

BY: _____
Pete Muldoon, Mayor

BY: Sandra P. Birdyshaw, Town Clerk

STATE OF WYOMING)
) ss.
COUNTY OF TETON)

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

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

Sandra P. Birdyshaw, Town Clerk

ORDINANCE XXXXX

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1049, 1050, 1191 AND SECTION 2 OF TOWN OF JACKSON ORDINANCE NO. 1074 (PART) AND SECTIONS 8.10.5 AND 8.10.6 OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING THE PLANNING COMMISSION AND BOARD OF ADJUSTMENT AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION I.

Section 1 of town of Jackson ordinance Nos. 1049, 1050, 1191 and section 2 of Town of Jackson ordinance No. 1074 (PART) and sections 8.10.5 and 8.10.6 of the Town of Jackson Land Development Regulations are hereby amended and reenacted to read as follows:

(See next page)

8.10.5. Planning and Zoning Commission (1/1/15, Ord. 1074)

C. Membership.

1. Qualifications. Members of the Planning and Zoning Commission shall be residents of and qualified electors of the Town for a minimum of ~~1 2-year~~ prior to appointment ~~and shall be residents of the Town for the entire duration of their term~~. No member of the Town Council or Town employee shall serve on the Planning and Zoning Commission. Although no specific experience requirements shall be necessary as a prerequisite to appointment, special consideration shall be given to applicants who have experience or education in planning, law, architecture, natural resource management, real estate, and related fields.

2. Appointment. The Planning and Zoning Commission shall consist of an odd number of not more than 7 members and not less than 3 , to be appointed by the Mayor with the advice and consent of the Town Council.

E. Quorum and voting.

The presence of ~~a majority of the appointed members 4 or more members~~ of the Planning and Zoning Commission shall constitute a quorum of the Planning and Zoning Commission necessary to take action and transact business. All actions shall require a simple majority vote of the members of the quorum present.

8.10.6. Board of Adjustment (1/1/15, Ord. 1074)

D. Quorum and voting.

The presence of ~~a majority of the appointed members 4 or more members~~ of the Board of Adjustment shall constitute a quorum of the Board of Adjustment necessary to take action and transact business. All actions shall require an affirmative vote by ~~a simple majority of the 4~~ members of the Board of Adjustment.

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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

Sandra P. Birdyshaw, Town Clerk

MEMORANDUM

TO: Mayor and Town Council
FR: Larry Pardee, Town Manager
DT: November 2, 2020
RE: Town Manager's Report

All Employee Meeting

A virtual All Employee Meeting was held on October 27 and employees were updated on the current status of the budget with the most recent revenue projections. Employees were also shown a brief video of the housing ownership opportunities at 174 N. King through the five revolving rights of first purchase and there were several employees that expressed interest in purchasing during this initial offer. Should employees not take advantage at this time, Town employees would be given first right to purchase at the resale of any unit until all five rights are utilized. Employees were given a brief overview of upcoming Values discussions that begin in November. Employees were recognized for 5, 10, 15, 20, and 30 years of service to the Town organization as well as employees in joint departments managed by Teton County. And finally, eight Town employees were recognized by their fellow employees and Department Directors for exemplifying the Values and received engraved river rocks as these employees are solid 'rocks' in our organization.

Upcoming Diversity, Equity, and Inclusion Training

The Town is conducting our first organization-wide foundational learning session around diversity, equity, and inclusion in mid December. This training ties into the Town of Jackson Values of respect and professionalism and is considered professional development training. All employees will be participating and the training was also offered to Town elected officials and appointed boardmembers. If you have not yet signed up for a session and would like to attend, please contact Nancy Lee or Roxanne Robinson to sign up for your preferred time slot.