



REVIEW HEARING
OCTOBER 12, 13, 14, 2015
SNOW KING HOTEL



Objective

Consider public comment and provide direction on the modifications that need to be made to enhance Section 3 of the Housing Action Plan (Chapters 5-8) to prepare it for adoption.

Through public and stakeholder review of the draft Housing Action Plan, we've found many points of agreement that have set the foundation for more detailed action items. **We are here to set policy to advance the process of meeting our housing needs. There are many details to be worked out in the future, but if we can agree on the initiatives in this Plan we can use it as a springboard to on-the-ground implementation.** The draft Housing Action Plan dated August 28, 2015 is the basis of the conversation, discussion will focus on revisions to that document.

Introduction

The Town Council and Board of County Commissioners released the Housing Action Plan on Friday, August 28, 2015. The Plan represents the collective work of multiple organizations, our stakeholders, and our elected officials who came together to address one of our most important community values. Future initiatives have been organized into four distinct implementation-based chapters: Housing Supply Plan; Housing Management Plan; Dedicated Funding Plan; and Zoning for Housing Plan. It also establishes an organizational structure, including statements identifying who is responsible for each chapter.

The Plan is grounded in the analysis of eight housing studies completed between 2007 and 2014, and lays out a plan to implement the direction from the Housing Summit held on May 20 and 21, 2015. During this unprecedented two-day Housing Summit, the group rallied around a common vision and initiatives for the Plan. The Summit provided the venue to translate the resulting recommendations into action. Common themes presented throughout the process include:

1. We continue to have less workforce housing available to our community and this is expected to continue.
2. We need a variety of providers and partnerships to meet our workforce housing goals.
3. We need to significantly increase the supply of housing.
4. We need to apply a variety of tools to meet our workforce housing objectives.
5. The amount of housing supplied by each provider as well as the tools will vary over time.
6. More data will not change these themes.
7. The cost of inaction is falling further behind.

Agenda

October 12, 13, 14, 2015 | Snow King Hotel

A. Open Hearing and Public Comment (Monday, October 12, 5:30pm)

Goal: Set foundation for review hearing and hear final public comment

- Open the hearing
- Staff Presentation of Plan and Public Proposed Modifications/Enhancements (*see attachment*)
- Question and Answer of staff from electeds and stakeholders
- Public Comment

Homework:

Stakeholders and electeds should identify any additional modifications that should be added to the attached list

B. Stakeholder Roundtable Forum (Tuesday, October 13, 9:00 am – 1:00 pm)

Goal: Refine modifications/enhancements to the draft Housing Action Plan

- Collect any homework from stakeholders or electeds
- Staff overview of the exercise and updated modifications/enhancements
- Exercise (*see attachment to prepare*)
 - Part I: Prioritize discussion of proposed modifications (*see attachment*)
 - Part II: Discuss proposed modifications in order of priority
- Recap and Closing Remarks

C. Electeds Roundtable Forum (Wednesday, October 14, 9:00 am – 1:00 pm)

Goal: Direction on Housing Action Plan modifications/enhancements based on public comment and stakeholder recommendations

- Collect any additional homework from electeds
- Staff overview of the exercise and stakeholder recommendations/refinements
- Exercise (*see attachment to prepare*)
 - Part I: Prioritize discussion of proposed modifications (*see attachment*)
 - Part II: Discuss proposed modifications in order of priority
- Recap of Town Council/ County Commission Direction
 - Including review of a prioritization of Actions developed by staff during meeting

D. Continue Hearing (Wednesday, October 14, end of meeting)

Goal: Continue hearing to November JIM for consideration of adoption

- I move to direct staff to make the modifications to the Housing Action Plan directed at this meeting; and present, at the November JIM, a resolution to adopt the revised Housing Action Plan

Proposed Modifications (based on public comment)

Below are the modifications to the draft Housing Action Plan proposed through public comment. The modifications are organized based on Plan section and chapter, but are color coded based on the content of the proposed modification. Additional modifications may be added at the meeting in response to public comment, as outlined in the agenda. Acceptance of a proposed modification does not mean that every detail of the implementation of the modification needs to be known. The Housing Action Plan is a 10-year blueprint, there will be time to determine implementation specifics in the future.

<i>Red Modification</i>	Proposed modification would significantly change policy direction from the May Housing Summit and should be discussed
<i>Gold Modification</i>	Proposed modification would change content of draft Plan
<i>Green Modification</i>	Proposed modification is a content neutral enhancement that will be made by staff
<i>Gray Modification</i>	Proposed modification is outside of the scope of the Housing Action Plan and will be discussed at another time

Additional modifications may be added at the meeting, as outlined in the agenda. Some proposed modifications are grouped together because they address the same topic. In some cases the modifications contradict each other and discussion at the hearing will entail picking one of the proposed modifications. In other cases the proposed modifications are related and will be discussed together, but may all be complimentary. The facilitator will identify these related modifications at the meeting and organize the discussion. If you have any questions about the grouped modifications during your preparation for the meeting please contact staff.

As you prepare for the exercises described in the agenda for the Housing Action Plan hearing, please think about proposed modifications in red and gold and decide whether each red or gold modification should be made. Keep in mind each modification proposes a revision to the Housing Action Plan dated August 28, 2015. Please contact staff with any questions about the differences between the draft Plan and proposed modification. As identified in the agenda, the first part of the exercise will be to prioritize discussion of the red and gold modifications. Staff recommends each red modification be discussed. Modifications that are not discussed will be made by staff prior to adoption.

Plan Section	Proposed Modification
Overall Format	<i>Move Chapters 1-4 to an appendix, to focus on the future Action Plan chapters; and open with a concise summary</i>
	<i>Include a responsibility chart that restates the actions by who is responsible for their implementation</i>
	<i>Include a prioritized list of the actions</i>
	<i>Revise the Plan to be formatted as shorter, more direct, easier to follow steps</i>
Section I: Direction	
Chapter 1. Policy Guidance	<i>Abandon "65%", it is meaningless</i>

Plan Section	Proposed Modification
Section II: Direction	
Chapter 2. Objectives	<p><i>Note that the 62% is derived from the Regional Housing Needs Assessment survey, but is not quoted from the Regional Housing Needs Assessment document</i></p> <hr/> <p><i>Include an estimate a full catch-up number in the Plan</i></p> <hr/> <p><i>Add discussion of housing needs of seniors, upper middle-class, or lowest earners</i></p>
Chapter 3. Analysis of Tools	
Chapter 4. Providers and Organizational Structure	
Section III: Direction	
Organizational Structure	<p><i>Revise the title of the “Housing Coordinator” position (2 proposals)</i></p> <hr/> <p><i>Establish a Housing “Director”, not “Coordinator”</i></p> <hr/> <p><i>Keep an Executive Director of the Housing Authority, not a “Housing Coordinator”</i></p> <hr/> <p><i>Amend the structure to more/less drastically change existing TCHA structure (3 proposals)</i></p> <hr/> <p><i>Housing Authority staff should still report to the Authority Board</i></p> <hr/> <p><i>Authority autonomy should be retained as is. Increased communication with BCC and Council can be achieved through monthly director updates and quarterly meetings of the Housing Authority Board and the elected officials</i></p> <hr/> <p><i>The dissolution of the Housing Authority as presently formed is not firm enough. This is a failed model so let’s be firm in finding a new vehicle that is not government driven.</i></p> <hr/> <p><i>Revise the duties and makeup of the Housing Authority Board (2 proposals)</i></p> <hr/> <p><i>Do not make the Authority Board a recommending body on Housing Supply, limit their duties to statutory duties and appeals duties</i></p> <hr/> <p><i>Do not make disciplines for Authority Board members a requirement in case no one in any of those disciplines can be found</i></p> <hr/> <p><i>State an intent that the time and resources dedicated to restructuring the Housing Authority will not take away from getting housing on the ground</i></p> <hr/> <p><i>Ensure the proposed restructure does not jeopardize governments’ legal authority to enforce existing deed restrictions</i></p> <hr/> <p><i>Include discussion of the Housing Authority Board’s duties under state statute</i></p> <hr/> <p><i>Add Action to Plan: Merge Town and County building departments</i></p>

Plan Section	Proposed Modification
Chapter 5. Housing Supply Plan	
<i>General</i>	
	<i>Add Action: Forge a relationship between open space and affordable housing</i>
<i>Organizational Structure</i>	<i>Prioritize creation of the Housing Supply Program</i>
	<i>The Housing Supply Program should have measurable objectives/metrics for success</i>
	<i>Include a goal of one project in construction and one in design/planning each year</i>
	<i>Clarify that the Housing Supply Program is nearly impossible to create and implement without a dedicated funding source</i>
	<i>Add Action: The Housing Coordinator will facilitate the RFP process among the private sector</i>
5A. <i>Prioritize lower income year-round housing</i>	
5B. <i>Production: Provide land as a public subsidy and get the public out of the developer role</i>	<i>Include an estimate of how many units we believe are possible to produce per year, by tool</i>
	<i>Include intent for increased transit service as a method for provision of affordable housing</i>
	<i>Include a policy prioritizing funding for shovel ready projects</i>
	<i>Revisions to get public more/less involved in housing production (3 proposals)</i>
	<i>The Wyoming constitution may prohibit non-governmental organizations developing housing on publicly purchased land</i>
	<i>Delete statement of intent to “get public out of role of developer”; leave the public development role on the table when private developers cannot perform</i>
	<i>This should be a private enterprise effort, not sure the public even needs to provide land.</i>
	<i>Revisions to commit to/caution on partnerships in Action Plan (2 proposals)</i>
	<i>Make a multi-year commitment to partner with the Jackson Hole Community Housing Trust</i>
	<i>Emphasize the importance of fiduciary responsibility to the public in partnerships and adopt best practices in establishing partnerships</i>
	<i>Add Action: Create clear objectives for a new rental program: financial/employment characteristics of rental candidates; remedial action for non-compliance</i>
	<i>Add Action: Anticipate displacement by offering alternative housing</i>
	<i>Add Action: Restrict a property by Q2 2016, establish basic objectives, and fund the planning work to ensure ground breaking in spring 2017</i>

Plan Section	Proposed Modification
5C. Preserve existing workforce housing stock to avoid leakage	<i>Limit the resources dedicated to preservation; someone or organization should oversee this but it does not need to be lots of resources</i>
	<i>Add to the first action investigation of the overlap of the various preservation tools on similar populations</i>
	<i>Include an estimate of how many units we believe are possible to preserve per year, by tool</i>
	<i>Add Action: Consider limiting property tax increases that drive up rent for market rentals</i>
	<i>Add Action: Consider rent control</i>
5D. Provide public technical assistance for housing providers	<i>Add Action: Explore connectivity/corridors with commuter communities</i>
	<i>Add Action: Advise on growth of public transportation system, especially alternate schedules</i>
	<i>Add Action: Enforce short-term rental rules more strictly</i>
Chapter 6. Housing Management Plan	
General	<i>Expecting private organizations to coordinate and standardize is unrealistic and should be elaborated upon or deleted</i>
Organizational Structure	
6A. Coordinate management of existing restrictions	<i>Add Priority Action: Inventory all restricted/employee units and create a map locating each unit</i>
	<i>Add discussion of modifying existing restrictions to address what happens when people step up their earnings...are they allowed to stay?</i>
6B. Consistent review of new restrictions	<i>The Housing Authority does not need to review LDR compliance, that is the Planning Director's responsibility</i>
6C. Coordinate outreach on housing programs	<i>Consider hiring an outside expert to lead communications</i>
	<i>Add Action: Visually community demographic spectrum served</i>
	<i>Add Action: Conduct community outreach inclusive of public workshops, sessions with employee groups, consistent media appearances</i>
6D. Coordinate access to housing opportunities	<i>Coordination is not need if the direction is that requirements should be simple and straightforward.</i>
6E. Ensure adequate standard of housing	
Chapter 7. Dedicated Funding Plan	
General	<i>Town and County government need to decide and state what they are going to fund and subsidize annually.</i>
Organizational Structure	

Plan Section	Proposed Modification
7A. <i>Establish a Community Priorities Fund</i>	<i>Set the transportation/housing split of the sales tax revenue in the Housing Action Plan so as to avoid annual wrangling</i>
	<i>Do not create a tax stream for housing</i>
	<i>Add Action: Establish a taskforce that includes the Housing Coordinator to work on sales tax initiative</i>
	<i>The Community Priorities Fund should be funded through a SPET initiative voted on every 5-10 years</i>
7B. <i>Monitor need to determine funding strategies</i>	
7C. <i>Seek and support grants, tax credits, loans, and other sources of funding</i>	<i>Include intent to continue to pursue SPET projects to mitigate the amount of sales tax needed and demonstrate electorate support</i>
	<i>Include intent to seek land swaps coupled with density bonuses as a way to provide public needs and housing</i>
7D. <i>Advocate alternate funding options for the future</i>	<i>Set the future intention that transportation will be soon funded by distinct source(s) such as paid parking, etc.</i>
	<i>Include intent to seek leases/partnerships/sales with federal land agencies to build housing</i>
	<i>Add Action: Pursue ability to use lodging tax dollars for housing rather than promotion</i>
Chapter 8. Zoning for Housing Plan	
General	<i>Accelerate the LDR and zoning map amendments to facilitate the development of restricted workforce housing</i>
Organizational Structure	
8A. <i>Allow for supply of workforce housing by removing barriers</i>	<i>Add Action: Revise parking requirements to facilitate housing (3 proposals)</i>
	<i>Put parking on the table for earnest consideration; acknowledge parking as the largest barrier to density.</i>
	<i>Recalibrate parking for workforce housing developments; explore possibility of building more municipal parking garages to offset parking requirements on individual developments</i>
	<i>Reduce parking requirements to one space per unit for restricted workforce housing; support offsite parking in appropriate locations; consider funding construction of additional parking garages (wrapped in workforce housing of course)</i>
	<i>Add Action: Avoid change of use penalties that are barriers to housing</i>
	<i>Add Action: Zone appropriate properties in the Town and County UR</i>
	<i>Add discussion of the barriers provided by Planning.</i> <i>Allow some rural areas to be used for restricted workforce housing</i>

Plan Section	Proposed Modification
<p>8B. Incentivize the supply of restricted housing</p>	<p><i>Bonuses should be enabled in all workforce housing developments, restricted or private</i></p>
	<p><i>Housing should be allowed through incentives not base zoning so the units only have to be counted against buildout when permitted, not at the time of zone adoption</i></p>
	<p><i>Add more specifics to the Action to provide density bonuses (3 proposals)</i></p>
	<p><i>Provide additional density (30%) for restricted workforce housing in appropriate locations</i></p>
	<p><i>Institute changes to density in workforce housing developments; four stories wherever appropriate and delineate downtown blocks where four stories could be built for workforce housing</i></p>
	<p><i>Guarantee flexibility in LSR, FAR, height and setback requirements when it results in restricted workforce housing</i></p>
	<p><i>Add specifics to the Action to expedite and simplify the approval process: eliminate the sketch plan requirement for a PUD; minimize submittal requirements for a PUD; prioritize review of projects designed to provide workforce housing</i></p> <p><i>Add Action: Guarantee fee waivers for restricted workforce housing developments</i></p>
<p>8C. Require mitigation of employees generated by growth that cannot afford housing</p>	<p><i>Cap commercial development potential in Housing Action Plan in order to manage need for housing</i></p>
	<p><i>Increase/decrease the amount of mitigation expected of commercial development (2 proposals)</i></p>
	<p><i>Ensure commercial development fully mitigates the housing demand it generates, full mitigation is their fair share</i></p>
	<p><i>Every business cannot afford to provide housing or a big penalty if they do not, proposed language implies too great a requirement</i></p>
	<p><i>Add Action: Simplify regulations and make consistent between Town and County</i></p>

PROVIDING BUS ACCESS TO OUR ADJACENT COUNTIES MUST BE PART OF OUR HOUSING ACTION PLAN

The Housing Action Plan currently appears concerned only with providing housing in Teton County, WY. This is myopic, and overlooks the much more economical housing available in Teton County, Idaho and Lincoln County. For example, the average selling price of the ten lowest priced single family homes sold in the last three months in Teton County, WY, as shown in the Teton County, WY MLS, is \$640,150 while the comparable average in Teton County, ID is \$163,640. According to Jonathan Schechter in a recent JHN&G column, a two bedroom apartment in Jackson (if you can find one) rents for \$1,800 per month; you can rent a recently constructed three BR apartment in Victor for \$1,100. While the Housing Action Plan is focused on housing 65 percent of our workers locally, we, as a community, have a broader responsibility to provide housing for all of our workers. Furthermore, since housing is fungible, access to lower cost housing in our adjacent counties will exert pressure on Jackson land owners and developers to provide lower cost housing here and thus lower the community's cost in meeting its 65 percent target.

Our family has been involved in providing worker housing in Jackson and Teton County, Idaho for over 25 years. It appears clear that the key to making affordable housing available to people working in Jackson is to provide better inter-county bus service because commuting in private vehicles is expensive and contributes to the kind of traffic congestion we experienced this summer. Currently, our Start buses make only two or three runs to Teton County, Idaho and Lincoln County per day. We need more, especially runs starting earlier in the morning and returning later at night to accommodate a wider variety of working hours for people like those working at St. John's and our hotels. As our Start Bus people will tell us, in the beginning, additional runs will not be full; but when our workers recognize such service is available, they will take advantage of them.

At present, it seems consideration of bus service is being left to those concerned with the Transportation Plan. Because of the important role our adjacent counties can play in housing all of our workers, bus service must be taken up as part of our Housing Plan as well.

Walt Thulin

Alex Norton

From: Snow White <snowangelraen@hotmail.com>
Sent: Monday, September 14, 2015 5:12 PM
To: County Commissioners
Subject: Help!

PLEASE!

Please, please, please help us working class people who love this community and have been invested in it (for many years) find a place to live where we work and volunteer!

I am a current resident at Blair Place Apartments and have been teaching Jackson children for several years. Among the various things I have taught them is to also invest and volunteer for their community, to be good stewards of their home. Together, we've worked with Friends of Pathways, Park Service, Forest Service, Morning Star, St. John's, Habitat for Humanity, local churches, The Mission and more to help make this place a more beautiful place to live. Now, won't you?

Don't you want to help people who are invested in the betterment of our world, both in Jackson and beyond? If so, then PLEASE start thinking outside the box and plan a solution to the housing crisis as soon as you can. Please stop appeasing commercial entities and start vying for space to house the working class of Jackson Hole. It's up to you to preserve the soul of the Hole!

Desperately,
Raen

Alex Norton

From: Shawn Hill <shawn@tetonvalleyadvocates.org>
Sent: Tuesday, September 15, 2015 8:27 AM
To: Alex Norton
Subject: Re: 62%

Ah, okay - figured as much but wasn't certain. A tiny nit to pick, but perhaps it may be worth noting that the 62% was the conclusion of an analysis conducted outside of the HNA (albeit using data collected for the study). Reads as if it's a direct quote.

Thanks again.

-swh

On Tue, Sep 15, 2015 at 8:19 AM, Alex Norton <anorton@tetonwyo.org> wrote:

Shawn,

That number is not calculated directly in the Regional Housing Needs Assessment. Wendy used the needs assessment survey data to calculate it for Chapter 2 of the Housing Action Plan.

Alex

Alex Norton, AICP

Jackson/Teton County Long-Range Planner

PO Box 1712 | 200 S. Willow St.

Jackson, WY 83001

[307-733-3959](tel:307-733-3959)

From: Shawn Hill [mailto:shawn@tetonvalleyadvocates.org]
Sent: Monday, September 14, 2015 7:01 AM
To: Alex Norton <anorton@tetonwyo.org>
Subject: 62%

Hi Alex

Can you point me to where in the 2014 HNA it is indicated that 62% of the workforce lives locally?

Thanks.

-swh

--

Shawn W. Hill

Executive Director



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Shawn W. Hill

Executive Director



PO Box 616/2 River Hollow Road
Wilson
Wyoming 83014, USA



Vox: 307.733.8018 **Mobile:** 307.413.4530 **Email:** hardie@wyoming.com

Barbara Allen, Chair
c/o TC Board of Commissioners
200 S. Willow Street
Jackson
Wyoming 83001

14 September/15

Re: Affordable rentals vs. real estate tax increases

Dear Barbara:

You doubtless receive plenty of correspondence every morning so I will keep this to the point.

We are fortunate enough to have lived here over 20 years and to have gradually accumulated a number of rental accommodations. We try to rent to contributors to the community and keep our rents affordable and below “market”; we average below \$550 per bedroom per month which is significantly below market and significantly below the \$1,225 monthly rent for 2 bedrooms at The Grove – officially identified moreover as “affordable housing”.

I mention all this for context, not credit, because we are trying to actually help the situation this month, next month, not just talking about it. It is therefore ironic, frustrating and oxymoronic to find our taxes being raised 20-25% this week (see attached Exhibit A below) which forces us, and probably dozens of other landlords, to keep raising otherwise stable monthly rents. You say you want more affordable, especially existing, housing but oversee a taxation system which is working directly against that objective.

What would you like us to tell the 21 people who pay us rent every month?

With regards,

David & Leslye Hardie

A handwritten signature in black ink that reads 'David Hardie'.

A handwritten signature in black ink that reads 'Leslye M Hardie'.

Cc: Paul Vogelheim, Smokey Rhea, Mark Newcomb, Natalia Macker

EXHIBIT A

Specific examples: affordable rents vs. 2015 tax increases

1. Coyote Loop – houses a Summit High School teacher and his wife who manages the Kids Ranch at Teton Village. (**\$450/bedroom rent charged**)

Property tax 2014	\$3903.87
Property tax 2015	\$4722.95

Increase of \$819 (21%)

2. Apartments (x2) East Simpson – house 4 Four Seasons employees and two other restaurant workers. (**\$467/bedroom rent**)

Property tax on each in '14	\$1300.26
Property tax on each '15	\$1654.67

Increase of \$354.41 (27.25%) per apartment

3. Deer Drive – housed 3 biologist tour guides for wildlife safari, will house family of 4 who work multiple jobs in grocery stores, construction and house cleaning. (**\$425/bedroom rent**)

Property tax in 2014	\$949.70
Property tax 2015	\$1135.69

Increase of \$949.70 (20%)

4. Pioneer Lane – houses handymen, Four Seasons employees, restaurant employees, hospital volunteers. (**\$533/bedroom rent**). Purchased this year and thousands spent on large amount of deferred maintenance to provide a decent place to live.

Property tax 2014	\$2873.13
Property tax 2015	\$3585.07

Increase of \$711.94 (25%)

These tax increases are not quite as bad as the owners of Blair Place Apartments but are getting fairly close - and Blair Place had not raised rates in years. Taxes have gone up every year.

September 29, 2015

Dear Alex,

Congratulations on a job well done: Clear and decisive, the Workforce Housing Action Plan articulates a new course for the supply and management of workforce housing in Jackson Hole. The Action Plan is the result of earnest listening on your collective part, and we appreciate the opportunity to submit our comments on its contents.

Our concerns are more global than specific, as reflected in the comment form we've attached and the new visual piece we have produced. As we perused the Action Plan, we felt that five basic priorities exist to move this initiative forward:

- Determine a consistent funding source
- Establish a preferred organizational structure
- Decide upon a list of responsibilities which must be pursued to ensure success
- Assign the responsibilities to the organizations/personnel who will be involved
- Select the personnel for the key roles

Thus we created a graphic discussion diagram of the proposed structure and assigned responsibilities. This visual exercise helped us to better understand the role of each body and individual. We've included our recommendations for more efficient alignment and scope of responsibilities (in blue). With clarity in mind, our primary concerns address un- or under-stated dynamics:

- We feel the title "Housing Coordinator" falls short of the responsibilities assigned to this individual. Give the position the clout it deserves by renaming "Housing Director." High-caliber candidates will be attracted to a managerial position (and title), not a term often associated with an entry-level position.
- We applaud the establishment of the Community Priorities Fund via an additional cent of sales tax, however, to avoid annual wrangling, we advise that the split between transportation and workforce housing be set from the start. The current dynamic would create unnecessary competition between the two interrelated issues as they vie for a piece of the same pie.
- We also note that pursuing SPETs can mitigate the amount of sales tax and can serve to demonstrate support of the electorate.
- Furthermore, a distinct, new funding source should be explored for transportation (which could dovetail the parking discussion below).
- There is currently no mention of parking. Parking should be clearly stated as an important challenge within the Zone for Housing Plan. Density will only be achieved with careful consideration of: comprises/reductions in parking requirements; municipal offsets of parking capacity (i.e. additional parking garages in strategic sites); winter/alternate-side parking; paid parking (which could be a new funding source for transportation).
- As we identified in our Affordable Housing Review, community support of a revamped housing initiative will hinge on a professionally-executed, comprehensive communication strategy. The Housing Manager, as otherwise tasked, is not the person to lead such a campaign.

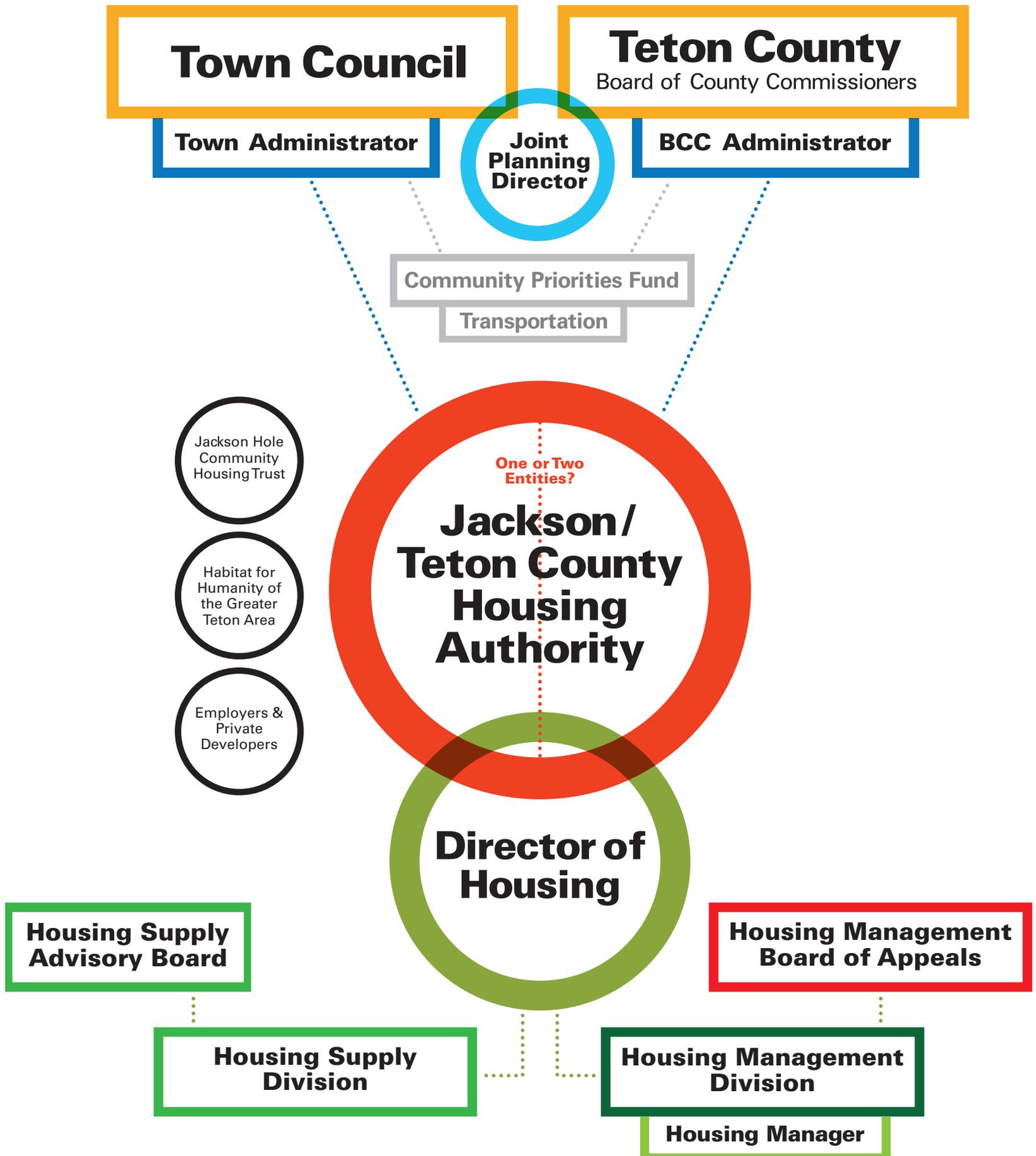
We found the organizational diagram we produced to be helpful in our understanding of the Action Plan. We will happily supply printed copies for your use in continued discussions. Thank you for the opportunity to vocalize our thoughts on the proposed plan.

Sincerely,

The No Ribbon Commission: Don Opatrny, Katy Niner, Shawn Hill

TETON COUNTY WORKFORCE HOUSING ACTION PLAN

Plan Section	Comments
Chapter 1. Policy Guidance	
Chapter 2. Objectives	
Chapter 3. Analysis of Tools	
Chapter 4. Providers and Org Structure	
Chapter 5. Housing Supply Plan	
<i>Organizational Structure</i>	<i>Establish a Housing Director, not Coordinator.</i>
5A. <i>Prioritize lower income year-round housing</i>	
5B. <i>Production: Provide land as a public subsidy and get the public out of the developer role</i>	
5C. <i>Preserve existing workforce housing stock to avoid leakage</i>	
5D. <i>Provide public technical assistance for housing providers</i>	
Chapter 6. Housing Management Plan	
<i>Organizational Structure</i>	
6A. <i>Coordinate management of existing restrictions</i>	
6B. <i>Consistent review of new restrictions</i>	
6C. <i>Coordinate outreach on housing programs</i>	<i>Consider hiring an outside expert to lead communications</i>
6D. <i>Coordinate access to housing opportunities</i>	
6E. <i>Ensure adequate standard of housing</i>	
Chapter 7. Dedicated Funding Plan	
<i>Organizational Structure</i>	
7A. <i>Establish a Community Priorities Fund</i>	<i>Determine the transportation-housing split from the get-go so as to avoid annual wrangling.</i>
7B. <i>Monitor need to determine funding strategies</i>	
7C. <i>Seek and support grants, tax credits, loans, and other sources of funding</i>	
7D. <i>Advocate alternate funding options for the future</i>	<i>Set the future intention that transportation will be soon funded by distinct source(s) such as paid parking, etc.</i>
Chapter 8. Zoning for Housing Plan	
<i>Organizational Structure</i>	
8A. <i>Allow for supply of workforce housing by removing barriers</i>	<i>Put PARKING on the table for earnest consideration; acknowledge parking as the largest barrier to density.</i>
8B. <i>Incentivize the supply of restricted housing</i>	
8C. <i>Require mitigation of employees generated by growth that cannot afford housing</i>	



Black indicates responsibilities delineated by the Workforce Housing Action Plan. Blue indicates responsibilities recommended by the No Ribbon Commission

Town Council/Teton County Board of County Commissioners

- Oversee Jackson/Teton County Housing Authority (unstated; by nature of new org structure)
- Advocate for real estate transfer tax and other funding options
- Support decisions of statewide housing fund
- Review/approve 5-Year Housing Program annually
- Adopt Housing Management Guidelines
- **Merge Town and County building departments**

BCC Administrator

- Manage Jackson/Teton County Housing Authority

Housing Supply Advisory Board

- Provide recommendations on housing supply policy decisions to TC/BCC
- Provide technical recommendations to the Housing Coordinator on policy implementation

Housing Management Board of Appeals

- Hear/resolve appeals of the Housing Manager

Housing Coordinator **Rename Director of Housing (title in accordance with clout)**

Overarching Responsibility:
Implement policy direction from Town Council/BCC

Priorities:

- Prioritize low-income, year-round housing
 - Provide land as a public subsidy; get out of developer role
 - Preserve existing workforce housing stock to avoid leakage
-
- Lead Jackson/Teton County Housing Authority
 - Oversee Housing Management Division; manage Housing Manager (unstated; new structure)

Housing Coordinator *(continued)*

- Spearhead Housing Supply Division
 - Develop a rolling 5-Year Housing Supply Program; update annually; **determine measurable objectives/metric for success.**
 - Identify and prioritize housing production and preservation projects
 - Establish how to spend fees-in-lieu
 - Facilitate requests from non-profit and for-profit private developers
 - Provide technical assistance for housing providers
 - Seek/identify state and federal programs; encourage housing providers to leverage public funds with private donations
 - Identify key staff/contractors needed to operate Housing Supply Division
 - Identify potential land appropriate for housing development based on Comp Plan criteria
 - Work on a partnership model that allows Town and County to stay out of developer role, but ensures security of public investment
 - Develop opportunities for buy downs, rehabilitation, reverse mortgages, conversion of trailer parks to microhousing (**investigate if same population**), and other programs to restrict existing workforce housing
 - Identify existing developments appropriate for public subsidy for preservation as workforce housing
 - Develop a program to ensure that restricted and employer provided workforce housing meets adequacy, suitability, and affordability standards
 - Explore a program to subsidize upgrades above minimum standards through technical expertise, loans, grants, other means
 - Update and maintain an inventory of restricted and employer-provided workforce housing stock
 - Monitor the net loss (leakage) of workforce housing
 - Work with the public to gather information on utility of technical assistance programs
 - Work with interested parties to gather information on employee housing cooperative for employers who want to provide housing units but cannot develop on their own
 - Facilitate relationships between interested developers and employers
 - **Create clear objectives for a new rental program: financial/employment characteristics of rental candidates; remedial action for non-compliance**
 - **Facilitate the RFP process among the private sector**

- **Explore connectivity/corridors with commuter communities**
- **Advise on growth of public transportation system, especially alternate schedules**
- **Anticipate displacement by offering alternative housing**
- **Advocate for density in workforce housing developments; four stories wherever appropriate**
- **Forge a relationship between open space and affordable housing**
- **Advocate for parking recalibrations for workforce housing developments; explore possibility of building more municipal parking garages to offset parking requirements on individual developments**

Housing Coordinator & Long-Range Planner

- Gather indicator data annually as part of the Comp Plan indicator report
- Identify the most appropriate indicators and refine methodology
- Evaluate any variables likely to impact the supply of not-yet-monitored workforce housing; develop method for monitoring.
- Understand any zoning barriers that exist
- Review zoning against Fair Housing standards

Housing Manager

- **First priority: Inventory ALL restricted/employee units; create a map locating each unit, aerial view of coverage**
- Enforce and implement Housing Management Guidelines
- Coordinate consistent enforcement of existing restrictions
 - Develop a full inventory of restricted units
 - Explore contracting some management functions to third parties/private property managers
 - Work with owners of existing restricted units to update restrictions consistent with new Guidelines
- Conduct consistent review of new restrictions
 - Develop restriction templates for price restricted and occupancy restricted units
 - Review new restricted housing stock for minimum standards
- Support occupants of restricted housing
- Coordinate outreach on housing program
 - Highlight successes
 - Educate on different programs/providers
 - Develop "Housing 101" presentation given to elected officials, board members and general public
 - Update message annually with indicator information; **visually communicate demographic spectrum served**
 - **Conduct community outreach inclusive of public workshops, sessions with target employee groups, consistent media appearances**
 - Develop centralized web presence describing all of the community's efforts
- Coordinate access to housing opportunities; develop a one-stop clearinghouse of housing opportunities both public and private (build on Housing Trust's new website)
 - Develop a single application for all subsidized housing programs and a system for distribution of all the applications to providers
 - Consolidate all subsidized housing programs into a single interface so the workforce can understand requirements, qualifications and prioritization
 - Provide an opportunity for private housing advertisement through the same interface to fund administration

Housing Manager *(continued)*

- Ensure adequate standards of housing
 - Inventory the standard of living in our workforce housing stock, market and restricted, especially at lowest income levels
 - Develop education program for housing occupants and providers on Fair Housing standards and recourse
 - Develop a maintenance and improvement program that provides assistance for the upgrade of housing stock for the lowest income categories to meet minimum livability standards
 - Explore statutory options to develop adequate standard of living requirements

Housing Coordinator & Housing Manager

- Revise the existing TCHA guidelines into a set of rules that address standards/process for enforcement and monitoring of restrictions, maintenance, and improvement of restricted housing units, minimum requirements for new restricted units and minimum standards of livability

Planning Director

- Allow for workforce housing by removing barriers
 - Lead discussion of changes to density allowances so as to meet housing goals which may mean greater flexibility in tracking and measuring buildout and allowance of incentives for restricted workforce housing; **Lead! Institute changes to density allowances so as to meet housing goals.**
 - Allow ARUs in Town and County zones with limits on size/density to ensure consistency with desired character
 - Allow apartments in multifamily subareas identified in the Comp Plan
 - Move away from buildout projections and density limitations toward more flexible FAR/density allowances in areas where multifamily character is allowed
 - Avoid barriers to housing supply such as mixed-use requirements, **change of use penalties**, in favor of allowances
- Incentivize the supply of restricted housing
 - Enable bonuses that allow for more density or intensity in restricted housing developments; **in all workforce housing developments, restricted or private**
 - Employ procedural exemptions to fast-track projects with restricted housing; implement an expedited project approvals process for price-restricted housing **for all workforce housing developments, restricted or private**
 - Refine tools already in place according to updated zoning districts
 - Develop incentives to avoid loss of workforce housing through redevelopment (i.e. allow for maintenance of nonconforming density)
 - Provide a density bonus for preservation/production of workforce housing
 - **Simplify regulations and make consistent across Town and County**
 - **Delineate downtown blocks where four stories could be built for workforce housing**

Alex Norton

From: Rebecca Prestrud <beckyprestrud@gmail.com>
Sent: Tuesday, September 29, 2015 10:11 AM
To: Alex Norton
Subject: Housing Action Plan Comment

I am AGAINST - having a "taxing stream" for housing. This is not the answer - having more government involvement. PLEASE DO NOT set up a tax for a "stream" of money. Please keep government out of what needs or should be a free-market. Our "officials" need to go back and read the constitution and understand that more government involvement is NOT the solution.

Again.....

I oppose, am AGAINST this tax.

.
Rebecca P. Prestrud
Teton County Resident for 43 years

September 30, 2015

Board of Teton County Commissioners
Jackson Town Council

Dear Board of Teton County Commissioners and Jackson Town Council,

Thank you for the opportunity to comment on the draft Workforce Housing Action Plan. We commend all of you, your staff, and the stakeholder group for investing great amounts of energy and passion in this draft Plan. We support our community's goal of housing 65% of our workforce locally and we believe that in order to maintain our community character, hard-working families should be able to live here.

This draft Plan takes important steps in the right direction, and with a few improvements, could even more effectively advance our community's housing goal. Specifically, we recommend the Workforce Housing Action Plan:

Provide clear targets and goals based on more complete data.

The draft Plan identifies a "need" of 280 housing units per year: 200 needed by potential employment growth and 80 to "catch up" on existing needs. However, the Plan admits, "This catch-up number does not address overcrowding, condition of home, cost-burden, or other existing housing deficiencies" (2-4). We recommend at least estimating a full catch-up number, potentially with help from organizations like the Community Resource Center and Latino Resource Center who could help determine how many of their clients are in such situations.

Once we have a more accurate estimate of the need, the Plan should estimate how many units we believe are possible to produce or preserve per year. The Plan includes a list of tools; it should also estimate how many units various tools can produce or preserve. Finally, once we know the need and our resources, we should set a clear target: *how many homes are we planning to build over the next 1, 5, or 10 years?* That final step—a realistic, achievable, and quantifiable goal—will turn this into an actual "Action Plan."

Limit commercial growth in order not to make our housing problem worse.

A quick look at the "need" – 200 units to address projected employment growth, over twice as many as the 80 units to catch up with our existing problem – shows that potential commercial development is a major cause of our housing crisis. As a result, we should (1) not further increase commercial development potential, and (2) ensure that commercial development fully mitigates its housing demands. Initiative 8C (page 8-5) is an excellent approach to this issue and we fully support prompt action on this recommendation. This is a simple, effective, and almost no-cost policy change that would have a large positive impact on our community.

Prioritize zoning for housing.

The draft Plan also has excellent recommendations regarding encouraging workforce housing through zoning tools, either by removing barriers or by providing incentives for production or preservation. This should be done in alignment with Comprehensive Plan and respective character district goals; methods such as putting most of the “upzone” in incentive (instead of by-right) zoning and then only counting units when permitted (instead of planned) could provide flexibility. Where appropriate, we should allow and encourage apartment buildings and Accessory Residential Units (ARUs) as they support both owners’ and renters’ pursuit of affordable homes. We should also calculate the amount of land it will take to meet our housing goals and then zone land for housing without allowing competing uses on those housing-zoned lands.

Align our budget with our values: Invest in building housing.

We also support the analysis and initiatives in chapter 7: “Dedicated Funding Plan.” Budgets are the clearest presentation of values, and our budget should include funding to ensure that hard-working families can afford to live here. We stand willing to support well-crafted and accountable new revenue streams that advance this goal. Our housing problem has gone on too long with too little public investment; it is time for us to align our investments with our values.

Choose the most effective and least politicized structure for providing housing.

Evidence from other communities around the country struggling with workforce housing shows that having a Housing Authority provides benefits both in terms of what powers it has (bonding, financing, etc.) and perhaps more importantly, a (quasi) independent Authority is at least one step removed from political winds. An appointed board is slightly more removed from politicking than an organization that reports to elected representatives. Housing projects often take many years from concept to construction, and an organization that is constantly responding to political pressure is much less effective than one with a layer of insulation. We therefore recommend keeping an independent board, as is currently the case.

We support the strategies of joint public-private partnerships, granting land to private developers, and other innovative tools to bring the private sector into the fold. However, as everyone agreed at the Housing Summit, the problem we are addressing is huge and requires all tools on the table. Therefore, we do not support the recommendation in Initiative 5B to “get the public out of the developer role.” We believe the Authority should create a process where private partners could bid on projects; in the case where no private partner can propose a more efficient/effective project than the public agency could perform, the agency should get it done.

We strongly support the recommendation of a joint Town-County Authority, as a community-wide entity with a holistic approach would likely be more effective than an

entity representing only one of our jurisdictions.

Set realistic expectations for coordination.

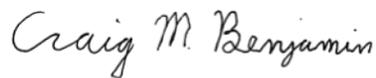
The initiatives in Chapter 6 regarding standardizing applications, enforcement, restrictions, etc. are very well meaning, but seem unrealistic. What incentive do private non-profit organizations have to change their procedures, restrictions, or even forms? In order to be effective, this Plan must describe how and why providers will realistically be expected to change their practices.

Prioritize development of the Housing Supply Program.

Many people in the community have commented “there’s nothing in the Housing Action Plan that will actually get housing built.” We believe they say this because they expected to see the material promised in the “Housing Supply Program.” We recommend the final Plan includes details regarding how this Program will get developed and an outline of what it will likely include. If the Workforce Housing Coordinator must be hired in order to create the Housing Supply Program, we recommend hiring that person as soon as possible.

Again, we appreciate the time you and your staff have dedicated to this critical effort. We look forward to participating as a stakeholder in the upcoming meeting.

Sincerely,



Craig M. Benjamin
Executive Director

Alex Norton

From: Richard Bloom <richbloom.jh@gmail.com>
Sent: Wednesday, September 30, 2015 11:55 AM
To: County Commissioners; Sara Flitner; Town Council
Cc: Alex Norton; Tyler Sinclair - Teton County; Stacy Stoker
Subject: Jackson/Teton County Workforce Housing Action Plan - Rich Bloom comment
Attachments: Transparency 11.19.09.pdf; ATT00001.htm; N&G Guest Shot 9.9.15 - Rich Bloom.pdf; ATT00002.htm

Teton County Commissioners, Mayor Flitner and Jackson Town Council - and joint planning staff,

I have some brief comments on the 2015 Jackson/Teton County Workforce Housing Action Plan.

First - Since a dominant theme in the plan appears to focus the use of public monies going forward to purchase lands to allow non-governmental organizations (NGOs) to develop housing - I want to strongly reinforce your fiduciary responsibility to the public. Before entrusting either those lands that were purchased with public funds - or an outright financial grant to various housing not-for-profits - you need to assure due diligence.

Please see the first attachment that I submitted to both joint electeds in November of 2009. It covers what is considered best practices - which have unfortunately been missing in previous decisions before entrusting either land or funds to non-governmental housing organizations.

I hope you will take it to heart - and formally adopt its core tenants.

Second - missing from the action plan is nearly any direct discussion about how the comprehensive plan envisions limiting two of the three legs of what I describe as "the workforce housing challenge stool". Leg one is the production of housing - which this report primarily focuses on. The second and third legs address the number of jobs that we are producing - and the salary ranges of those jobs.

A copy of my Guest Shot that ran in the local paper on September 9 is attached - and has a primary focus on the commercial zoning aspect of job creation. I recognize the other large impact is the generation of jobs by large second homes and I will address both of these low wage job creators next.

Please make my Guest Shot part of the public record - second attachment.

Third - Having served on the Blue Ribbon Panel on Workforce Housing in 2010 - a number of recommendations were brought forward - and yet were never acted upon. Many of these are captured in the current housing action plan. In particular I want to point out several of some 23 that we recommended.

In 2010 we made the following specific recommendations:

- [Identify areas and zone for workforce housing that matches the community's desired development potential.](#)
- [Provide incentives for housing organizations to provide Category 1 – 3 ownership; ensure transparency on use of public funds.](#)
- [Amend commercial regulations to be easier to implement and more reflective of true impact.](#)
- [Modify residential mitigation to base requirements on square footage rather than bedrooms.](#)

I have highlighted in red below relevant sections to my three primary recommendations found in the Jackson/Teton County Workforce Housing Action Plan.

First - Fiduciary responsibility on the use of public funds.

Second - Addressing limits to the amount and type of growth.

Third - Updating mitigation of employees generated by commercial development and large homes.

After five years it is time to address all of these recommendations.

Specific highlights from section 8.C - pages 8-5 and 8-6 (PDF pages 77-78) of the Jackson/Teton County Workforce Housing Action Plan are pasted below:

8C. Require mitigation of employees generated by growth that cannot afford housing

Over the next 10 years, approximately 200 workforce housing units will be needed per year to house the workforce generated by the physical and economic growth of the community. Many of the employees generated will not be able to afford housing. As a result, the community will continue to require housing mitigation as part of its growth management. The community cannot subsidize growth by housing the employees it generates because the existing housing shortage is too great. Development will have to contribute its fair share. In updating these mitigation standards the community will move away from subdivision based requirements to floor area based requirements. Floor area based requirements are simpler and easier to track over time and are also more consistent with the type of growth desired in the Comprehensive Plan. Future mitigation requirements will also balance mitigation between residential and nonresidential growth to achieve a more consistent growth management approach. This will mean increased mitigation requirements on nonresidential development, that has previously only had to house a portion of the seasonal employees it generates. It will be important that the Town and County have a single coordinated program. In addition to mitigation requirements, the Town and County will also look at limitations on growth and requirements in appropriate zones to make sure housing that can be built is likely to be workforce housing. The Town and County will also look at residential zones in areas with large buildings that would allow for high density instead of allowing commercial uses. Allowance of commercial uses tends to lead to commercial development or no development, decreasing the likelihood of residential development.

Housing Requirement Actions

- Update the mitigation requirement for residential development, based on the Housing Nexus Study, to a simpler standard based on floor area.
- Update the mitigation requirement for commercial development, based on the Housing Nexus Study, to a standard that mitigates for year-round employee generation.
- Ensure Town and County requirements work together as a single system.
- Create zones where housing is the only allowed use in areas where the desired bulk and scale will allow for more density.
- **Explore limits on the rate of residential and nonresidential growth to limit employee generation.**
- Explore limiting the type of housing allowed in some zones to only those types most likely to be occupied by the workforce.

Respectfully - Rich Bloom

NOTE: The following ran as a Guest Shot in the Jackson Hole News & Guide newspaper on September 9, 2015.

Demand Limits on Commercial Growth

A decision on whether to add millions of square feet of commercial development on top of 5.1 million square feet already entitled, but not yet built, will be made Monday, September 14 by our joint Town and County electeds.

That vote will test their understanding of our 2012 adopted joint comprehensive plan - and their commitment to follow its clear language.

The Plan was fashioned out of five years of community debate. It clearly states: *“Our community has committed to limiting overall growth to the amount planned for in 1994 in order to protect the ecosystem and rural character of the community.”* That amounts to a daunting 5.1 million square feet of already entitled, but not yet built, commercial development valley wide – the equivalent of over 100 Smiths and Albertsons.

Currently a majority of the Town Council, including Mayor Flitner, are poised to reinterpret the plan’s clear language and radically increase the amount of commercial development in Town, an action that would fundamentally change the community character, housing and transportation foundations of our plan.

With Town alone still having 1.9 million square feet of commercial potential - it is difficult to understand how anyone can claim there is a need to add even more, particularly in light of a spate of recent development. The four story 121-room Marriott Hotel and restaurant has broken ground. Jim Darwiche just opened the luxury boutique Hotel Jackson one-block from the Town Square with 58 rooms, and a new restaurant. Clarene Law just completed a costly renovation of the Town Square Inns’ 140 rooms and amenities.

Moreover, the plan strives to ensure we remain a community first and a commodity last by limiting commercial development based on *“our ability to house 65% of the workforce locally”*. We have already fallen short. The recently released 2015 Annual Indicator Report shows we are presently only housing 62% of our workforce locally.

That is not a surprise when you understand almost all of the jobs we are creating are in the lowest paying segment of the economy.

As part of the process to update our mitigation requirements for workforce housing we completed a New Employee Generation by Land Use Study. What we found was alarming. In the nine-year period leading up to the recent study 74% of the new jobs added were in the Accommodation and Food Services industry. This is the same industry that ranks dead last in annual income among

the 20 sectors the US Bureau of Labor Statistics measures in Wyoming. The study concluded that: *“The fact that the majority of jobs added to the local economy over the last nine years was in a sector that provides the lowest wages does not improve, but increases the affordable housing gap.”*

When you’re in a hole, you stop digging. You don’t supply another shovel. The just released joint Workforce Housing Action Plan estimates that our community needs to produce 280 units of housing affordable to people who work here a year for the next ten years. If we were to subsidize all of those units at a known rate of \$300,000 per unit then we would need to find \$84 million dollars a year – for the next ten years. We know we can’t build 280 new workforce housing units every year no matter how we change mitigation requirements and how much we might choose to tax ourselves. So what are our other policy options?

The best workforce housing unit is the one you do not have to build. It requires no public subsidies. It does not increase traffic or additional impacts onto public lands. It does not require additional density in existing neighborhoods. In a nutshell, the most expeditious way to curtail our housing challenge is to limit new commercial development. Dramatically increasing commercial and lodging potential is ill-conceived and nonsensical.

Our comprehensive plan clearly states the goal of creating “a *sustainable economy not reliant on growth.*” Why does this matter? Continued growth also creates an unsustainable increase in traffic as well as increasing impacts onto public lands. In 2015 alone we have seen a 19% increase in visitation to Grand Teton National Park. Conflicts with both wildlife and users increase in Cache Creek each summer. The County stepped in to start managing the burgeoning uses of the Snake River from Wilson down to South Park.

Monday’s scheduled vote will unveil whether Town electeds intend to honor our comprehensive plan limits and goals. Talk to your County Commissioners, Mayor Flitner and Town Council. Say no to more commercial – and demand that they honor our comprehensive plan limits.

Rich Bloom – is a 35-year valley resident and served on the joint 2010 Blue Ribbon Panel on Workforce Housing.

Fiduciary Responsibility and Transparency in Grants of Public Funds to Private Entities

Richard Bloom, CFP

November 19, 2009

With my twenty year certified financial planner background, non-profit board member experience and extensive experience as a CFO in a large local non-profit 501©3 organization:

- I want to address standard and best practices by governments when grants to private non-profits are considered.
- Suggest best practices on transparency for non-profits especially when they receive grants of public funds from governmental agencies.

Current Practices of the Teton County Housing Authority and I believe with the County and Town Governments:

Note: First this does not apply to clear “contract for service” agreements.

- Grants are initiated by applicants. Within the Housing Authority history that has been from Habitat for Humanity and the Jackson Hole Community Housing Trust.
- Grants are reviewed for their intent, the applicant's capability to achieve the stated goals, a budget for the request, and various deliverables including narrative updates and completion reports.
- No other ongoing vetting is done of the applicant perhaps based on the assumption “you already know the applicant well”.

Best and Standard Practices:

Along with the standard project application process outlined above – you should be requesting – and reviewing - the following:

- A **statement of good standing** from the State on their non-profit status.
- **Two years of filed IRS form 990** along with **all** attachments. This should include the most recent year – and if at all possible should include the recently updated 2008 IRS 990 form that includes the first major redesign of the form since 1979. This redesign asks a series of questions and information that greatly expands upon:
 - Transparency
 - Self dealing
 - Transactions with insiders
 - Private inurnment
 - Relationships with for-profits
 - Also written policies on: Conflict of interest policy, whistleblower policy and document retention and destruction policy.
- **Audited Financials** for the most recent fiscal year.
- A copy of the applicant's **conflict of interest policy** and assurances that it is fairly and regularly implemented.
- A current month's **balance sheet**. This helps show the current solvency of an organization.

- A current month and year-to-date – **budget versus actuals with variance explanations** report. Again standard practice to demonstrate current financial health.
- In organizations such as the Housing Trust – a **six (or twelve) month cash flow forecast**.

Implementation of These Recommendations

- There is always the worry of undue burdens to government. This has to be balanced with government's fiduciary responsibility when giving grants of public funds to private entities.
- The providing of this information is **not a burden to a healthy non-profit**. This information should be readily available and the best practices already in place.
- The only item for the applicant that could be problematic is when they chose to go to the expense and time to have annual financial audits done. A dollar threshold then of \$100,000 could be established where all other information is provided except the audited financial statements - if they are not available.
- The time and cost to review these documents by government **does not have to be onerous**. The Housing Authority board and both the Town and County administrators have the expertise to review these documents to see if any major concerns are apparent.
- In addition a threshold set by the various governmental bodies could also be set to say as an example - grants of less than \$10,000 – that only a certificate of good standing with the State is provided along with the full project application.

Request for Immediate Consideration

- Although the Hall Street project is in the process of being transferred it brought up serious questions not only on the Housing Trust side - but also about the governmental due diligence before the grant was made.
- The Housing Authority has an outstanding \$40,000 grant to the Housing Trust on the Millward project. The Authority should strongly consider discussing and implementing these standard and best practices now with the Housing Trust.
- The Town of Jackson likewise should consider and implement these suggestions in reference to their annual grants to the Trust, as well as their outstanding \$1.8 million dollar grant for the Redmond/Hansen purchase structured as 'six places in line'.
- The County likewise should consider these suggestions as it may relate to their many grants to private non-profits above a to-be-determined dollar threshold.

Summary

The Sarbanes-Oxley Act was signed into law on July 30, 2002. Passed in response to corporate and accounting scandals of Enron, Tyco and others of 2001 and 2002 – the law's purposes to rebuild public trust in America corporations. Although written to control publically traded corporations - many states and most mature non-profits are requiring these key components of best practices be followed. The IRS through their dramatically reformatted IRS form 990 for non-profit reporting – was an outcome of the Sarbanes-Oxley act as a way to create dramatic new transparency and tax reporting compliance of non-profits.

It is time that both our governmental bodies and our large mature non-profits consistently begin following these established best practices.

Alex Norton

From: Monica Everett <moni93109@icloud.com>
Sent: Wednesday, September 30, 2015 9:15 PM
To: Alex Norton
Subject: Teton County Workforce Housing Action Plan

Thank you for working on the housing issue in Jackson.

I have just a couple of items:

1. Have you considered having rent control in Jackson? Working employees are being forced out of living situations.
2. We need to enforce rules of short term rentals which could be used for long term rentals.
3. We need to prioritize lower income year round housing.
4. We need to coordinate access to housing opportunities.
5. We need to ensure adequate standard of housing. Places are getting run down.
6. We need to allow for supply of workforce housing by removing barriers.
7. My employer is looking for more housing options which are limited

Thank you for listening.

Monica Everett

Sent from my iPad

Alex Norton

From: Lance Hawk <lah0116@gmail.com>
Sent: Wednesday, September 30, 2015 4:05 PM
To: Alex Norton
Subject: Public Comment Housing Action Plan

I appreciate the opportunity to offer insight into the Housing Action Plan. Although I have a limited perspective on housing issues in the Jackson Hole area I have significant experience at addressing housing issues in other communities. I founded a nonprofit housing organization and developed partnerships with other non-profits and government entities to build 22 self help single family housing dwellings and a 49 unit affordable housing complex.

Although paralysis by analysis is useful as an alliteration I do not think the underlying assumption is an effective way to approach the public policy issues surrounding a comprehensive housing and transportation plan. While I recognize there is a significant history of study by staff and policy makers there is still no public consensus on the issues let alone solutions. People will frequently advocate for or against a particular position based upon the effect on the character of the community, yet no one can define that character for themselves let alone for anyone else.

Before creating another public agency and the funding mechanisms for said entity there must be a consensus on the issues. During my time here and in other communities I have often heard it said that today's decisions can not bind future decision makers. This is very true however, if you create another bureaucracy you would limited the flexibility for future civic, community and corporate leaders to address housing issues in the public and private sectors. Moreover, addressing the construction and operation of housing units before the development and implementation of LDRs would be counterproductive.



September 30, 2015

Re: Draft 2015 Housing Action Plan

Since 1992, our community has created nearly 1,500 units of housing for our workforce. By any measure, this is a remarkable accomplishment. We appreciate the complicated and challenging nature of this issue and we are confident in our community's ability to step up our collective efforts. We hope the following recommendations will strengthen the draft Housing Action Plan.

Goal: To get homes in the ground, the final Housing Action Plan should prioritize realistic, actionable tasks that result in new housing opportunities (near term) and present a clear path forward for construction (long term).

Use What We Have

We cannot wait for a dedicated revenue stream to build workforce housing. The Town and County should focus on specific actions and deploy existing resources to get housing in the ground now.

1. **Fund shovel-ready projects.** The Housing Authority and Housing Trust each have projects currently "in planning" that could be ready for ground breaking in 2016. Fully funding these projects by Q1 2016 would result in housing for more than 100 members of our workforce (42 units) in 2017.
2. **Identify Town and County land appropriate for affordable housing.** By Q2 2016, restrict one of these properties for workforce housing; establish basic objectives for the property (number and type of units and income objectives) and fund the planning work required to ensure ground breaking early spring 2017.

Hire a Housing Coordinator to Advance Housing Opportunities for our Workforce

We agree that our community would benefit from a Housing Coordinator. This new position for the Town and County should be funded immediately. Unless and until a need can be demonstrated for a board, the Housing Coordinator should report to the Town and County Administrators and elected officials. The Housing Coordinator should:

- **Focus on efforts that will facilitate and catalyze the development of workforce housing;** the coordinator should proactively collaborate with – and be a resource for – employers, developers, investors, land owners, and private non-profit organizations to ensure that efficient, effective solutions address the full spectrum of housing shortages.
- **Initiate the process required to allocate a penny of sales tax.** A penny of sales tax will generate meaningful, predictable revenue; it does not require legislative action and the burden is shared with tourists. The coordinator should work with a taskforce to prioritize development of specific parcels. Basic objectives should be established for each property so that gross construction

estimates can be developed. This will add to taxpayers' understanding about how sales tax revenue would be invested. It will also surface opportunities for strategic partnerships.

A reasonable and achievable goal of the 10 Year Action Plan is to have one project under construction and another in design/planning each and every year. This objective is consistent with revenue projections and the costs required to develop affordable housing in Jackson.

Clearly Focus the Role of each Housing Provider

The provision of affordable housing has been the source of confusion in our community for over 20 years. The final Housing Action Plan should clearly define roles for each organization, agency and the relationship of each to the Housing Coordinator. Through this process, we must strive to provide as much clarity as possible.

We support the recommendation outlined in Section 6D to coordinate access to housing opportunities. We are happy to collaborate with Habitat for Humanity and the Housing Authority so that applicants will have one office, one application, and one website where they can easily access information.

Adopt and Invest in a Proven Model for Public/Private Partnership

The Housing Action Plan emphasizes partnerships between the public and private sectors to accomplish workforce housing goals. In 2013, the Housing Trust developed a new model for public/private partnership that resulted in 11 homes for teachers. In 2014, we used this model to partner with the Town of Jackson on Redmond Street; this partnership will result in the development of 18 affordable rentals. Earlier this year, the United States Department of Agriculture confirmed this approach could also be used to partner with the Forest to develop 36 affordable rentals for Forrest Service employees.

A ground lease agreement between the Housing Trust and a governmental entity provides the foundation for this new model. The lease agreement allows governmental entities to continue to own their land while providing the Housing Trust with the collateral needed to secure construction financing. Detailed in the lease agreement are clear development objectives for the project: number of units, unit type, incomes served and timeframe for delivery.

Leverage the Land Contributions Made by Local, State and Federal Partners

The Jackson Hole Community Housing Trust is a private, non-profit organization dedicated to sustaining our community through housing. The following goals of the Housing Action Plan align with the current focus, structure, and expertise of the Housing Trust:

- Prioritize partnerships to ensure quality workforce housing is developed for the best possible price.
- Invest in affordable rental housing so that recurring rental revenue can be used to access alternative funding sources and support new opportunities.
- Ensure the security of public and private investment through transparency with donors, partners, and the public.
- Continue to form partnerships and explore new models for affordable housing that save money and build quality housing in the most efficient manner possible.

With a multi-year commitment of land from the Town and County, the Trust can scale up the rate of affordable housing development to better meet the housing needs of our community. With a minimum 10% equity contribution from the public (land), the Housing Trust is willing to borrow against

the land (nine times) to design and build the housing. Depending on the income goals of the project, additional subsidy may be required.

As a private, non-profit organization, it is our charitable purpose to develop affordable housing for households earning less than 120% of area median income. In the last 20+ years, we have developed or acquired 118 homes and facilitated the resale of 96 homes. Of these 214 sales and resales, 46% were sold to Cat 1 income earning households; 30% were sold to Cat 2 income earning households; 24% were sold to Cat 3 income earning households.

Remove Barriers

We cannot wait for the adoption of new LDR's to build workforce housing. Tangible actions can be taken now to enable private sector solutions and minimize the costs required to develop workforce housing.

1. **Provide property owners in the Town and County with UR zoning in appropriate locations to encourage private sector solutions for permanently restricted workforce housing.**
2. **Guarantee fee waivers for restricted workforce housing developments.**
3. **Provide additional density (30%) for restricted workforce housing in select locations consistent with the 2012 Comprehensive Plan.**
4. **Guarantee flexibility on LSR, FAR, height and setback requirements where such flexibility demonstrably results in restricted workforce housing.**
5. **Reduce parking requirements to one space per unit for restricted workforce housing; support offsite parking in appropriate locations; consider funding construction of additional parking garages (wrapped in workforce housing of course).**
6. **Expedite and simplify the approval process: Eliminate the sketch plan requirement for a PUD; minimize submittal requirements for a PUD; prioritize review of projects designed to meet our community's workforce housing goals.**
7. **Accelerate LDR and zoning map amendments to facilitate the development of restricted workforce housing.**

We hope that the final Housing Action Plan will elucidate tangible action to meet our workforce housing goals and we look forward to working with you to realize these shared objectives.

Sincerely,



Anne Cresswell
Executive Director



Bill Collins
Chair

Alex Norton

From: Ed Liebzeit <ed.liebzeit@jhsir.com>
Sent: Wednesday, September 30, 2015 11:51 AM
To: Alex Norton
Subject: Housing Action Plan Comment
Attachments: Teton County WF Housing.docx

Alex,

Thanks for all of your work on this project and the LDRs. You are a terrific asset to Teton County and I appreciate your efforts and thinking.

Attached are some comments on workforce housing.

I truly do think it is time for the town and county to think outside the box. I was very disappointed in that the major outcome of the housing summit seemed to be “we should impose a 1 cent tax to pay for affordable/workforce housing” and to say that without a plan was unacceptable. There needs to be a very clear and agreed plan as the first priority.

Thinking outside of the box might be going to the Forest Service and asking them for 20 acres (or whatever number) and a 99 year lease to build housing. Initially I would say a lease so we do not have to pay for it but if they wanted to sell some acreage, then buy it. Then we offer it to a developer to build apartments (again rental property...that is what we need in Jackson) and maybe at some point townhomes or condos but my focus is apartments. Have a plan that allows the developer to make some money and if they do not have to purchase the land it should be relatively easy to do.

The other ideas is to really commit to a transportation plan with great bus service from Star Valley and Teton Valley. Not everyone (and I do not have a basis for saying 65% is right or wrong) needs to live in Teton County. Many people around the country today commute for much longer than those commutes and they are not nearly as beautiful. Star Valley and Teton Valley are great communities with very affordable housing.

Again, thanks for your good work. I hope my comments are helpful and please reach out at any time if I can in any way help you.

Best regards,

Ed

Ed Liebzeit
Associate Broker
Jackson Hole Sotheby's International Realty
Office—307-739-8010
Cell—307-413-1618
Ed.liebzeit@jhsir.com

TETON COUNTY WORKFORCE HOUSING ACTION PLAN

INTRODUCTION

The Town Council and Board of County Commissioners are happy to release the Housing Action Plan Friday, August 28, 2015. The Housing Action Plan, grounded in the analysis of eight housing studies completed from 2007 to 2014, lays out a plan to implement the direction from the Housing Summit held May 20-21, 2015. The Housing Action Plan and all studies and past materials are available on the Housing Action Plan page of www.jacksontetonplan.com. Please see below for the schedule of presentations and comment opportunities. The Housing Action Plan is a cooperative effort of public and private housing providers to identify and monitor housing needs, evaluate costs and benefits of various housing tools, and establish the roles various housing providers will play in meeting the community's housing goals. Future initiatives are organized into four distinct implementation-based chapters: Housing Supply Plan, Housing Management Plan, Dedicated Funding Plan, and Zoning for Housing Plan. It also establishes an organizational structure, including clear statements of who is responsible for each chapter.

HOW TO COMMENT

Please review the organizational structure, initiatives, and actions presented in Section 3 of the Plan (Chapters 5-8) and identify any items that would benefit from a group discussion. Please focus your comments on modifications to the organizational structure, initiatives, and actions within the current organization of the Plan. Submit your comments to Alex Norton at anorton@tetonwyo.org. This Plan builds on the previous housing studies and the Housing Summit. We are not starting from scratch or waiting for any additional analysis, but are asking for specific input as we move forward with this Plan. Our goal is high-level, concrete direction. Discussion at the October hearing will be prioritized based on 1) policy level implications, 2) high frequency issues, and 3) low frequency issues. The expected outcome of this review is concrete direction on Housing Action Plan modifications, and a revised Plan to be adopted at the November 2 Joint Information Meeting.

HOUSING ACTION PLAN REVIEW SCHEDULE

- **August 31:** Presentation of the Housing Action Plan to be posted on <http://www.jacksontetonplan.com>
- **September 1, 5:30 pm:** Public presentation of the Housing Action Plan in the County Commissioners Chambers with opportunity to ask questions of staff.
- **September 30:** Deadline for public comment to be included in materials for October review hearing.
- **October 12-14:** Town Council/Board of County Commissioner hearing to consider adoption of Housing Action Plan. The traditional hearing format will be spread over 3 days to incorporate general public and stakeholder comment and allow for elected official deliberation. The goal by the end of the day October 14 is that the Town Council and County Commission will provide concrete direction on modifications to the Housing Action Plan so that it can be adopted at the next meeting of the Town and County.
 - October 12, 5:30 pm: open hearing, staff presentation, public comment
 - October 13, 9:00 am: stakeholder discussion of Housing Action Plan
 - October 14, 9:00 am: Town Council/County Commission consideration of Housing Action Plan

Plan Section	Comments
Chapter 1. Policy Guidance	
Chapter 2. Objectives	
Chapter 3. Analysis of Tools	
Chapter 4. Providers and Organizational Structure	
Chapter 5. Housing Supply Plan	
<i>Organizational Structure</i>	
<i>5A. Prioritize lower income year-round housing</i>	
<i>5B. Production: Provide land as a public subsidy and get the public out of the developer role</i>	<i>Agree that this should be a private enterprise project, not sure the public even needs to provide land.</i>
<i>5C. Preserve existing workforce housing stock to avoid leakage</i>	<i>Someone or organization should oversee this but it does not need to be lots of resources</i>
<i>5D. Provide public technical assistance for housing providers</i>	
Chapter 6. Housing Management Plan	
<i>Organizational Structure</i>	
<i>6A. Coordinate management of existing restrictions</i>	<i>Maybe modify them as well. What happens when people step up their earnings...are they allowed to stay?</i>
<i>6B. Consistent review of new restrictions</i>	<i>Restrictions on owners or developer? Key for owners</i>
<i>6C. Coordinate outreach on housing programs</i>	
<i>6D. Coordinate access to housing opportunities</i>	<i>What coordination is needed? Requirements should be simple and straightforward.</i>
<i>6E. Ensure adequate standard of housing</i>	
Chapter 7. Dedicated Funding Plan	
<i>Organizational Structure</i>	
<i>7A. Establish a Community Priorities Fund</i>	<i>Not if funded by the public</i>
<i>7B. Monitor need to determine funding strategies</i>	<i>Making it easier for private developers is likely the best solution.</i>
<i>7C. Seek and support grants, tax credits, loans, and other sources of funding</i>	<i>Yes to grants, maybe loans or credits for developers but why start there...just make it easier.</i>
<i>7D. Advocate alternate funding options for the future</i>	<i>No to any form of taxation until there is a clear plan that is presented to and accepted by the public. The plan must be more than we will provide housing</i>
Chapter 8. Zoning for Housing Plan	
<i>Organizational Structure</i>	
<i>8A. Allow for supply of workforce housing by removing barriers</i>	<i>Yes, the town and county should "thing outside the box" relative to where and how housing will be developed. The school is looking for a property (10 acres) for a new school. How about going to the Gills, Lockharts, Lucas,</i>

	<p><i>VonGontard (anyone with land in South Park area) and offering a trade? If they will give the school 10 (or more) acres of land, the county will give them flexibility on building apartment buildings...density and maybe even height. This not only provides more housing, it solves the issue of where can the school district find land for the needed new school and also how do they pay for it. This would cost the school district zero and would get the public out of providing housing but have apartments (rental, we should be focused on that more than housing ownership...the priority is to have 65% of the workforce live in Jackson but it should not be for everyone to own because some people do not want to own nor should they) readily available that would be owned and managed by a private party.</i></p>
<p><i>8B. Incentivize the supply of restricted housing</i></p>	<p><i>Allow for building of housing that is outside of current allowable zoning restrictions relative to density and possibly height, make it easy for private developers to do it rather than making it impossible.</i></p>
<p><i>8C. Require mitigation of employees generated by growth that cannot afford housing</i></p>	<p><i>Not sure what you are after here but every business cannot afford to provide housing or a big penalty if they do not. There needs to be a rational approach</i></p>

Alex Norton

From: Tim Rieser <timr@dchjh.com>
Sent: Wednesday, September 30, 2015 10:27 AM
To: Alex Norton
Cc: County Commissioners
Subject: Action Plan Comments

Alex,

I will keep this short as I sure you have received a lot of comments regarding the Action Plan. I will list only my main comments.

- 1) A rewrite of the Action Plan is in order to some degree. The Action Plan is essentially un-actionable due to vagueness and excessive length. The report, as written, is more or less a rehash of the older studies and some take-away from the Summit, but as far as it being a plan the elected officials can and will act upon and move forward with is highly doubtful. Shorter, more direct, easy to follow steps are key to a successful action plan.
- 2) Abandon the “65% “ mantra once and for all. It has never had any meaning in terms of whether that number is correct nor has there ever been any meaningful effort to understand where we are in relation to that number over the ensuing years. The term “workforce housing” has been and remains too plastic and the 65% figure is purely arbitrary. A better, more accurate and meaningful metric needs to be developed and used; one that can be measured against to see if progress is being made. The only thing we know is that we are worse off now than 25 years ago.
- 3) The 1,400 “restricted” homes noted in the report is simply not supported by any facts. The term “restricted” (as opposed to “deed-restricted” normally used) was lifted from the Opatrny report which simply got that wrong. The number was brought forward to the Opatrny report from the Wake report which notes much of the uncertainty around the actual housing stock. In fact, there is no reliable data on the condition of the housing stock at all. A survey should have been conducted literally decades ago and updated annually like other communities do. As a result, you actually have little data about:
 - The number of “affordable” homes in the valley and their relative condition and the likelihood they will remain in that stock.
 - How much stock is (actually) deed-restricted?
 - How many of those deed-restricted homes have a sunset clause. Even the ex-director of the Housing Authority couldn’t venture a guess at how many there are.
 - The likelihood of entire neighborhoods being obsolescent and therefore the land value exceeds the value of the home (and the land) as a viable affordable home. The Gill Addition and a lot of east Jackson will be scrapped in the next decade.
 - Retirement aged workers staying on or selling at free-market rates.

This survey is the first step. From there the survey needs to be incorporated into the plan. You can’t know where you are going if you don’t know where you are.

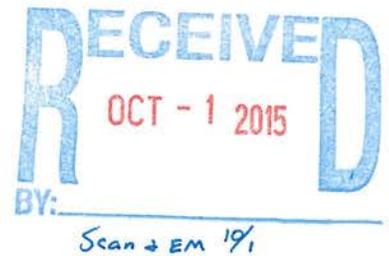
- 4) There is insufficient discussion in the report as to the excessive planning requirements and how to curtail this. Planning is part of the problem. Currently it is not part of the solution.

- 5) Town and country government need to decide and state what they are going to fund and subsidize annually. Does the government plan to subsidize all 280 units per year? (\$90,000,000 annually – more than the combined budgets of T&C), or is there a specific commitment the public should be aware of?
- 6) The dissolution of the Housing Authority as presently formed is not firm enough. In 25 years the HA has produced something over 100 homes. That is less than six months of the current need in a 25 year span. The Grove itself took 14 years from SPET to tenants. This is a failed model so let's be firm in finding a new vehicle that is not government driven.
- 7) Insufficient inclusion in the report about the broad spectrum of housing required. Affordable gets top billing, but +55, senior, over Category 5 middle-class, under-Category One – these are all areas of housing already in trouble or due to soon shows signs. The Action Plan does not show the way effecting change on this growing issue.

Thank you,

Tim Rieser

September 30, 2015



Teton Board of County Commissioners
Jackson Town Council

VIA HAND DELIVERY

Re: Housing Action Plan

Dear Commissioners and Council Members,

Thank you for the opportunity to submit public comment on the draft Housing Action Plan. I agree with the comments submitted by the Teton County Housing Authority and incorporate them herein by reference. I write separately to address two points.

First, the draft Housing Action Plan does not contain analysis of the legal issues posed by a complete reorganization of our community's government housing entity. Such drastic change could jeopardize local government's ability to enforce deed restrictions currently in place. Other legal concerns involve the proposed use of public funds to purchase land but rely non-governmental organizations to actually develop housing on that property. The Wyoming Constitution may prohibit such an arrangement. Likewise, moving to a non-authority organizational structure would likely jeopardize the ability to finance workforce housing projects.

Second, the draft Housing Action Plan does not analyze the opportunity cost of the proposed restructuring of our community's governmental housing entity. The time, energy and resources that will be spent on such an effort will inevitably take away from the underlying mission of putting workforce housing on the ground.

I encourage you to evaluate these issues before making the sweeping changes proposed in the Housing Action Plan. Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in blue ink that reads "Richard D. Stout". The signature is written in a cursive, flowing style.

Richard D. Stout



Submitted by TCHA Board:

Dick Stout, Board President

Brian Siegfried, Board Vice President

Jeff Collins, Treasurer

Debbie LaJeunesse

Skye Schell

Stacy Stoker, Executive Director

Housing Action Plan Comments:

CHAPTER 5 HOUSING SUPPLY PLAN

ORGANIZATIONAL STRUCTURE

TCHA agrees that the Housing Authority should be made into a joint Town/County Regional Housing Authority according to Wyoming State Statute. This will allow the Town of Jackson and Teton County to share in oversight and funding of the Authority.

Housing Supply Administration:

Since State Statute allows for the hiring of an Executive Director. The position of the Executive Director should remain, and the duties of the Executive Director should have the Housing Supply Administration added to them rather than having a Housing Coordinator. This seems like a layer of technicality that is unnecessary.

Level of Autonomy in Housing Supply:

To ensure efficiency and proper functionality of the organization, the Regional Housing Authority should be structured as set forth in Wyoming State Statute. The elected bodies would retain oversight through appointment of the Regional Housing Authority Board members, approval of all housing projects (this includes land purchases), approval of Regional Housing Authority Guidelines, and through approval of the Regional Housing Authority Budget. Communication between the Regional Housing Authority Board and the elected officials should be improved through monthly updates from the Executive Director and quarterly workshops with the Regional Housing Authority Board and the Elected Officials.

Housing Supply Advisory Board:

State Statute requires a Regional Housing Authority Board. Regional Housing Authorities only have three commissioners on the board that serve five year terms. The disciplines of experience required for the board may be ideal, however, this shouldn't be a requirement because people with these areas of expertise may not be available. This also seems like a lot of work expected from a 3 person volunteer board.

Housing Supply Funding:

TCHA agrees with this section in the Plan. TCHA believes that a SPET ballot for an extra cent should be voted on every 5 to 10 years to go toward housing and transportation. This will ensure that the funds will be guaranteed to be used as the SPET ballot designates. A real estate transfer tax is also a good idea, however, this will be a longer process to work on getting legislation passed.

Housing Supply Program:

Without a dedicated funding source for housing, and knowing approximately how much money will be available, it is nearly impossible to create a housing supply program. Many assumptions would need to be made that may not ever come to fruition. This could end up being a waste of staff resources. A funding source should be in place before major changes are put in motion that would cost money such as hiring additional staff, etc.

INITIATIVES

5.a Prioritize lower-income, year-round housing.

Many of the people in the workforce have seasonal jobs, but they work in Teton County year-round working a different seasonal job in winter and summer. Focusing on year-round housing should be a priority. The majority of the workforce (70%) earns less than 120% of the median income so focusing on providing Categories 1, 2, and 3 should be a priority. It is easier for private developers to provide housing in higher categories and Employment Based.

It is important that an even mix of both rental and ownership units are produced in order to fulfill the Comprehensive Plan's Workforce Housing Principals. Providing a variety of workforce housing types will support a resident workforce of seasonal, and year round workers and will allow residents to stay in the valley long-term, which according to the Comp Plan aids in achievement of the community's Common Values by integrating understanding and appreciation of where we have been with efforts for the future.

5.b Provide land as a public subsidy and get the public out of the developer role

5.a and 5.b seem to conflict because one of the tools in 5.b is Public Development. TCHA does not believe that Public Development should be removed as a tool. It is a tool that may need to be used in the future, and has been successful in the past providing 162 units or 20% of the total restricted units in Teton County.

Even when land is provided, a subsidy is still required to build Category 1, 2, and 3 units. TCHA is skeptical that private developers will be providing units at this level even when the public owns the land. It is also a concern that private developers may want to build some market units on public land in order to finance the subsidy in the restricted units. This amounts to little or no net gain because of the impact of the market units, which are likely to be second homes. The market units will also consume land of which there is very little available for building in the Town.

Another concern is oversight. When public subsidies are used, there always needs to be strict oversight. Since the Housing Authority is a public agency, transactions, financials, and documents are public information. This is not the case with private developers. They are not required to make documents public.

5.c Preserve existing workforce housing stock to avoid leakage

Leakage is a concern of TCHA's, and it will be important to find creative ways to preserve existing housing stock as workforce housing. As with any program, this will take funding.

5.d. Provide public technical assistance for housing providers

While a specific technical assistance program is not in place, TCHA has always provided this service to employers and developers. TCHA believes this is an important service to the community.

CHAPTER 6 HOUSING MANAGEMENT PLAN

TCHA agrees that the importance of efficient management of workforce housing is integral to the entire program.

ORGANIZATIONAL STRUCTURE

Housing Management Administration

The administration of the Housing Management Plan as described in this section is similar to what currently exists. The point of the growth of the amount of restricted units will require an increase in staff resources, and efficiency of management also depends on staff resources.

Level of Autonomy of Housing Management

The Housing Manager should not be autonomous in enforcing and implementing the Guidelines. This conflicts with the statement in the preceding section that the Housing Manager reports to the Executive Director (Housing Coordinator). TCHA agrees that appeals should go to an independent appeals board, which should be the Regional Housing Authority's Board of Directors.

Housing Management Board of Appeals

As stated earlier, the Board of Appeals should be the Regional Housing Authority's Commissioners. Appeals going above the Appeals Board bypassing the elected officials and going directly to district court is a good idea in order to keep the elected officials at arms length from the politics of implementation of the policies that the elected set.

Housing Management Funding

TCHA believes that it is a good idea to have funding provided by both the Town and the County. Some fees are already in existence. These may need to be adjusted, and there may be more fees that could be added.

Housing Management Guidelines

TCHA Guidelines are currently in the process of being updated. They include rules that address standards and processes for enforcement and monitoring of restrictions. TCHA is not adverse to having the elected officials adopt these policies with recommendations from the Regional Housing Authority Commission.

INITIATIVES

6.A Coordinate consistent enforcement of existing restrictions

Standardizing restrictions has been an ongoing effort with TCHA. Where possible TCHA has been working on replacing existing restrictions with standardized restrictions and has already developed a standardized form for use on new units under TCHA management. However, most existing restrictions cannot be replaced unless a unit is sold or if the owners agree to sign a new restriction. This is not something that most owners are willing to do. TCHA agrees having all restrictions standardized would be ideal.

6.B Consistent review of new restrictions

As stated above, standard restrictions have already been created and must be signed off on by TCHA before being recorded on a new property by a developer. The elected officials in both the Town and the County also review and sign these documents. The restrictions are also reviewed by the Planning Departments.

6.C Coordinate outreach on housing programs

TCHA agrees that education is fundamental to informing the public about housing successes and efforts. This has been something that TCHA has struggled with due to lack of funding and staff resources.

TCHA has worked with the Housing Trust and Habitat for Humanity to provide outreach to the community using a housing presentation. This could be a better coordinated effort, and the presentation could be improved upon.

6.D Coordinate access to housing opportunities

TCHA believes this is a good idea to make it easier for households to apply for housing. However, ease of access to housing opportunities hasn't seemed to stop people from applying as we had 47 applicants for the last Category 1 unit for sale and 19 applicants for the last Employment Based unit for sale.

6.E. Ensure adequate standard of housing

There is truly a need for safe and adequate housing at lower income levels. Fair housing education is also a need. All of these initiatives for the Housing Management Division will require funding and staff resources.

CHAPTER 7 DEDICATED FUNDING PLAN

ORGANIZATIONAL STRUCTURE

It is the role of the elected officials to choose a funding source for housing. The Executive Director of the Regional Housing Authority and the Planning Director should work together with the County Commissioners' Administrator to lead the discussions on a dedicated funding source for housing.

INITIATIVES

7.A Establish a Community Priorities Fund

The objective throughout the Housing Action Plan is to provide housing at or below 120% of AMI or Category 3. This will need funding not only for the purchase of land, but also for subsidizing construction of units. The Housing Supply Plan will never come to fruition without a dedicated funding source, and hinges on the amount of funding that will come from the funding source.

The extra penny of sales tax seems to be the most consistent and most productive method for providing funding for housing, and once voted in does not have to be revisited by voters over time. However, a Community Priorities Fund does not guarantee that funds will be used for housing, and there is not a mechanism to ensure they are used for housing. It may be better to put an extra penny of sales tax as a SPET ballot item for a determined amount that would be voted on consistently over time. This would ensure the funds are used for housing, and allow the voters to base the vote on the need for housing and efficiency of the use of funds.

7.B Monitor need to determine funding strategies

It is important that the community continues to monitor the need for housing and is educated on the need. One of the key duties of the Regional Housing Authority should be to monitor the need and educate the public. The monitoring methods will need to be evaluated to find ways of obtaining accurate data.

7.C Seek and support grants, tax credits, loans, and other sources of funding

The community needs to continue to take advantage of other funding sources, however, TCHA recognizes that these sources are growing less and less abundant. In addition, this community's

needs are unique due to the housing costs in relationship to incomes. Most grants and tax credit programs are geared only towards households at or below 80% of the AMI. While this type of housing is essential, it is the most costly, and the amount of money available from grants, tax credits, etc. often doesn't work for Teton County's housing agendas.

The current lodging tax is another funding source that could be utilized for housing. It is currently being used largely for marketing tourism in Teton County. The Employee Generation by Land Use study in Teton County from 2013 found that the largest generation of jobs was in Accommodation and Food Service (35.4%). This is largely due to tourism. Lodging and short term rentals have a direct connection to job generation, housing costs, and Teton County's need for more workforce housing so there is good reason to use a portion of the lodging tax for housing.

7.D Advocate alternate funding options for the future

A real estate transfer tax would be a good alternate funding source for Teton County, and makes sense because of its nexus to the cost of housing. This should be supported. The initiative currently under way in Wyoming to implement a Housing Trust Fund should also be supported.

CHAPTER 8 ZONING FOR HOUSING PLAN

ORGANIZATIONAL STRUCTURE

The Regional Housing Authority should continue to work with the Planning Director to assist in identifying ways for zoning to incentivize workforce housing.

INITIATIVES

Zoning is crucial for incentivizing workforce housing. Flexibility in the regulations for workforce housing will be important. As less and less land is available, more and more housing types will begin to be used as second homes as has been demonstrated in other communities. Restrictions on workforce housing are integral in ensuring that housing developments that are allowed to take advantage of flexibility in the Regulations continue to be workforce housing into the future. The Comprehensive Plan has removed much of the land that would formerly have been available for housing. The elected officials should consider allowing some areas to be used for housing if the housing is restricted as workforce housing. All tools currently in the regulations should remain, and other tools should be evaluated that would enable or incentivize workforce housing. Regulations enacted should keep in mind that all new development generates employees, which increases the need for more workforce housing.

Alex Norton

From: Patrice Egan Werner <patwerner_me@yahoo.com>
Sent: Wednesday, September 30, 2015 5:50 PM
To: Alex Norton
Subject: Housing Action Plan Comment

It's good to know that the county recognizes the need for more affordable housing. However, I shouldn't have to pay for it. The government shouldn't have to pay for it.

When I was young and carefree, barely able to meet our electric bill, we worked hard and budgeted in order to pay our rent. No one should be entitled to have the government pay for heir housing.

In an alternative plan, the fat cats of real estate and the businesses that make their profits through the slave labor they employees, should be paying people a living wage AND provide affordable housing to their employees.

If someone can't afford housing here, don't live here. It's that simple. If your business needs the workers, pay them a living wage. If you're making millions selling the valley, some of that profit should be paid to the county for affordable housing.

When the folks that have stable, professional jobs, that the area needs, and they can't afford to live here either, there needs to be a change. A big change.

Please don't get involved in a tax hike for housing. I will be paying for that housing, with each purchase I make. I'm not the one making the profits. The business owners need to be financially responsible and step forward to assist their employees with affordable housing. Not little me.

Patrice E. Werner
Teton Village

Alex Norton

From: Richard Bloom <richbloom.jh@gmail.com>
Sent: Thursday, October 01, 2015 12:46 PM
To: County Commissioners; Sara Flitner; Town Council
Cc: Alex Norton; Tyler Sinclair - Teton County; Stacy Stoker
Subject: Teton County Housing Authority - and concerns on whether NGO's can be trusted with public funds and/or land
Attachments: Housing Action Plan Comments.pdf; ATT00001.htm; TCHA 5.20.2010 Rich Bloom public comments.pdf; ATT00002.htm; AH Pricing Comparison 4.16.09.pdf; ATT00003.htm; Housing Puzzle.pdf; ATT00004.htm

Teton County Commissioners, Mayor Flitner and Jackson Town Council - and joint planning staff,

I wanted to followup on my submitted comments that I delivered yesterday after having a chance to read the formal comments from the Teton County Housing Authority just now. I also want to make sure you understand I am speaking for myself - and I have not had any communication with either staff or board members of the Housing Authority for over two years.

The following and attached are a little difficult for me to share - but I believe that for the ten electeds especially (except for Bob Lenz) - this information will be new to you as you did not hold office at the time of these events.

Given my time constraints I am attaching additional documents that formed the basis for both public comment and testimony before both sets of elected individuals back in 2009-2010.

The crux of the matter is although there have been some concerns on the role of our governmental housing authority in carrying out the capital construction project of the Grove - I have grave concerns about moving towards an exclusive commitment to have only non-governmenatal organizations (NGOs) take over those responsibilities. It is unclear whether the action plan also recommends entrusting a for-profit organization with projects - but my concerns would be the same as the Housing Authority put to you under Action Plan item 5.b below.

Simply I feel obligated to fill you in on the history of the Jackson Hole Community Housing Trust - especially during the period of 2004-2010.

I acknowledge that their board make up has changed and also the Town of Jackson did adapt their more recent engagement with them on their current partnership - based on both Town experience - and my previous comments and testimony. I will note that their executive director has not changed since 2004.

Despite that - history matters - and specifically I call attention to you the following recommendation delivered to you yesterday from the executive director and board of the Teton County Housing Authority:

Teton County Housing Action Plan Comments September 30, 2015

5.b Provide land as a public subsidy and get the public out of the developer role

5.a and 5.b seem to conflict because one of the tools in 5.b is Public Development. TCHA does not believe that Public Development should be removed as a tool. It is a tool that may need to be used in the future, and has been successful in the past providing 162 units or 20% of the total restricted units in Teton County.

Even when land is provided, a subsidy is still required to build Category 1, 2, and 3 units. TCHA is skeptical that private developers will be providing units at this level even when the public owns the land. It is also a concern that private developers may want to build some market units on public land in order to finance the subsidy in the restricted units. This amounts to little or no net gain because of the impact of the market units, which are likely to be second homes. The market units will also consume land of which there is very little available for building in the Town.

Another concern is oversight. When public subsidies are used, there always needs to be strict oversight. Since the Housing Authority is a public agency, transactions, financials, and documents are public information. This is not the case with private developers. They are not required to make documents public.

I have attached (first) the complete formal letter on the housing action plan from the Teton County Housing Authority delivered yesterday.

The current and future role of our only governmental housing authority takes up a good amount of discussion in the draft Town/County Housing Action Plan.

The primary question is should our governmental entity continue to build housing - and with the history I give below and attached - what has been the history of giving either money and/or land (or special variances to the LDRs) to the NGO - the Jackson Hole Community Housing Trust (JHCHT) - to develop housing?

For background I have attached two detailed pieces that I developed and submitted back in 2009 and 2010. I also attached an article by the Planet newspaper that covered a portion of this timeline.

Of note the County had to hire bankruptcy attorneys and force a transfer of the Hall Street property - we came very near to losing several millions of tax dollars due to the illegal cross collateralization of public purchased land for housing - and also I go into details in a second piece of the pricing issues that occurred with another JHCHT project. The last attachment - is an April 2009 piece done by the Planet newspaper during this time frame.

The JHCHT has reformed to a degree - but given that the same executive director is in place who ran the organization since the mid-2000's - the attached should give you context to a number of points the Teton County Housing Authority brings forward in their comment of yesterday on the to-be-adopted joint housing action plan.

These items also will give context to my own comment that I submitted yesterday on the need for fiduciary care by the Government as they move forward when they entrust either money and/or land to a NGO. In my comment yesterday I did not touch on the second primary issue our governmental housing authority brings up on the games that will occur with NGO's to add free market housing and/or toying with pricing approaches to help "pencil out" a project - when they are entrusted to develop affordable housing with very large subsidizes of both money and/or land going forward. My attachments provide a good timeline - and specific examples - of what has occurred in the past.

I know this is a lot of background - but history matters - and you should review these materials in order to understand the context for the governmental housing authority comment letter that their executive director and board summited yesterday. Even if the Housing Trust is a changed organization - you need to put significant safe guards in place so what occurred from 2004-2010 - never occurs again. It was far graver and concerning in my mind then the cost management issues associated with the Grove project.

In sum I support a retained role for the Teton County Housing Authority in carrying out future capital housing projects.

I also have grave concerns that our joint joint governments ensure a fiduciary role, insist on transparency and hold firm to the LDRs on pricing, category type and other constraints when - and if - they consider entrusting either money and/or land to any NGO or private developer. The same goes to any requested variances, text amendment and/or other special accommodation - to simply help a project "pencil out".

I am out of the valley Sunday through October 23. I am certainly willing after I return to discuss these issues - or provide the various tax returns, meeting minutes and other evidence that support each and every statement in the two attachments below.

Thank you for your service to our community.

Respectfully - Rich Boom

Rich Bloom – speaking as an individual

May 20, 2010

I support moving forward with legal action against the JHCHT to recover the taxpayers \$40,000 plus recovering the staff costs of both joint Town/County Housing Authority and the County legal department. This has gotten to a point of absurdly – the Trust should have returned the money when they listed the Millward property last fall.

Follow the money – it is important to put this in context of a pattern of behavior the last four and one half years by the Trust.

12/22/05 – Trust buys McCabe Corner– Got approved for a four story large PMUD with promises of affordable housing but only three obligated units.

10/15/06 – Trust sells McCabe Corner to Eden Group – flipped after 10.5 months for \$358,751 profit, only three obligated units – less than in the building they tore down. Plus \$70,117 in rental income – according to public IRS 2006 form 990. McCabe Corner remains a hole in the ground with only three obligated units. The community is left with an entitlement out of context bulk and scale building that will eventually produce many, many more new jobs than the three obligated units will offset.

December 2005 – County assigns Hall Street to the Trust, paid for with \$1,423,649 of SPET money - partnership with Authority on initially sales. One restriction in partnership agreement was not to collateralize the land. Explicit intent to be equal mixture of category 1-3 units. Structured that the Trust controlled the project schedule.

August 15, 2006 – excerpts BCC minutes - \$40K Glory View assignment – Mike Gireau. See attached with highlights.

November 2006 – Trust buys Millward/Paddleford Square parcel from Lynn and Foster Freeze.

November 2007 – Trust enters into partnership with developer of Teton Meadows Ranch (TMR). Housing now hats, accepting applications for GAP housing at public hearings, misrepresenting the Yellowstone Business Partnership and the Nature Conservancy – the list goes on.

November 6, 2007 – Glory View \$40k reassigned to Millward. BCC minutes excerpts – plus another Hall Street delay – BCC minutes excerpts. See attached with highlights.

February 2008 – Hansen–Redmond LLC purchased with hospital. Trust for their portion use \$1.8 of TOJ money structured through Right of First Purchase Options.

January – March 2008 – Trust pushes GAP housing (\$540-760K) as category 4-5 on behalf of TMR – Authority finally rules in special session that it is not affordable – even for theoretical category 6.

May 2008 – TMR fails ultimately through moratorium.

Summer 2008 – Jim Mosses and Shelly Simonton via cross membership on Trust and Community Foundation boards (Jim Mosses president of both boards) - blacklist SHJH (eliminating them from receiving some \$20,000 in matching Old Bills money) for running a factually accurate advertisement on “follow the money” – the \$2M in transfer money the Trust was due to receive from TMR upon sale of the GAP and free market units – plus 100's of thousands of dollars annually.

July 2008 – Trust cross collateralizes Millward to Hall Street – putting the \$1.4M public SPET money at risk if Millward fails. \$1.923M mortgage on Millward cross-collateralizing of Hall Street.

Fall 2008 - Glory View/Melody Ranch PUD-AH – pricing meeting with joint boards of the Authority and the Trust and other financial experts – prices established for each category. Trust then priced and put under contract ten units (8 obligated) for \$69k or 27% (\$325k vs. \$256k) above category 3 prices. Caught at final plat by County planning staff. Not only did the community lose out on category 1 & 2 but the units were sold effectively at category 5 plus. Board of County Commissioners (BCC) was put in a corner to approve a variance from Land Development Regulations (LDR's) – or 2/10 units would go to free market. BCC denies request from Anne for Trust to be exempt from perpetual oversight and/or adherence to all LDR's.

November-December 2008 – the Town's AR zone density text amendment that I and others brought pressure on the Trust to pull – that would have doubled the density from base rights in the AR zone. Was to benefit by default the Trust's Hansen-Redmond, Hall Street and Millward properties – none now owned or controlled ironically by the Trust.

April 2009 – Daisy Bush – Hansen Redmond – no disclosure to Town of Jackson (TOJ) that their \$1.8M investment in Hansen Redmond had been sold five days before TOJ Council meeting on modifying the housing mitigation for the already approved Greg Prugh - Daisy Bush parcel. Hansen Redmond was sold to Dick Niner. Modified mitigation plan eventually approved two meetings later after some lower categories were conserved. Trust's portion of obligated units only meet minimum LDR requirements.

April 2009 – Trust makes proposal for free land by the parking garage. Excerpt from staff report: *The Trust would use a portion of the property for their office and build affordable rental housing on the balance. The rental income from these units would help fund the operational expenses of the Trust.* Council does not go forward with proposal.

Spring 2009 – The Authority discovers cross-collateralization of Hall Street – violating the partnership agreement. The Trust after several meetings is forced to agree to unwind the collateralization. Over a period of many, many months - Trust also says they cannot move forward with Hall Street unless they drop category 1&2 and do all category 3 with their pricing methodology – effectively category 5.

Summer Fall 2009 - Authority says then give Hall Street back – months of negotiations on terms of agreement on what development costs are to be reimbursed.

October and November 2009 – Authority agrees to pay \$150k - \$30k over verified legitimate costs - to Trust to resolve the issue, preserve possible foreclosure on Hall Street and avoid mediation. Trust admits they have a maxed out \$150k line of credit due with no ability to pay. Authority engages Denver based bankruptcy attorneys to advise on the transfer.

November 2009 – Hall Street transfer is finalized.

November 2009 – removal of cross collateralization mortgage of Millward to Hall Street finally recorded.

December 2009 – Trust lists Millward – Paddleford Square for sale on Multiple Listing Service (MLS).

December 2009 - March 2010 - Authority asks for \$40k of exaction money back multiple times. Executive director to executive director, individual board member to board member and in public meetings.

April 1, 2010 – Trust sells Millward to Dick Niner (same individual that bought Hansen-Redmond) – MLS sales price is immediately pulled by board member Bomber Bryan.

April 8, 2010 – At Authority meeting the Trust submits new proposal and claims they have technically fulfilled the grant terms but not the intent. After executive session the Authority board approves legal action – no sooner than May 6 - in order to find a solution. One joint meeting follows that again lines out constraints on legally what County can assign the exaction money for – net new housing. If \$40k is not used for that – then not only does the community miss out on the new housing – but the Authority must return another \$40k to the developers they took the exactions from. Effectively the taxpayers lose out on not \$40k but \$80k.

May 6 – Authority board meets again for final action on legal action. The Trust submits a proposal on May 6 for energy sustainability to Authority board and publishes on the same day to their large email list serve. Trust knew fully well that this proposal would not comply – Daisy Busy is tied up into the LLC – no way to make a legal agreement at this time, the Trust's units at Daisy Bush are all obligated units – the Authority housing mitigation fee money must be used for net new housing above obligated units. The Authority is not the Teton Sustainability Project. The Trust clearly pandered on a community goal of carbon footprint concerns – to knowing and in a calculated manner to publically embarrass the Authority. In the end this was what finally triggered me to prepare this timeline review.

There are others items from the last five years I could go into – but I won't go on. In summary according to the Trust's 2006 IRS form 990 – no other information will the Trust provide me upon repeated request – 86% of their income was from Town and County public taxpayer money. Town and County taxpayer support for 2005-2008 calendar years (from public IRS 990's) totaled \$3,446,253. The Trust will not provide any more recent financials.

May 20, 2020 – hear we are – please pursue legal action, even if the money is returned please pursue damages to cover staff costs – Authority staff time and County legal staff time. Further - Town and County please do not trust the Trust, do not partner or put at risk any future public money with this non-transparent and untrustworthy organization. You all have to be polite and professional – I am being direct and calling it as I see it. I find this saga a tragedy given the years of fine work the Trust has accomplished.

Thank you – Rich Bloom

OFFICIAL PROCEEDINGS OF THE BOARD OF
COUNTY COMMISSIONERS, TETON COUNTY, WYOMING

The Board of County Commissioners, Teton County, WY met in regular session at 9:00 am in the Commissioners Chambers, August 15th, 2006, in the Teton County Administration Building.

Present: Leland Christensen - Chairman, Andy Schwartz, Larry Jorgenson, Jim Darwiche, and Mike Gierau – Commissioners. Jan Livingston - Administrator, Jim Radda – County Attorney, Sherry Daigle - County Clerk, Melissa Shinkle - Deputy County Clerk, Gary Suiter – Interim Planning Director, Craig Jackson - County Engineer, DeAnn Sutton, Count Treasurer.

Chairman Christensen called the meeting to order at 9:00 am, and the Pledge of Allegiance was recited.

Mr. Gierau moved approval of the August 1st, 2006 meeting minutes, seconded by Mr. Schwartz. Motion passed unanimously.

The following direct correspondence were viewed by the Commission:

Direct Correspondence

August 15, 2006

1. Darrell Miller 7/26/06 letter regarding Teton Village Road KOA campground development
2. 8/2/06 Fire/EMS Staff memo regarding New Salary Structure Adjustments
3. Teton County Fair Board: Thank you for your support
4. Jackson Hole Airport Board 8/4/06 letter regarding Letter Amendment to AIP3-56-0014-36
5. David and Reade Dornan 8/1/06 memo to Mayor Barron regarding Saddle Butte zoning
6. Nancy Shibuya 8/7/06 email regarding substandard roads, specifically Squaw Creek Road
7. Signed Petition from Property Owners in Game Creek regarding Squaw Creek Road
8. Our Families Our Future 7/27/06 letter regarding CLIMB Wyoming program.
9. Office of the County and Prosecuting Attorney 8/8/06 letter regarding Crow v. Board of County Commissioners, Teton County
10. John Mann 8/2/06 letter to Teton County Fair Board regarding Demolition Derby
11. Letter to Department of Family Services dated 8/7/06 regarding TANF Community Partnership
12. Department of Transportation 8/8/06 memo regarding Grading Plan Inspection Report for Project 0N30-01(018) Moran Jct – Dubois, Togwotee Pass Section

Indirect correspondence was also reviewed.

PUBLIC DISCUSSION OF CORRESPONDENCE

No public comment was heard.

MATTERS FROM COMMISSION AND STAFF

1. MFS 06-0010 TCSPT Monitoring Contract with Teton Science School

Maggie Schilling, Teton County Scenic Preserve Trust Coordinator, discussed the request as delineated in her memo to the Board dated August 7th, 2006. Staff recommended approval of the amendment so that the Monitoring Contract could be continued to complete Monitoring Reports for 34 Scenic Preserve Trust properties in 2006.

Doug Wachob, Director of the Conservation Research Center at the Teton Science School, said they looked forward to completing the task with approval of the contract.

Mr. Jorgenson moved to approve the extension of the contract with Teton Science School for the completion of the Monitoring Reports on behalf of the Teton County Scenic Preserve Trust as presented by Staff. Mr. Darwiche seconded. Motion passed unanimously.

2. MFS 06-0009 Award the contract for the Mixed-use Village project.

Mr. Radda reviewed the contract between the County and VLA Inc., for consulting services in the amount of \$50,000.00. He added that the parties understood that the scope of work applied to the whole county, not just to Wilson.

Mr. Schwartz moved to approve the contract for the Mixed Use Village project between Teton County and VLA, Inc., and he requested and required the Chair to sign. Mr. Darwiche seconded. Motion passed unanimously.

3. TCHA purchase of Melody Ranch Category 1 lots

Christine Walker, Teton County Housing Authority, discussed the background and basis for the request, and further discussed the timelines for the sale as outlined in her Staff Report dated August 9th, 2006. Ms. Walker added that there would be a short period of time that the Housing Authority would be carrying the land and associated costs.

Mr. Radda passed out a corrected Use Agreement to the Board and discussed the specific changes.

TETON COUNTY COMMISSIONER'S MINUTES

August 15th, 2006

Mr. Jorgenson and Ms. Walker further discussed the purchase price for each lot, and the use of SPET funds Habitat received in 2001 for infrastructure costs. Ms. Walker stated that they had spoken to Counsel to insure that the SPET funds could be used for land purchases instead of infrastructure. Ms. Walker added that the Board had approved a Use Agreement between TCHA and Habitat, which authorized Habitat to use a portion of the SPET funds to purchase land. Mr. Jorgenson asked for further clarification regarding the 99-year community ground lease. Ms. Walker explained that the provision insured that the lots remained affordable in perpetuity, and stated that Habitat would continue to own the lots during that time.

Mr. Schwartz wondered if there was a contingency within the contract in the event Habitat could not purchase the properties by December. Mr. Radda said that there was not, but if the sale did not go through they would have to come back to the Board for approval on any different arrangement.

Terry Merino, Habitat for Humanity, thanked the Board for their support, and said that they didn't anticipate any trouble with funding in December.

Mr. Darwiche moved to approve the TCHA decision to purchase five Category 1 lots from Melody Ranch at a price of \$38,500.00 each and at the same time sell two lots to Habitat for \$50,000.00 and the remaining three lots will be sold to Habitat by December 1st, 2006, for \$38,500.00 each. Mr. Schwartz wondered about the form of the motion. Mr. Darwiche amended his motion to also direct the Chair to sign the Use Agreement between the TCHA and Habitat for Humanity of the Greater Teton Area. Mr. Gierau seconded. Mr. Schwartz thought that it was critical to see cooperation between the different housing groups to create affordable housing, and he was very supportive of their efforts. Mr. Christensen said that the effort of many groups was making the affordable housing issue better. Motion passed unanimously.

4. Housing Trust request for \$40,000.00

Ms. Walker discussed the information contained in her Staff Report dated August 9th, 2006. She specifically discussed the Background of the request, and said that although the amount had not been budgeted in 06-07, they were looking for a funding source to meet the request. Ms. Walker stated she had discussed the situation with the County Treasurer and she recommended that it was best to utilize any affordable housing fee revenue in excess of their anticipated amount. She felt that it would take 6-12 months to fully fund the request based upon past excess revenue and other revenue sources.

Ann Hayden, Community Housing Trust, discussed future property acquisition and building of more affordable homes in Teton County. She reminded the Board that they had requested the funds as a social service request, but their denial of the request had initiated discussion for other funding sources. Ms. Hayden hoped that the Board would support the Housing Trust on their effort, and she further reviewed the private donations that the Trust had received, and how the \$40,000.00 would be leveraged with those funds for construction costs.

DeAnn Sutton, County Treasurer, stated that the expenditure of reserve funds on affordable housing was a permissible use, and she clarified for Mr. Gierau that over the last three years the collections had totaled about \$314,000.00.

Mr. Darwiche moved to approve the TCHA Board's decision to support the effort of the Housing Trust and provide \$40,000.00 to be used for land acquisition and development on the three acres of the Melody Ranch parcel. Mr. Gierau seconded.

Mr. Schwartz said that he had not been in favor of the budget request, but he now had a better understanding of the benefits to the community for supporting the request. He wanted to see the project go forward, and wanted to further the cooperation between the TCHA and the Trust. Mr. Gierau thanked the TCHA Board for looking at the request, and he felt that those who were hesitant about it had questions about the project itself, but not questions over the issue. He also was not supportive of the budget request, but appreciated their diligence. Mr. Darwiche also appreciated the cooperation, and felt that the effort was a benefit to the community.

Motion passed 4 to 1 with Mr. Jorgenson opposed.

5. Award of bid and approval of contract for recreation center pool chemicals

Steve Foster, Parks and Rec, thanked the Board on behalf of himself and his department for their approval of the compensation package. Mr. Foster requested approval of the annual purchase agreement, and asked that the vendor award go to LSE Inc., in the amount of \$22,456.44.

Mr. Schwartz moved to approve the annual purchase agreement for recreation center aquatic chemicals as presented with LSE Inc. for a rate based on the amounts presented. Mr. Gierau seconded. Motion passed unanimously.

6. SPET Distribution Resolution

Ms. Sutton, County Treasurer, stated that in the May Specific Purpose Excise Tax election, the voters of Teton County had approved utilizing the 1 percent optional sales tax for nine propositions, totaling approximately 31 million dollars. Ms. Sutton discussed the payout schedule, and said that each entity would be required to maintain financial records in regards to receivable monies, and she further reviewed the Distribution Schedule. Ms. Sutton said that the percentage of receipts was an estimate, and she had the authority to adjust the percentages until each project received their approved amount.

Mr. Schwartz and Ms. Sutton discussed the estimate of receipts, and how amendments could be made based upon annual review of incoming monies.

Mr. Schwartz moved to approve the Resolution approving distribution of revenues for the Specific Purpose Excise Tax propositions, and requested and required the Chair to sign. Mr. Gierau seconded, and discussed the difficulty and diligence to work out a formula to distribute the funds evenly and fairly, and he thanked Ms. Sutton for her work. Motion passed unanimously.

4:16 PM 12/03/07

**OFFICIAL PROCEEDINGS OF THE BOARD OF
COUNTY COMMISSIONERS, TETON COUNTY, WYOMING**

The Board of County Commissioners, Teton County, WY met in regular session at 9:00 a.m. in the Commissioners Chambers, November 6th, 2007, Teton County Administration Building.

Present: Andy Schwartz - Chairman, Leland Christensen – Vice Chairman, Bill Paddleford, Hank Phibbs and Ben Ellis– Commissioners. Debbie Meagher - Deputy County Clerk, Jan Friedlund – County Administrator, Keith Gingery – Deputy County Attorney, Jim Radda – Deputy County Attorney, Steve Foster - Parks and Recreation, Jeff Hermansky – County Engineer and Jeff Daugherty - Planning Director.

Chairman Schwartz called the meeting to order and the Pledge of Allegiance was recited.

MINUTES

Mr. Phibbs moved to approve the minutes of October 16, 2007, October 22, 2007, October 23, 2007, two sets of minutes from October 29, 2007 and October 31, 2007. Mr. Ellis seconded and the motion passed unanimously.

CORRESPONDENCE

**Direct Correspondence
November 6th, 2007**

1. Keith Gingery 10/22/2007 to BCC regarding comments on Imagine Jackson Lawsuit
2. Amy Jerup, Weed & Pest 10/22/2007 email to BCC regarding information on Wyoming Weed and Pest Council annual conference
3. Andrea Richard, Richard Law Firm 10/22/2007 letter to BCC regarding Crescent H Homeowners vs. Jones Holdings: Jones Holdings, LLC's Brief in Support of Motion for Summary Judgment - Jones Holdings' Motion for Summary Judgment - Notice of Filing Exhibits in Support of Summary Judgment
4. Paul Hickey, Hickey & Evans, LLP 10/22/2007 letter to BCC regarding Crescent H Homeowners vs. Jones Holdings: Order Setting Hearing on Motions to Compel
5. Dodie Stearns 10/22/2007 letter to BCC regarding suggested reading
6. Michael Enzi, United States Senate 10/22/2007 letter to BCC regarding energy production in the Bridger-Teton National Forest
7. Art and Kathy Greger 10/23/2007 letter to BCC regarding comments on River Crossing and Teton Meadows developments
8. Martin Kidner, Department of Transportation 10/23/2007 letter to Paula Stevens regarding will continue support on the TCSP grant for Teton County
9. W C C A 10/23/2007 email to BCC regarding information on WCCA Winter Meeting in Lusk
10. Linda Huckfeldt, Hickey & Evans, LLP 10/24/2007 email to BCC regarding change in location of Crescent H vs. Jones Holdings Nov 7 Hearing
11. Melody Ranch Homeowners Association 10/24/2007 letter to BCC regarding requesting a stop bar painted on the road entering highway 89
12. Paul Hickey, Hickey & Evans, LLP 10/25/2007 letter to BCC regarding reporting service for Nov 7 Hearing
13. Andrea Richard, Richard Law Firm 10/25/2007 letter to BCC regarding Crescent H Homeowners Association vs. Jones Holdings: Notice of Filing Additional Exhibits in Support of Summary Judgment; Stipulated Motion to Extend Deadline for Filing Dispositive Motions by Two Days; Jones Holdings Opposition to Motion for Sanctions
14. Andrea Richard, Richard Law Firm 10/25/2007 letter to BCC regarding Crescent H Homeowners Association vs. Jones Holdings: Respondent's Motion to Strike Petitioner's Motion for Sanctions; Certificate of Compliance with Rule 37(a)(2); Notice of Filing Additional Exhibits in Support of Summary Judgment & Correction to Brief
15. Andrea Richard, Richard Law Firm 10/25/2007 letter to BCC regarding Crescent H Homeowners Association vs. Jones Holdings: Jones Holdings Motion for More Definite Statement
16. William Schwartz, Ranck, Schwartz & Day, LLC 10/25/2007 letter to BCC regarding Crescent H Homeowners Association vs. Jones Holdings: Homeowners Associations Designation of Witnesses; Pretrial Memorandum; Exhibit List
17. Dickson Cooke Schaefer 10/25/2007 letter to BCC regarding comments on River Crossing and Seherr-Thoss development
18. Bob LaLonde 10/25/2007 letter to BCC regarding Sanctuary Cities List
19. Gary Shockey 10/25/2007 email to BCC regarding comments on bear death near Pacific Creek
20. Jason Biermann 10/25/2007 email to BCC regarding RACES Officer Interviews
21. Paul Hickey, Hickey & Evans, LLP 10/29/2007 letter to BCC regarding Crescent H Homeowners vs. Jones

3. Policy Change regarding Benefits Plan

Jalene Utzinger, Human Resources Manager, addressed the Board and stated in light of the new County benefit year coming up, it is her recommendation to request that the County paid medical/dental/vision benefits coverage be deleted for regular part-time County employees scheduled to work 20 hours per week effective January 1, 2008. Current regular part-time employees who are covered by this benefit as of November 6, 2007 will continue to receive County paid benefits until they terminate employment with the County. The change will affect new employees only. This has been discussed with County Administrators, County Clerk, as well as, Supervisors and they are in understanding of the change and in agreement.

Mr. Ellis moved to accept the policy change, omitting health insurance benefits to employees hired after November 6, 2007, whose regular work schedule is fewer than 30 hours per week. Mr. Christensen seconded. The motion passed unanimously.

4. Translation Service Agreements for Public Health hires independent contractors to act

Mr. Keith Gingery, Deputy County Attorney, addressed the Board and stated that Public Health hires independent contractors to act as translators for public health needs. The County enters into approximately 15 of these contracts throughout the year, so that there are always ones available. Their names are placed on a call list and when they are needed they are called from the list. We are adding seven more to the list today. The contract looks a little lengthy because they have to agree to confidentiality issues in regards to HIPA. The county pays \$13.00 per hour.

Mr. Christensen moved to approve the Contractors for Translator Services for Public Health between Teton County and the list of names provided by the County Attorney. Mr. Phibbs seconded and the motion passed unanimously.

5. Acceptance for \$40,000 Grant to Housing Trust

Ms Christine Walker, Teton County Housing Authority, addressed the Board and stated that the Teton County Housing Authority Board respectfully requests the Board of County Commissioners to approve a grant of \$40,000 to the Jackson Hole Community Housing Trust for planning and design work related to the development of approximately 12 units of affordable housing on the corner of Millward and Kelly Streets. The funding source for this grant is affordable/employee housing fee-in-lieu reserves. This was a grant that was requested about a year ago and we are now transferring it from Melody Ranch Development to the Millward and Kelly Streets.

Mr. Paddleford asked why there were requirements on the Grant and stated for total disclosure he is on the Board of the Housing Trust.

Ms Walker answered because of the funding source. They are fees-in-lieu and there are requirements in our LDRs that restrict how housing can be utilized. She wanted to make sure that it was to be used for additional affordable housing and it has been requested of the Housing Trust to be used for planning and development for the Millward and Kelly Streets.

Mr. Radda, Deputy County Clerk, addressed the Board and stated there should be a time limit on the use of funds and the Housing Authority would like an explanation, from the Housing Trust, of how the funds were used.

Mr. Ellis moved to approve the \$40,000 grant request to the Housing Trust with three conditions recommended by the Teton County Housing Authority Board of Directors. Mr. Christensen seconded. The motion passed unanimously.

Mr. Christensen asked Ann Creswell, Director of the Housing Trust, if these conditions work for her.

Ms Creswell, from the Housing Trust, nodded in the affirmative.

6. Approval of Housing Trust Hall Street Partnership Agreement Extension

Ms Christine Walker, Teton County Housing Authority, addressed the Board and respectfully requested the Board of County Commissioners approve a six-month extension of the Hall Street Partnership Agreement between the Housing Trust and the Housing Authority and a six month extension for a sketch plan to the town council. The Board of County Commissioners approved a Partnership Agreement in December 2005 between the Teton County Housing Authority and the Jackson Hole Community Housing Trust to build affordable housing on four parcels of land on Hall Street. The Housing Authority contributed \$1,423,649.00 in its SPET funds to pay for the land, while the Housing Trust would develop the affordable housing units. This agreement was also signed by the County Commissioners.

Mr. Schwartz asked why only six months.

Ms Walker answered that the Housing Authority wanted to insure that it was progressing, and to keep communication open between both Boards.

Mr. Ellis stated to make this clear there is a six month extension and then there is another six month extension, if needed, once the sketch plan was filed, otherwise, as in the agreement the property would come back to the Housing Authority.

Ms Ann Hayden-Creswell from the Housing Trust addressed the Board and stated that the Board of Directors made the decision to hold off on development because they were fortunate enough to acquire three parcels in the community and they were carrying costs on those three other acquisitions and they felt it was truly in the best interests of every single applicant in this community that they not move forward on the one parcel where they did not have any carrying costs. That is the reason for the delay on construction on Hall Street. Ms Creswell is comfortable with the way the language is now.

Mr. Christensen moved to approve a six-month extension effective December 1st, 2007 of the Hall Street Partnership Agreement with an additional six-month extension granted if the Housing Trust has submitted a sketch/final development plan application to develop the Hall Street property by June 1, 2008. Mr. Phibbs seconded. The motion passed unanimously.

Mr. Paddleford asked why they just did not go with a 12 month extension to begin with. The Housing Trust has proven to this community what it can do and what it has done. We are allowing ourselves to look at all the details and not the big picture.

Mr. Ellis stated it is to ensure the sketch/final development plan application is completed on the end of the six months. The community has spent \$1.4 million dollars on this and the Housing Trust is not carrying any costs the community is.

7. Approval of Contract with Wyoming Department of Health and Public Health for Mental System of Care Grant.

Mr. Keith Gingery, Teton County Deputy Attorney, addressed the Board and stated the Federal Government has a federal grant called the Children's Mental Health Initiative. Wyoming renamed the program SAGE (Support, Access, Growth and Empowerment). Teton and Laramie counties have been chosen as the pilot projects for the SAGE WEST GRANTS. The money primarily is used to provide services to children with mental health needs. SAGE is a new program and Carolyn Pasenel is leading this up for the State. The Grant is for \$207,500 dollars, the County makes an in kind match of \$1 dollar for every \$3 dollars from the federal government. The money will be going for a family youth coordinator, training folks in the community on assessing children on mental health needs and providing a shelter bed for youth that is not a part of DFS.

Mr. Schwartz asked if this project would affect our System of Care and will it have to change in order to comply.

Mr. Gingery stated that we will utilize what we have in place now.

Terri Gregory, Public Health, addressed the Board and stated that System of Care is a general term used as a concept nationally. Within Wyoming we were the first to use this concept. This grant also uses the concept. The mental health care group that is steering this grant is a subsection of the main System of Care.

Mr. Paddleford asked if this will help our kids.

Mr. Phibbs moved to approve the Service Contract with the State of Wyoming for the SAGE Initiative to help children with Mental Health needs. Mr. Christensen seconded. The motion passed unanimously.

8. Resolution for a Grant to the Wyoming Business Councils' Community Facilities Program for the Old Wilson School

Sarah Mitchell, Teton County Grant Writer, addressed the Board and stated the purpose of this Resolution is to approve moving forward with a grant to the Wyoming Business Council's Community Facilities Program to fund renovations on the Old Wilson Schoolhouse. The Wilson Community Center will be responsible for performing the work outlined in the grant application. The mission of the Wilson Community Center is to preserve the Old Wilson Schoolhouse, to make the Old Wilson Schoolhouse available for use by the general public for purposes such as meeting place, social center, and a community facility to provide information and exhibits concerning the community and Wilson's history.

RESOLUTION AUTHORIZING SUBMISSION OF APPLICATION TO THE BUSINESS READY COMMUNITY GRANT AND LOAN PROGRAM FOR A COMMUNITY FACILITIES PROJECT ON BEHALF OF THE GOVERNING BODY FOR TETON COUNTY FOR THE PURPOSE OF: Performing renovations on the Old Wilson Schoolhouse Community Center.

WITNESSETH

WHEREAS, the Governing Body for Teton County desires to participate in the Community Facilities Grant Program to assist in financing this project; and

WHEREAS, the Governing Body of Teton County recognizes this project will improve infrastructure within the boundaries of Teton County; and

WHEREAS, the Community Facilities Grant Program requires that certain criteria be met, as described in the Wyoming Business Council's Rules governing the program, and to the best of our knowledge this application meets those criteria; and

WHEREAS, the Governing Body of Teton County plans to match the requested Community Facilities Grant Program Community Facilities Project from the following source(s):

\$112,000 from the Old Wilson Schoolhouse Capital Budget

WHEREAS, the Old Wilson Schoolhouse is working in partnership with Teton County; and

WHEREAS, the Teton County held a public hearing on November 6, 2007 and gave full consideration to all comments received;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF Teton County that a grant application in the amount of \$600,000 be submitted to the Wyoming Business Council for consideration of assistance in funding the Renovations of the Old Wilson Schoolhouse Community Center.

BE IT FURTHER RESOLVED, that Jan Friedlund is hereby designated as the authorized representative of Teton County Board of Commissioners to act on behalf of the Governing Body on all matters relating to this grant application.

PASSED, APPROVED AND ADOPTED THIS 6th day of November, 2007.

By: Andy Schwartz, Chair
Board of County Commissioners

ATTEST:

Sherry Daigle, County Clerk

**USE AGREEMENT BETWEEN THE TETON COUNT HOUSING
AUTHORITY AND TETON COUNTY HOUSING TRUST RE
USE OF AFFORDABLE HOUSING EXACTIONS**

THIS AGREEMENT is effective the 6th day of November, 2007 and is by and between the **Teton County Housing Authority** (hereinafter referred to as "TCHA") and the **Jackson Hole Community Housing Trust** (hereinafter after referred to as "Housing Trust").

WHEREAS, the TCHA is a duly constituted Housing Authority established by Teton County, Wyoming pursuant to Wyo. Stat. § 15-10-116; and

WHEREAS, the Housing Trust is an Internal Revenue Code § 501(c)(3) non-profit organization that works in partnership with families in need to create simple, decent home ownership opportunities in Teton County, Wyoming; and

WHEREAS, in August 2006, the Teton County Board of Commissioners approved a Use Agreement whereby the TCHA agreed to provide \$40,000, derived from affordable housing exactions that it received from Teton County, Wyoming, to the Housing Trust, said \$40,000 to be used by the Housing Trust in DEV 07-0004 to restrict one of the proposed market units as an affordable unit, thereby creating an additional affordable unit as part of DEV 07-0004; and

WHEREAS, subsequent to said approval the Housing Trust found an alternate means of financing the restriction of not only one but several of the proposed market units in DEV 07-0004; and

WHEREAS, the Housing Trust again requests that the TCHA provide to the Housing Trust \$40,000 for other purposes, the Housing Trust having agreed to use said funds to plan and design the development of affordable housing on the corner of Millward and Kelly Streets, in the Town of Jackson, in ways consistent with Section 49450.C.4.b of the Teton County Land Development Regulations, to meet more than the minimum affordable housing requirements of the proposed Millward and Kelly Streets development, and to provide affordable housing for families earning 120% of less of the area median income; and

WHEREAS, TCHA supports the Housing Trust's said request; and

WHEREAS, the Teton County Board of Commissioners on November 6, 2007 approved said request;

NOW THEREFORE, in consideration of the foregoing recitals, the parties agree as follows:

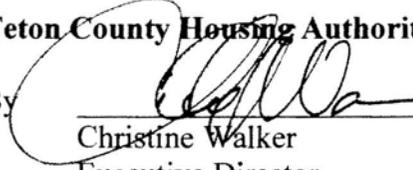
1. The TCHA shall provide \$40,000.00 to the Housing Trust, which \$40,000 the Housing Trust shall use to plan and design the development of affordable housing on the corner of Millward and Kelly Streets, in the Town of Jackson, in ways

consistent with Section 49450.C.4.b of the Teton County Land Development Regulations, to meet more than the minimum affordable housing requirements of the development, and to provide affordable housing for families earning 120% or less of the area median income; and

IN WITNESS WHEREOF, the parties have executed this Use Agreement in Jackson, Wyoming on the day and year first above written.

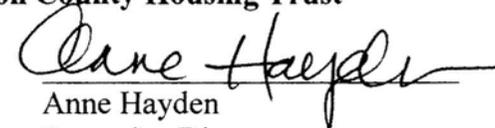
Teton County Housing Authority

By


Christine Walker
Executive Director

Teton County Housing Trust

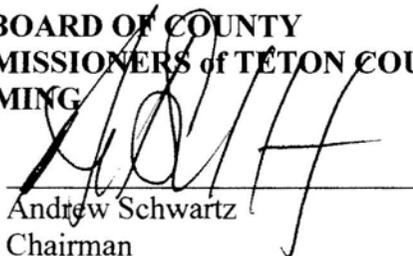
By


Anne Hayden
Executive Director

This Use Agreement was approved on November 6, 2007 by the Board of County Commissioners of Teton County, Wyoming.

**THE BOARD OF COUNTY
COMMISSIONERS of TETON COUNTY,
WYOMING**

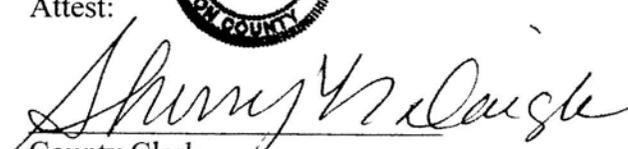
By


Andrew Schwartz
Chairman

(Seal)

Attest:




County Clerk

Teton County Housing Authority versus JH Community Housing Trusts Pricing Philosophy

With my certified financial planner background and from in-depth meetings with both organizations last fall:

- Both use 5% cash down, financing the remainder at a fixed rate loan for 30 years
- Both use the approximately same property tax, land lease, homeowner fee, closing costs and other cost assumptions.

Housing Trusts Pricing Philosophy

So how do you get from a home that should sell for \$150,200 (category 1) to be priced at a potential \$415,000 (category 6) under this proposal?

- First the Housing Trust – is proposing removing category 1 and 2 from the mitigation plan – the income category where the greatest need and demand is for housing. They want to provide eight units they say will be affordable at category 3 (but as you will see are actually priced at category 6).
 - As the current Town mitigation rate are set on market rate developments – 15% (now raised to 25%) of housing must be provided at category 1-3. This is for incomes that are 60-80% of area medium income (AMI) – category 1, category 2 – 80-100% AMI and category 3 - 100-120% AMI.
 - The current approved mitigation plan on this project would require one unit of housing offered at category 1 for \$150,200 for a 2BR, category 2 priced at \$187,800 for a 2BR (two units) and category 3 priced at \$253,600 for a 3BR (one unit).
- How would the Trust get then from \$253,600 to a potential \$415,000 in Category 3?
 - First use the upper end of the category 3 income range – 100-120% of AMI instead of TCHA method of taking the top of a range and subtracting 10% to get to mid-range. The Authority then assures a pricing that reflects the income range at its mid-point – the Trust assumes the top of the range
 - Then use a temporarily lower interest rate. Initially affordable and permanently affordable is the goal for affordable housing. What happens with unit price appreciation allowed by the Trust of 3.5-4% per year (versus 2.5% by the Authority) when in a few years interest rates pop back up? The housing unit will now not be affordable to the category of income intended upon resale. The County Housing Authority uses a multi-year historical average methodology as is the standard nationally for interest rate assumptions. They also use a unit inflation rate that matches the 20 year historic increase in valley wages or 2.5% (again versus the Trusts 3.5-4% annual rate).
 - Then assume more people live per bedroom – e.g. three bedroom homes with Housing Authority assumes three folks for the income category limits. The Housing Trust assumes four folks for pricing in a three bedroom even though they then sell to folks with only two people living in a unit.
 - Debt to income ratios: Then raise prices another 15% by raising debt ratios above FHA and Fannie Mae and Freddie Mac maximum recommendation of 30%. The Housing Authority require the principal, interest, taxes and insurance be no more then 30% of earned income for any category. The Trust now wants to deviate from that and use a debt ratio of 35%,

In summary the Housing Trust is asking to break debt rules and raise it to 35% of income. Then they want to selectively use only the top of a category income range. The Trust then chooses to assume more people will live in the unit to get to another higher income range than is reasonable. The Trust also uses a lower interest rate (and higher annual appreciation rate) that will prevent

the unit from remaining affordable a few years out upon potential resale when rates return to historically norms.

In this manner a category 3 - three bedroom unit that would be restricted to sale by the joint Town/County LDRs accepted Housing Authority methodology for no more then \$253,600 is now increased selectively to \$415,000.

According to the County Housing Authority the \$415,000 unit is now actually only affordable to a two-person household earning the top range of Category 6 or 200% AMI (\$135,000 in income).

Debt to Income Explained

A debt-to-income ratio (often abbreviated DTI) is the percentage of a consumer's monthly gross income that goes toward paying debts. Speaking precisely, DTIs often cover more than just debts; they can include certain taxes, fees, and insurance premiums as well. Nevertheless, the term is a set phrase that serves as convenient, well-understood shorthand. There are two main kinds of DTI, as discussed below.

One of the first things a mortgage professional will calculate for you is your debt to income ratio or DTI. This will help reveal how much money (if any) the bank will be willing to lend you. This ratio, along with other factors, conveys how HIGH or LOW of a risk you will be to lend money to. The DTI is figured with a couple different numbers usually known as the "front" and "back" ratio, usually notated in the following format: F/B.

The two main kinds of DTI are expressed as a pair using the notation x/y (for example, 28/36).

1. The first DTI, known as the front ratio, indicates the percentage of income that goes toward housing costs, which for renters is the rent amount and for homeowners is PITI (PITI includes mortgage principal and interest, mortgage insurance premium [when applicable], hazard insurance premium, property taxes, and homeowners association dues [when applicable]).
2. The second DTI, known as the back ratio, indicates the percentage of income that goes toward paying all recurring debt payments, including those covered by the first DTI, and other debts such as credit card payments, car loan payments, student loan payments, child support payments, alimony payments, and legal judgments.

Until 2005 the standard set by the FHA for the front ratio (housing debt) was no more then 25%. On April 13, 2005 HUD increased the allowable debt ratio for manually underwritten loans to 31/43. These are now standard FHA ratios.

Current limits:

- Conventional financing limits nationally are typically 28/36. This is what a typical bank will not lend above.
- Federal Housing Authority (FHA) limits are a bit more generous and are typically 31/43; these loans are back-stopped by the federal government though.
- The Teton County Housing Authority is set at 30 with no back ratio.
- The JH Community Housing Trust is proposing to go higher to 35/45 – well above national standards and even above government supported programs.

Rich Bloom

From: Emily Van Engel [evanengel@tetonwyo.org]
Sent: Thursday, September 11, 2008 9:10 AM
To: Rich Bloom
Subject: pricing
Attachments: 2004 Pricing.tif; Guideline Pricing Tables 2008.pdf

Hi Rich,

I'm attaching "Guideline Pricing Tables 2008.pdf," which shows what the 2008 pricing is. I don't have anything in writing yet that explains how we arrived at those numbers, but they are the result of a task force meeting with Anne Hayden Cresswell, Bettie Pomeroy, Arne Jorgenson, Patti Patterson (FIB), Richard Uhl (FIB), and Cathy Toolson (JSBT). We discussed the assumptions made in determining these prices and all agreed.

Stacy Stoker in my office could walk you through the process of how we arrived at the numbers, but she is out of the office today. Feel free to give her a call tomorrow or next week, 732-0867.

I'm also attaching "2004 Pricing.tif," which comes from the Housing Authority's 2004 Guidelines. I think they cover everything except the assumptions we make about the interest rate.

Hope this helps!

Emily

Emily Van Engel
Associate Planner
Teton County Housing Authority
(307) 732-0867 evanengel@tetonwyo.org

Affordable Maximum Sales Prices - Teton County

	Category 1	Category 2	Category 3	Category 4	Category 5	Category 6
1 Bedroom	\$131,300	\$164,200	\$197,200	\$230,100	\$263,700	\$319,700
2 Bedroom	\$150,200	\$187,800	\$225,300	\$263,000	\$301,400	\$365,500
3 Bedroom	\$169,000	\$211,300	\$253,600	\$295,900	\$339,100	\$411,100
4 Bedroom	\$187,800	\$234,800	\$281,700	\$328,900	\$376,900	\$456,800

No Garage is a 10% reduction from the maximum sales price
Below Grade is a 20% reduction from the maximum sales price
Studio is 15% reduction from one bedroom max. sales price

Amir...

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461*

Teton County Income Chart, February 2008 - March 2009 (HUD Median Family Income Limits)

		CAT 1	CAT 2	CAT 3	CAT 4	CAT 5	CAT 6
		Affordable 1	Affordable 2	Affordable 3 (Attain 2)	Affordable 4 (Attain 3)	Affordable 5 (Attain 4)	Affordable 6
Household Size	Habitat Limit	80% of median	Median Income	120% of median	140% of median	175% of median	200% of median
	60% of median						
One Person	\$34,020	\$46,648	\$58,310	\$69,972	\$81,634	\$102,043	\$116,620
Two Persons	\$38,880	\$53,312	\$66,640	\$79,968	\$93,296	\$116,620	\$133,280
Three Persons	\$43,740	\$59,976	\$74,970	\$89,964	\$104,958	\$131,198	\$149,940
Four Persons	\$48,600	\$66,640	\$83,300	\$99,960	\$116,620	\$145,775	\$166,600
Five Persons	\$52,488	\$71,971	\$89,964	\$107,957	\$125,950	\$157,437	\$179,928
Six Persons	\$56,376	\$77,302	\$96,628	\$115,954	\$135,279	\$169,099	\$193,256
Seven Persons	\$60,264	\$82,634	\$103,292	\$123,950	\$144,609	\$180,761	\$206,584
Eight Persons	\$64,152	\$87,965	\$109,956	\$131,947	\$153,938	\$192,423	\$219,912
Net asset limits:		\$133,280	\$166,600	\$199,920	\$233,240	\$291,550	\$333,200

1. TCHA shall determine the HUD maximum household income that meets minimum occupancy standards and earns ten (10) percentage points less than the maximum household income in the designated Income Category in which the unit is being sold, and minimum occupancy. For example, if a three (3) bedroom affordable housing unit is being sold as affordable for Income Category 1, TCHA shall determine the maximum income for a household of three (3) persons earning seventy percent (70%) of the median family income (ten (10) percentage points lower than the maximum of eighty percent (80%) of median family income permitted in Category 1). 60-80
so = mid point
2. TCHA shall then determine the basic maximum mortgage amount for such household, assuming that no more than thirty percent (30%) of its income was devoted to a mortgage payment. For example, if a three (3) bedroom unit is being sold to fulfill an obligation to provide housing for Income Category 2, TCHA will set the base sales price as the maximum mortgage that a family of three (3) persons in Income Category 2 could qualify for if only thirty percent (30%) of their income were available for mortgage payments (principal and interest).
3. TCHA shall then adjust the basic maximum mortgage amount to take into account other costs related to the purchase and ownership of the unit, including taxes, insurance, private mortgage insurance, homeowners' association or property owners' association dues (if any), and ground lease or condominium fees due (if any). The result of this adjustment shall be a reduction in the maximum mortgage amount to a point where a family earning ten (10) percentage points lower than the highest income permitted in its Income Category for a family of its size can pay the mortgage costs and related purchase and ownership costs assuming no more than thirty percent (30%) of its income is devoted to payment of all such costs. For example, if the basic maximum mortgage amount for the household was determined to be \$1,500 per month, but costs of taxes, insurance, private mortgage insurance, owners' association dues, and ground lease payments was determined to be \$300 per month, then the maximum mortgage amount would be reduced to \$1,200 per month.
4. TCHA shall then set the maximum sales price at the sum of (a) the adjusted maximum mortgage amount, plus (b) a five percent (5%) down payment. For example, if the adjusted maximum mortgage amount were \$100,000, the maximum sales price will be set at \$105,000.

C. Adjustments for Improvements by Owner on Resale

For those TCHA program properties that are not on ground leased property, and for which the deed restrictions permit the owner to make improvements to the property and to receive credit for such improvements on resale, the following rules shall apply.

1. Maximum sales prices may only be adjusted for improvements that TCHA determines to be capital improvements (as defined in these Guidelines) and that are not (1) luxury items (such as hot tubs) or (2) replacements or repairs to previously existing improvements or fixtures on the property. The maximum adjustment for allowable capital improvements shall not exceed 10% of the ~~initial~~ maximum sale price.

Jackson Hole News & Guide

[Print This Page >](#)

490 applications filed for Wilson affordables

By Cara Froedge, Jackson Hole, Wyo.

Date: March 28, 2009

The Teton County Housing Authority received almost 500 applications for seven affordable homes in Wilson by the deadline Friday afternoon.

Christine Walker, executive director of the housing authority, said the Wilson Park neighborhood drew more applicants than any other lottery since the agency opened in 1994.

There were 490 applications submitted.

Some applicants applied for more than one house.

The closest was the 36-home Ellingwood neighborhood, which drew 223 applications in 2006.

"We've known for quite some time that there's a huge demand for the product that is offered," she said. "Market housing has been out of reach for the work force for quite some time."

The seven homes in Wilson Park range in price from \$155,000 to \$230,000.

People who are picked in the lottery to purchase the homes will be notified April 14. Those people will have five days to complete an application to the housing authority.

Most of the applications have been submitted for the Category 1 homes, which serve individuals making up to \$46,648, couples making up to \$53,312 and families of three making up to \$59,976. Walker said the two Category 1 homes each received 133 applications, more than twice as many as those submitted for the three Category 2 homes.

The two-bedroom Category 2 homes each received 55 applications.

The three-bedroom Category 2 home received 47 applications.

That category serves individuals making between \$46,649 and \$58,310, couples making between \$53,313 and \$66,640, and families of three making between \$59,977 and \$74,970.

The two Category 3 homes each received 34 applications.

Category 3 homes are for individuals making between \$58,311 and \$69,972, couples making between \$66,641 and \$79,968 and families of three making between \$74,971 and \$89,964.

"To me, the most interesting part was that we had almost 100 more applications [per home] in Category 1 than Category 3," Walker said. "We've always said the greatest need, the greatest demand is at that level."

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Planet Jackson Hole

Housing Puzzle

Wednesday, April 15, 2009

By Jake Nichols

Jackson Hole, Wyo.-At the last Town Council meeting, the Jackson Hole Community Housing Trust announced its deal with Greg Prugh Jr. to purchase 16 of his 24 free market units at Daisy Bush, a new East Jackson development.

The wonky economy had given the local developer a case of cold feet and selling off more than half of his East Jackson inventory in the name of affordable housing was looking mighty good.

"The game has changed," Prugh said. "When have you seen vacant stores on the Town Square? Architect firms going from a staff of 14 to four? Contractors actually calling you back three times before noon?"

"Look at projects like Painted Buffalo, Stagesstop and Sagebrush. None of them are being built. They can't get the money right now or the demand isn't there anymore. What used to be 10 months of inventory in Jackson Hole is now 17 years worth. The less units I have to sell in these funny economic times, the better."

The Trust told the electeds they would build and manage 16 units while divvying up eight to St. John's Hospital, with whom they had entered into a 50-50 partnership on a property purchased in March 2008 at Redmond and Hansen. No one on the Council was aware of the hospital's involvement in the Daisy Bush development. No one knew, either, that the Trust had sold the Redmond-Hansen property just days before.

"You always try to encourage the applicant to not change the proposal from the staff report to the Council hearing," town planning director Tyler Sinclair said. "It often leads to confusion and that could lead to continuance or tabling."

The new arrangement added too much complexity to the agenda item at hand: the Trust's request for a revision to the affordable housing mitigation plan allowing them to trade in the already approved four affordable units spread evenly in Categories 1, 2, and 3, for 16 Category 3 units. The four-fold increase in affordable housing was enticing, but ultimately the council decided there was too much on their plate already and continued the matter to their April 20 meeting.

"It's too bad that this application has to be so confusing," council member Melissa Turley said at the meeting. "The question here really is: What is our goal? To house workers in our community."

City administrator Bob McLaurin agreed. "I look at it in its totality and ask how many units are we going to get and how many WERE we going to get?" "I applaud anybody thinking outside of the box," Mayor Mark Barron added. "We were surprised to see the request had doubled from eight units to 16 units and there was a new partner in St. John's Hospital but what we're looking at is 16 deed restricted units."

McCabe Corner

It was not the first time the Housing Trust had thought outside the box.

"I remember when the Trust bought the McCabe property with the understanding that it would be an affordable home project. Now we end up getting three guaranteed affordable units out of it," Councilman Bob Lenz recalled. "I was disappointed when I heard [Liz] McCabe sold it and then the Trust didn't have the capital to carry it. Why didn't they come to the elected officials?"

Housing Trust executive director Anne Cresswell said her organization partnered with the Eden Group only after the \$30 million project turned out to be more than the Trust could handle alone.

"Five years ago when we bought it, it was the hottest acquisition that had hit Jackson Hole in a coon's age," she said. "If we didn't buy it, somebody else would have gobbled it up in a heartbeat."

One-time CFO of the Teton Science Schools, Rich Bloom, thinks the Trust, a 501(c)(3) nonprofit, got in over their heads and sold out. "They bought McCabe Corner with the promise of affordable housing and flipped it in 10 months," he said.

"Now the town will get just one affordable unit and two employee housing units out of that huge hole in the ground. The Trust made \$370,000 on that deal. I'm interested to see how they explain that to the IRS. Did they also sell Redmond-Hansen for a profit? It seems to me they are putting their charity status at risk."

"People love a good story," Cresswell responded. "We are not making any money. Every single deal that we have is run through our IRS counsel in Omaha. We are not willing under any circumstance to jeopardize our charitable status because the second we do the IRS will close down our doors. So that's a non-starter."

Still, Lenz said he would like to see a little more disclosure. "The Trust manages \$4.3 million of public money. They like to say, 'We are a 501(c)(3) and it's none of your business.' Well, it's still the public's money," he said.

Regarding the inclusion of the Eden Group for additional financial clout, Cresswell said, though construction is currently halted due to a loss of financing, “nothing about McCabe Corner has changed from the day it was approved.”

The planning director at the time of the McCabe proposal was Brian Grubb. “I remember that they started out with very good intentions,” Grubb said. “But as the review process evolved, at one point we felt it no longer contained much benefit to the community in the form of affordable housing. In the end, I guess a lot of us have kind of a black eye or egg on our face because we weren’t diligent enough to put the appropriate restrictions on the approval to make sure it was an affordable housing project.”

Glory View

The Trust’s most recent development is the 15-home Glory View subdivision that redefined affordable housing. Free-standing two-bedroom, two-bath units sold for \$325,000 each – the most the Trust had ever charged for an affordable home.

“The Trust just doesn’t want to leave any money on the table,” Bloom said. “They ask, ‘What is the most we can charge for a home?’”

The County Commissioners eventually approved the subdivision as the state’s first Gold LEED certified residential development despite, according to some observers, another Trust ‘switcharoo.’

“They pulled a fast one on Glory View,” Bloom said. “The Trust, the commissioners, the planning office; everyone understood the homes would be in Category 3, priced at \$253,600 max. It wasn’t until [a county planner] caught it at the final plot approval that the commissioners realized the homes were being marketed at \$325,000. The Trust said they already had the homes committed. There were people ready to move in. They had an eleventh-hour meeting with the county and the commissioners basically had to let them do it. They were given a ‘take it or leave it’ deal and they felt like they were backed into a corner.”

When asked if that’s how it went down, one commissioner who asked not to be identified said, “That’s a pretty accurate description. We weren’t too pleased.”

“Did I make a mistake and not understand that we were supposed to price homes in accordance with the Housing Authority’s pricing policies? Yes. I had no idea.” Cresswell said. “It was an honest mistake that I will learn from.”

The Housing Authority’s stance has been to play nice. “We always fully support the Housing Trust. We also really appreciate the Trust looking to creative solutions,” director Christine Walker said. “But what I have said to them and to the elected officials is our concern is their moving away from the Category 1 homes, because that’s where the greatest need is.”

Another Monday night, another 11th hour

Opposition to the Trust's proposed revisions at the April 6 night meeting of the City Council came from expected sources. Conservation Alliance spokesperson Kristy Bruner said her organization was for transparency in the government process and would like to see public confusion minimized.

Save Historic Jackson Hole's Armond Acri worried about the pace of the process and the possible precedents such a deal could present: "Too many developers will find they can't sell their open market homes in today's economy and will pull them and repackage them as Category 5 or 6 affordable homes. And why is the hospital involved?"

"The hospital may have to do a little soul-searching," Lenz said. "I don't know that they are even filling the Category 3s they have at Glory View." Cresswell said that St. John's had a few homes yet unfilled in the shared project.

Prugh was disappointed at the continuance. "I honestly thought the Council was going to say, 'Great, we lose a Category 1 or 2 but we are going to get something similar, and a bunch of them.' I thought they would think it was no big deal. Otherwise this is a market project, and the deal goes away." Prugh said he has the financing to "sit on these for a couple of years" if the Council does not grant the Trust a housing mitigation exemption.

Cresswell also was not ready to admit defeat. "I find it hard to believe they will say no to this. It honestly never dawned on me. It would be a real disappointment, she said."

Town Council will review the Daisy Bush development proposal, 6 p.m., April 20 at Town Hall, 150 E. Pearl.

PJH

BUSINESS & DEVELOPMENT

On the hot seat with Anne Cresswell

Wednesday, April 15, 2009

By Jake Nichols

Jackson Hole, Wyo.-Planet Jackson Hole: Knowing what many people think of you – that you are not always forthright and communicative with your motives – how could you come before the council with so many last minute changes?

Anne Cresswell: I think some people are conspiracy theorists. There are some people who will always assume malintent or nefarious intent. And there are people who don't take the time to ask the questions.

The property that we would ultimately own at Daisy Bush is 36-percent larger [than Redmond-Hansen]. The entire property is entitled and designed and shovel-ready.

There are 180 people in the construction industry here that have lost their jobs because of the economy's effect on the industry. So here is a great opportunity for the Housing Trust. Ultimately, I think this is the right course of action; I just think it ended up being more complicated than everybody thought it was going to be.

PJH: What about not disclosing that you had just sold a property the Town helped finance?

AC: The hospital board voted [March 26] to sell Redmond-Hansen. The contract went hard [March 30]. We closed Redmond-Hansen on April 2 and we were at the meeting on the April. This is a classic demonstration of real estate acquisitions in Jackson Hole, Wyoming. It's fast, it's furious, and it's confidential. I don't want to blow it with my buyer. I want to get the best possible price.

Prugh, Jr. didn't even know that we were selling Redmond-Hansen. He had no idea. He didn't know the hospital was a partner. A lot of what we do has to be kept confidential and if people have a problem with that, well, that's why we need to have that ability as a private nonprofit organization.

PJH: Is the Trust in the business of building houses or land speculating?

AC: We made a really strategic and smart business decision. We sold a piece of property and we traded up for a 36-percent increase in size and better location. It was a great opportunity and only possible because of this market.

You've seen the scrutiny we've been under since we engaged in Teton Meadows. If anybody thinks for a second that we set out with a nefarious plot and thought we were going to get away with something; there's no way.

PJH: You have a board full of heavy hitters. Have you ever been pressured to, say, have First Interstate Bank (Jim Moses, bank and Trust board president) carry your loans or Hawtin-Jorgensen Architects (Arne Jorgensen, emeritus board member) do your design?

AC: Absolutely not. We have a crystal clear conflict of interest policy for our organization that is always front-and-center. The reason we have the board makeup we do is because those board members have tremendous value to add to our organization. We've got Nancy Hughes, who owns a title and escrow company.

We've got realtors, bankers, financial hedge fund managers and architects because this is the work of the organization. It's not going to help me if I've got a gardener and a cook sitting on my board of directors when I'm trying to build the best possible houses I can. PJH

Alex Norton

From: Richard Bloom <richbloom.jh@gmail.com>
Sent: Friday, October 02, 2015 10:14 AM
To: County Commissioners; Sara Flitner; Town Council
Cc: Alex Norton; Tyler Sinclair - Teton County; Stacy Stoker
Subject: Housing Authority versus Housing Trust - the example of 5-2-5 Hall Street
Attachments: 5-2-5 Hall Comments.pdf; ATT00001.htm

Teton County Commissioners, Mayor Flitner and Jackson Town Council - and joint planning staff,

After I submitted updated comments yesterday I was provided a copy of the JH Community Housing Trust comment letter of 9/30. Along with concerns in the first two pages of undermining the current governmental housing structure - my reason for writing (again) is the very aggressive last section on "Removing Barriers". Instead of commenting on how most of their recommendations would provide absolutely no predictability to neighborhoods or the community - and violate much of the language in the 2012 Comprehensive Plan on approaches to predictability - I want to share another piece (from March 14, 2011) that captures what transpired on 5-2-5 Hall Street - both on its four-year delay by the Trust - and then the redesign and community reaction after it returned to the governmental County Housing Authority.

In a nutshell:

The primary improvements to the governmental County Housing Authority revised plan from the sketch plan approval that the Housing Trust received in August of 2009 - were as follows:

- Instead of category 1-3 – with a request before dissolution of the partnership to do all category 3 – we have 7 units in category 1 and Habitat's 5 units below category 1. Housing that is the most difficult to provide – and is also the greatest identified need.
- The density has been reduced from 14 units to 12 on four lots. This matches the underlying density of the AR zone and strongly responds to neighbor concerns.
- The reduced 12 units are better designed with more two-bedroom units to meet the needs of more families.
- The project previously was given variances to be under parked. The project is now fully parked.
- The project also through use of townhomes and its reduction of the number of units – has better landscape ratios, open space and the ability to capture storm water.
- From neighbors, and during previous design charrettes, the approved sketch plan exteriors were too contemporary and did not respect the design of the existing neighborhood. The design is now a traditional exterior with gabled roofs and second-story dormers which complements the existing neighborhood.

The lessons learned from the Hall Street five-year saga:

- Trust but verify – do not entrust public monies to non-governmental organizations without full financial due diligence on the front-end - for each and every grant request.
- Transparency – open meetings and full disclosure are a basic foundation not just for governmental entities but also for non-profit partners receiving taxpayer dollars.
- Legal agreements – are only as solid as the trust that each party has that they will not exploit any language to their exclusive benefit.
- Responsiveness and respect – projects that are truly responsive to neighborhood feedback and concerns not only have improved design - but are also more accepted by the neighborhood.
- Partnerships – governmental partnerships with non-profits should only occur when they leverage tax payer investments, reduce taxpayer costs while serving the highest standard of community needs.

See attached (from March 14, 2011) comments I delivered in 2011 for a more detailed focused history on Hall Street, the Housing Trust - and upon the return to management by the governmental County Housing Authority - the improved neighborhood friendly project that came about.

I hope you will take this additional information and comment as you enter the final discussion on October 12 on the important role the governmental County Housing Authority still plays - and the checks and balances whenever the government entrusts money and/or land to the JH Community Housing Trust.

Respectfully - Rich Bloom

Dear Mayor Barron and Town Council – the following comments are submitted as an individual but for transparency - I am a modest donor and volunteer with Habitat for Humanity – having recently served on the family selection committee for 5-2-5 Hall.

It has been nearly five and a half years since this project started and some perspective may be helpful in your review of the Final Development Plan (FDP) next Monday. Personally I struggled with history class in Junior High School and quarried my teacher on the purpose of studying the past – he replied with some variation of: *"If we do not learn from the **mistakes of history**, we are **doomed to repeat them**."* With that sense it is critical to reflect on the history of Hall Street in order to put the current final development proposal in perspective.

In December 2005 – The Teton County Housing Authority (Authority) assigned Hall Street to the Jackson Hole Community Housing Trust (Trust), paid for with \$1,423,649 of Special Purpose Excise Tax (SPET) revenue – a partnership with the Authority on initially sales. One restriction in the partnership agreement was not to unduly collateralize the land. The explicit intent was to be an equal mixture of category 1-3 units. The intent was also to start the project within a year – unfortunately it was structured that the Trust controlled the project schedule.

Over the next nearly four years numerous six-month extensions were reluctantly granted to the Trust from the County Commissioners on moving forward with the Hall Street project. During this time the Trust pursued numerous other projects and initiatives including; the purchase and flip of McCabe Corner, the purchase of Millward/Paddleford Square – and eventually liquidation, the lucrative partnership with the developer of Teton Meadows Ranch – that ultimately failed albeit through an imposed development moratorium, the Town's \$1.8M grant structured as six Rights of First Purchase Options that allowed the purchase and eventual flip of Hansen-Redmond to Daisy Bush parcels with a joint Trust/Hospital LCC - that has since unwound, the successful completion of the 15-unit Glory View project adjoining Melody Ranch and the Trust's proposed AR density zone text amendment that through extensive neighbor pressure was eventually withdrawn.

In July 2008 – without disclosure to the Authority - the Trust cross-collateralized Millward aka Paddleford Square to the Hall Street parcels – putting the \$1.42M public SPET money at risk if Millward failed. A \$1.923M mortgage on Millward property cross-collateralized Hall Street.

Early in July 2009 the Town planning commission recommended the Trust's Hall Street Sketch Plan approval – parking was a concern. On August 3, 2009 Town Council approved the sketch plan. Neighbors had also asked for less density and exterior elevations that better reflected the existing neighborhood – unfortunately the plan was not significantly modified to accommodate neighborhood concerns.

In spring of 2009 also – The Teton County Housing Authority discovered the cross-collateralization of Hall Street parcels – violating the partnership agreement. The Trust after several meetings reluctantly agreed to unwind the collateralization. Over a period of several more months – the Trust admitted they financially could not move forward with Hall Street unless they dropped category 1&2 and did all Category 3 units.

During the Summer/Fall 2009 – the Authority said effectively - give Hall Street back then – months of negotiations ensued on the terms of the shared use agreement – specifically on what development costs were to be reimbursed to the Trust.

In October and November 2009 – the Authority agreed to pay \$150,000 - \$30,000 over verified legitimate development costs – to the Trust to resolve the issue, prevent possible foreclosure on Hall Street and avoid uncertain mediation. The Trust acknowledged they had also maxed out a \$150,000 line of credit that was coming due (collateralized to Hall Street) - with no ability to pay. The Authority engaged – at tax payer expense – Denver based bankruptcy attorneys for legal advice on the transfer.

In November 2009 – the settlement payment of an additional \$150,000 of tax payer money was finalized – tied to the removal of the cross-collateralization of Millward to Hall Street, the pay-off of the Trust's

maxed-out \$150,000 line of credit – and clear unencumbered title to Hall Street transferred to the Authority.

In 2010 the Authority then formed a new partnership with Habitat for Humanity (Habitat). The Authority did full financial due diligence with this old partner (18 previous projects with land provided by the Authority through exactions and/or SPET money). As President Regan famously quipped on nuclear disarmament deals with Russia: “Trust but verify”. Habitat was happy to cooperate – and the complete financial review validated a financially secure partner

In 2010 the Authority also sought various state and federal grants eventually securing enough funding (\$250k) to bring all of their seven units to be Category 1 – Habitat’s five units, by their own mission mandate, serves families below Category 1 (so below 60-80% of area medium income).

The Authority and Habitat reached out again to neighbors – they added neighbors Loretta Scott and Patty Ewing to the design committee. They hired a new architect and build team – both local. Through a series of new neighborhood open houses and community feedback – the sketch plan was modified to respond to previous neighborhood concerns. That is reflected in the FDP before you.

The primary improvements to the plan from the sketch plan approval that the Housing Trust received in August of 2009 - are as follows:

- Instead of category 1-3 – with a request before dissolution of the partnership to do all category 3 – we have 7 units in category 1 and Habitat’s 5 units below category 1. Housing that is the most difficult to provide – and is also the greatest identified need.
- The density has been reduced from 14 units to 12 on four lots. This matches the underlying density of the AR zone and strongly responds to neighbor concerns.
- The reduced 12 units are better designed with more two-bedroom units to meet the needs of more families.
- The project previously was given variances to be under parked. The project is now fully parked.
- The project also through use of townhomes and its reduction of the number of units – has better landscape ratios, open space and the ability to capture storm water.
- From neighbors, and during previous design charrettes, the approved sketch plan exteriors were too contemporary and did not respect the design of the existing neighborhood. The design is now a traditional exterior with gabled roofs and second-story dormers which complements the existing neighborhood.

This is truly a responsive and respectful approach to the neighborhood’s concerns along with improved set backs from the alley - and the stepping back the height on the units that front the alley to allow more light and views to the neighbors across the alley.

In closing: I applaud this creative partnership between these two respected, solid organizations working to provide workforce housing. This partnership benefits the taxpayers and provides affordable housing units in the categories of greatest identified need. Both organizations are to be commended for their respect of, and responsiveness to, neighborhood design concerns.

After five and a half years from the initial investment of public money on the Hall Street parcel – it is good to see this project finally move forward. It is unequivocally “shovel ready”.

Please approve the Final Development Plan for 5-2-5 Hall.

Respectfully – Rich Bloom



To my old history teacher – lessons learned:

- **Trust but verify** – do not entrust public monies to non-governmental organizations without full financial due diligence on the front-end - for each and every grant request.
- **Transparency** – open meetings and full disclosure are a basic foundation not just for governmental entities but also for non-profit partners receiving taxpayer dollars.
- **Legal agreements** – are only as solid as the trust that each party has that they will not exploit any language to their exclusive benefit.
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- **Partnerships** – governmental partnerships with non-profits should only occur when they leverage tax payer investments, reduce taxpayer costs while serving the highest standard of community needs.



Celebrating
20
YEARS
and counting...

Board of Directors

October 2, 2015

Christina Feuz
President

Dear Elected Officials,

Todd Cedarholm
Vice-President

Please accept this letter as an official response to the Jackson/Teton County Workforce Housing Action Plan draft currently circulating for public review and comment. Thank you to the staff for their efforts in formulating what Habitat hopes will be a working document that the community can weigh in on and help formulate a realistic plan for community housing in general.

Dawn Pruett
Treasurer

Jean Day
Secretary

We were very pleased to see recognition that the community's goal of housing 65% of its workforce can only be met by adding two hundred additional housing units per year for households making 120% or less of the median income. (See Section 3, Chapter 5 at pg. 58). However, Habitat is having a difficult time drawing a parallel line between this lofty goal and the current and proposed zoning regulations. Basically, we question whether this goal is attainable. While our position is obviously that the community must take the necessary steps to make the goal 100% attainable, in order to make that a reality, there need to be certain changes to the zoning regulations in order to accommodate affordable, community, workforce housing.

Meredith Adams

Leah Corrigan

Bruce Hawtin

Sanae Ishikawa

Patty Lummis

Randell Mayers

Joshua Mickelson

Tayloe Piggott

Chapter 8A considers removing barriers to allow for increased supply to workforce housing and suggests areas for increased density. With that said, it is difficult to understand how increased density may be accomplished in the identified areas, particularly where there is pre-existing high-end residential and resort development. Land Development Regulations such as, floor area, landscape surface, parking requirements, building height and development setbacks will need to be carefully considered if additional density allowances are to be realized with economically viable, buildable workforce housing. It is Habitat's position that the current zoning regulations as applied methodically to both market and affordable housing projects essentially render affordable housing projects economically unviable, particularly for Category I providers like Habitat. We ask that this be carefully considered when creating new tools that relate to the LDR and developing decent, affordable homes for the Category 1 and Category 2 community members.

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Generally, Chapter 8 lacks the necessary specificity to evaluate whether the overall goal of creating 200 units per year and housing 65% of the workforce locally is in the realm of possibility. Without specific amendments to the zoning regulations designed to accommodate and encourage affordable housing projects, Habitat feels the Action Plan goal as written is unattainable.

Our other primary focus regards the public production and preservation of current housing stock, as that is where we believe Habitat can play a critical role in partnership with the community through the newly proposed Jackson/Teton County Housing Authority. The draft clearly reflects the stakeholder's plea to "get the public out of the role of developer". Habitat has the capacity and experience to fill the role of developer for Category I housing. As discussed in Section 5B, a good example of new production would be allowing Habitat to play the role of developer, while the town and county provide the necessary public subsidy by providing a 99 year ground lease to Habitat homeowners, but maintaining ownership of the land. Again, this partnership with Habitat or other Category I developers will only be possible if a fair amount of density is permitted – without increased density on existing land stock, a Category I developer cannot build simple, decent, affordable housing without providing an unreasonably high subsidy to the homeowner. We believe that developing these partnerships will be crucial to the success of the goal, and needs to be instituted sooner rather than later.

Finally, we thought it important to note Habitat has had a historic relationship with the current Teton County Housing Authority, and we noted that the draft proposes a restructuring of the entity in great detail. While the general concept of restructuring does not cause Habitat a great deal of alarm, we think it is critical to address the important fact that these types of changes are known to take significant time to implement. We fear restructuring of the housing authority will take the focus away from putting new units on the ground and supporting the effort of 200+ units a year. We trust this will be taken into consideration as we move toward attaining the goal of providing this critically needed community housing.

We are pleased that the housing summit resulted in clear recognition of the scale of the workforce housing problem, by recognition that 200 units must be built annually in order to meet the community's goals. However, we urge elected officials and planning staff to recognize that unless substantial, direct, and immediate policy changes are implemented by the town and county, the community's workforce housing goals will not be attainable.

We look forward to continued discussion, but more importantly, we are hoping for ACTION to take place. Habitat is ready for a project, we ask if you as an elected official are ready to make the decision to break ground and create solutions. Together we can BUILD.

On behalf of the Board of Directors,


Christina Feuz
Board President